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JOURNAL

OF

THE SENATE

OF THE

FIFTEENTH GENERAL ASSEMBLY

OF THE

STATE OF IOWA,

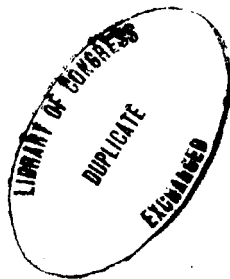
WHICH ASSEMBLED AT THE CAPITOL AT DES MOINES, JANUARY 12, 1874.

DES MOINES:

R. P. CLARKSON, STATE PRINTER.
1874.

D. S.

*By order of the Senate
J. H. ...*



JOURNAL OF THE SENATE.

SENATE CHAMBER, }
DES MOINES, IOWA, January 12, 1874. }

Pursuant to law, the Senate of the Fifteenth 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:—Pursuant to the provisions of the Constitution of the State, the Fifteenth General Assembly of Iowa, in regular session convened, is about to enter upon the discharge of the responsible trusts confided to it by a large and rapidly increasing constituency. As a co-ordinate branch of the law-making power of the State, your honorable body here assembled will be responsible to the people whose interests you represent, for a faithful and impartial exercise of the prerogatives with which you have been endowed. That you will bring to the discharge of your duties as Senators a sound judgment, enlightened views, large experience, and high and honorable motives, every citizen has a right to expect.

That these expectations may be fully realized, and that your labors here may be characterized by the exercise of those principles of justice and economy to which our beloved State is so largely indebted for the advanced position that it now occupies, is my earnest desire, as it is my firm belief.

Trusting that this session may be signalized as well for the harmony of its deliberations as for the wisdom of its enactments, I welcome you to this chamber, where, in the faithful discharge of your duties as legislators, you will honor this great Commonwealth and win for yourselves that greatest of all earthly rewards, the smiles of an approving conscience.

It is but a suitable acknowledgment of our dependence and weakness that, before entering upon our deliberations, we should look to that source from whence emanates all wisdom, and knowledge, and power, for guidance and direction in the discharge of the duties entrusted to us. To that end let us invoke the Divine blessing in a prayer by the Rev. Mr. Smith.

Prayer by Rev. Mr. Smith.

On motion of Senator Converse, J. A. T. Hull, of Davis county, was elected temporary Secretary.

Senator Dashiell nominated Val Mendel, of Monroe county, for temporary Sergeant-at-Arms of the Senate.

Senator Larrabee moved to amend by striking out the words "Val Mendel, of Monroe," and inserting the words "A. F. Hofer, of Clayton."

Senator Maxwell moved to amend the amendment by striking out the words "A. F. Hofer, of Clayton," and inserting the words "Van Doran, of Boone."

The amendment to the amendment was lost.

Senator Larrabee's amendment was agreed to and A. F. Hofer was elected temporary Sergeant-at-Arms.

Senator Shane nominated E. H. Stedman, of Benton county, as temporary Postmaster of the Fifteenth General Assembly.

Senator West moved to amend by striking out the words "E. H. Stedman, of Benton," and inserting "Mrs. E. M. Elliott, of Henry."

The amendment did not prevail.

Senator Shane's motion was agreed to.

On motion of Senator Young, of Cass county, C. S. Noolan, of Cass county, was elected temporary Door-Keeper.

On motion of Senator Russell, Frank Rice, Horace Hurl, and Suel Spaulding, were elected temporary Messengers.

On motion of Senator Young, of Mahaska, Senators Miles, McIntyre, McCoid, Wonn, and Kinne, were elected committee on Credentials.

On motion of Senator Kephart, T. G. Milligan, of Polk county, was elected temporary Janitor.

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

3d District—Horatio A. Wonn.
 6th District—Robert A. Dague.
 7th District—Elisha T. Smith.
 8th District—James S. McIntyre.
 9th District—John Y. Stone.
 12th District—Moses A. McCoid.
 15th District—Joseph D. Miles.
 18th District—James A. Young.
 19th District—John L. McCormack.
 20th District—Mark A. Dashiell.
 24th District—John C. Chambers.
 26th District—J. N. W. Ruple.
 32d District—Ezekiel B. Kephart.
 33d District—John Shane.
 34th District—R. Howe Taylor.
 36th District—Albert Boomer.
 37th District—G. W. Bemis.
 39th District—Oliver W. Crary.
 40th District—William Larrabee.
 41st District—Samuel H. Kinne.
 43d District—Alonzo Converse.
 45th District—George M. Maxwell.
 46th District—Elisha A. Howland.
 47th District—William H. Fitch.
 49th District—John J. Russell.

Absent :

4th District—Edward J. Gault.
 26th District—Samuel H. Fairall.
 30th District—L. W. Stewart.

On motion of Senator Campbell, Senator Gault, of the Fourth District, was granted leave of absence for one week, on account of sickness in his family.

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

- 1st District—Henry. W. Rothert.
- 2d District—James B. Pease.
- 5th District—Lloyd Selby.
- 10th District—J. Wilson Williams.
- 11th District—John P. West.
- 13th District—Joseph H. Merrill.
- 14th District—H. N. Newton.
- 16th District—Henry Thornburg.
- 17th District—Lafe Young.
- 21st District—Gilbert H. Wood.
- 22d District—Jeremiah H. Murphy.
- 23d District—Nathaniel A. Merrell.
- 27th District—Frank T. Campbell.
- 28th District—Thomas Mitchell.
- 29th District—Elias Jessup.
- 31st District—George W. Lovell.
- 35th District—Dennis N. Cooley.
- 38th District—John Conaway.
- 42d District—George R. Willett.
- 44th District—Edward G. Miller.
- 48th District—Hiram Bailey.
- 50th District—George D. Perkins.

At 2 o'clock and twenty-five minutes the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER,
DES MOINES, IOWA, January 13, 1874. }

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

Prayer by the Rev. J. Telleen.

The Journal of yesterday was read and approved.

Senator Miles, from the Committee on Credentials, submitted the following report :

Mr. President:—Your Committee on Credentials beg leave to report that they have examined the credentials of the following named Senators, and find them correct:

- 1st District—Henry W. Rothert.
- 2d District—James B. Pease.
- 5th District—Lloyd Selby.
- 10th District—J. Wilson Williams.

11th District—John P. West.
 13th District—Joseph H. Merrill.
 14th District—H. N. Newton.
 16th District—Henry Thornburg.
 17th District—Lafe Young.
 21st District—Gilbert H. Wood.
 22d District—J. H. Murphy.
 23d District—Nathaniel A. Merrell.
 27th District—F. T. Campbell.
 28th District—Thomas Mitchell.
 29th District—Elias Jessup.
 31st District—Geo. W. Lovell.
 35th District—D. N. Cooley.
 38th District—John Conaway.
 42d District—G. R. Willett.
 44th District—Edward G. Miller.
 48th District—Hiram Bailey.
 50th District—Geo. D. Perkins.

J. D. MILES,
 J. S. McINTYRE,
 M. A. McCOID,
 H. A. WONN,
 SAMUEL H. KINNE.

Committee on Credentials.

On motion of Senator Taylor, the report was adopted.

The newly elected Senators appeared before the bar of the Senate and took the following oath of office (except Senator Jessup, who affirmed) :

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

Senator McIntyre offered the following resolution :

Resolved, That the Secretary of State be requested to furnish each member of the Senate with a copy of the interleaved code of 1873, and the journals of the two Houses of the Fourteenth General Assembly.

Senator Miles offered the following amendment :

Provided, That each person so receiving copy of code give his receipt for same and return it to Secretary of State at close of this session.

The amendment did not prevail.

The resolution was then adopted.

Senator Maxwell offered the following resolution :

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

The resolution was adopted.

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

Senator Taylor nominated J. A. T. Hull of Davis county for Secretary.

Senator Kinne nominated Theodore Vatchway of Alamakee county for same office.

The roll was then called.

Those voting for J. A. T. Hull were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Converse, Cooley, Crary, Dague, Fitch, Howland, Jessup, Kephart, Larrabee, Maxwell, McCoid, McIntyre, Merrill of Wapello, Miles, Miller, Mitchell, Perkins, Rother, Rumble, Russell, Shane, Smith, Stone, Taylor, West, Willett, Williams, Young of Cass, and Young of Mahaska—34.

Those voting for Mr. Vatchway were—

Senators Conaway, Kinne, Lovell, McCormack, Merrell of Clinton, Murphy, Newton, Pease, Selby, Stuart, Thornburg, Wonn, and Wood—13.

Absent or not voting—

Senators Dashiell, Fairall, and Gault—3.

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

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

Senator McCormack nominated Cyrus B. Boydston, of Marion county, for the same office.

The roll was then called.

Those voting for W. L. Vestal were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Converse, Cooley, Crary, Dague, Fitch, Howland, Jessup, Kephart, Larrabee, Maxwell, McCoid, McIntyre, Merrill of Wapello, Miles, Miller, Mitchell, Perkins, Rother, Rumble, Russell, Shane, Smith, Stone, Taylor, West, Williams, Young of Cass, and Young of Mahaska—34.

Those voting for Mr. Boydston were—

Senators Conaway, Lovell, McCormack, Merrell of Clinton, Murphy, Newton, Pease, Selby, Stuart, Thornburg, Wonn, and Wood—13.

Absent or not voting—

Senators Dashiell, Fairall, and Gault—3.

W. L. Vestal having received a majority of all the votes cast, was declared duly elected First Assistant Secretary.

Senator Shane nominated R. B. Baird of Muscatine county for Second Assistant Secretary.

Senator Pease nominated Francis Miller of Van Buren county for the same office.

The roll was then called.

Those voting for Mr. Baird were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Converse, Cooley, Crary, Dague, Fitch, Howland, Jessup, Kephart, Larrabee, Maxwell, McCoid, McIntyre, Merrill of Wapello, Miles, Miller, Perkins, Rother, Rumble, Russell, Shane, Smith, Stone, Taylor, West, Willett, Williams, Young of Cass, and Young of Mahaska—33.

Those voting for Mr. Miller were—

Senators Conaway, Kinne, Lovell, McCormack, Merrell of Clinton,

Mitchell, Murphy, Newton, Pease, Selby, Stuart, Thornburg, Wonn, and Wood—14.

Absent or not voting—

Senators Dashiell, Fairall, and Gault—3.

Mr. Baird was then declared duly elected Second Assistant Secretary.

Senator Smith nominated G. W. Fawcett, of Lucas county, for Sergeant-at-Arms of the Senate.

Senator Murphy nominated Hiram Wheeler, of Scott county, for the same office.

The roll was then called.

Those voting for Mr. Fawcett were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Converse, Cooley, Crary, Dague, Fitch, Howland, Jessup, Kephart, Larrabee, Maxwell, McCoid, McIntyre, Merrill of Wapello, Miles, Miller, Perkins, Rothert, Rumpel, Russell, Shane, Smith, Stone, Taylor, West, Willett, Williams, Young of Cass, and Young of Mahaska—33.

Those voting for Hiram Wheeler were—

Senators Conaway, Kinne, Lovell, Merrell of Clinton, Mitchell, Murphy, Newton, Pease, Stuart, Thornburg, Wonn and Wood—13.

Absent or not voting—

Senators Dashiell, Fairall, Gault, and Selby—4.

Mr. Fawcett was declared elected Sergeant-at-Arms of the Senate.

Senator Miller nominated J. W. Logan of Black Hawk county for Enrolling Clerk of the Senate.

The roll was then called.

Those voting for Mr. Logan were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fitch, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Shane, Smith, Stone, Stuart, Taylor, West, Willett, Williams, Wood, Young of Cass, and Young of Mahaska—42.

Absent or not voting—

Senators Dashiell, Fairall, Gault, Kinne, McCormack, Selby, Thornburg, and Wonn—8.

Mr. Logan was declared duly elected Enrolling Clerk of the Senate.

Senator Young of Mahaska nominated A. F. Hofer of Clayton county for Door-Keeper of the Senate.

Senator Merrell of Clinton nominated Harrison Droger of Clinton county for same position.

The roll was then called.

Those voting for Mr. Hofer were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Converse, Cooley, Crary, Dague, Fitch, Howland, Jessup, Kephart, Larrabee, Maxwell, McCoid, McIntyre, Merrill of Wapello, Miles, Miller, Perkins, Rothert, Rumpel, Russell, Shane, Smith, Stone, Taylor, West, Willett, Williams, Young of Cass, and Young of Mahaska—33.

Those voting for Mr. Droger were—

Senators Conaway, Kinne, Lovell, McCormack, Merrell of Clinton, Mitchell, Murphy, Newton, Pease, Selby, Stuart, Thornburg, Wonn, and Wood—14.

Absent or not voting—

Senators Dashiell, Fairall, and Gault—3.

Mr. Hofer was then declared duly elected Door-Keeper of the Senate.

Senator Russell nominated Mrs. S. P. Maxwell, of Guthrie county, for Engrossing Clerk of the Senate.

The roll was then called.

Those voting for Mrs. Maxwell, were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fitch, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young, of Mahaska—47.

Absent or not voting—

Senators Dashiell, Fairall, and Gault—3.

Mrs. S. P. Maxwell was declared duly elected Engrossing Clerk of the Senate.

Senator Young, of Cass, offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That Mrs. E. M. Elliott be elected Postmaster, Annie P. Smith, Assistant Postmaster, and James Kelsey, Mail Carrier of the Fifteenth General Assembly.

The resolution was adopted.

Senator Taylor nominated George Johnson, of Polk county, for Janitor of the Senate.

The roll was then called.

Those voting for Mr. Johnson were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fitch, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, West, Willett, Williams, Wood, Young of Cass, and Young of Mahaska—45.

Absent or not voting—

Senators Dashiell, Fairall, Gault, Thornburg, and Wonn—5.

Mr. George Johnson was then declared duly elected Janitor of the Senate.

Senator Rumble offered the following resolution:

Resolved, That Frank S. Rice, Howard Hare, and Suel Spaulding be appointed Messengers, and Mrs. J. M. Dixon and Arthur Bennett be appointed Paper-Folders of the Senate.

The resolution was adopted.

The following resolution was offered by Senator Kephart:

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

Senator Miles offered the following as a substitute for the resolution:

Resolved, That the Senate adopt the rules of the Fourteenth General Assembly, and that the standing committees of the Senate be as follows:

1. Ways and Means.
2. Judiciary.
3. Federal Relations.
4. Constitutional Amendments.
5. Appropriations, (to consist of 9).
6. Normal Schools.
7. Schools.
8. Agriculture.
9. County and Township Organization.
10. Railways.
11. State University.
12. Military.
13. Elections.
14. Claims.
15. Banks.
16. Commerce.
17. Public Buildings.
18. Incorporations.
19. Manufactures.
20. Printing.
21. Public Lands.
22. Internal Improvements.
23. Highways.
24. State Library.
25. Engrossed Bills.
26. Enrolled Bills.
27. Judicial Districts.
28. Congressional Districts.
29. Senatorial Districts.
30. Representative Districts.
31. Hospital for Insane.
32. Institution for Deaf and Dumb.
33. College for Blind.
34. Orphans' Home.
35. Penitentiary.
36. Reform School.
37. Agricultural College.
38. Medical Institutions.
39. Horticulture and Forestry.
40. Suppression of Intemperance.
41. Insurance.
42. Compensation of Public Officers.

Senator Taylor moved to amend the substitute by adding thereto a Committee on Fish and Game.

The amendment was agreed to.

The substitute was then accepted by Senator Kephart and adopted by the Senate.

The officers and employees elect of the Senate then appeared and took the oath of office.

Senator Howland offered the following resolution :

Resolved by the Senate, the House Concurring, That the offices

of Postmaster, Assistant Postmaster, and Mail Carrier, be and the same are hereby abolished.

Senator Taylor moved that the resolution be indefinitely postponed.

On this question the yeas and nays were demanded and the yeas were—

Senators Baily, Converse, Cooley, Dague, Fitch, Maxwell, McCoid, Pease, Perkins, Rumble, Taylor, West, Willett, and Williams—13.

The nays were—

Senators Bemis, Boomer, Campbell, Converse, Conaway, Crary, Fitch, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Rothert, Russell, Selby, Shane, Smith, Stone, Stuart, Thornburg, Wonn, Wood, Young of Cass, and Young of Mahaska—34.

Absent or not voting—

Senators Dashiell, Fairall, and Gault—3.

So the motion to indefinitely postpone did not prevail.

Senator Taylor moved to refer the resolution to a Special Committee of five, with instructions to report to-morrow morning.

Senator Merrell moved to lay the resolution on the table.

On this question the yeas and nays were demanded, and the yeas were—

Senators Converse, Cooley, Fitch, Kephart, Maxwell, Rumble, Taylor, West, and Willett—9.

The nays were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Crary, Fitch, Howland, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Russell, Selby, Shane, Smith, Stone, Stuart, Thornburg, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—38.

Absent or not voting—

Senators Dashiell, Fairall, and Gault—

So the motion to lay upon the table did not prevail.

The question recurring on the motion to refer, it prevailed, and the President appointed Senators Taylor, Howland, Merrell of Clinton, West, and McCormack such committee.

Senator Stone moved that a committee of two be appointed to inform the House that the Senate had organized and was ready to proceed with business.

The motion prevailed, and Senators Stone and Kinne were appointed said committee.

Senator McIntyre moved that a committee of three be appointed to wait upon the Governor and inform him of the organization of the Senate and its readiness to receive any communications which he might be pleased to make.

The motion prevailed, and the President appointed Senators McIntyre, Cooley, and Rothert, such committee.

The committees to inform the House and Governor of the organization of the Senate, reported that they had performed their duties.

Senator Taylor moved that a committee of five, on mileage, be appointed.

The motion was agreed to and the President appointed Senators Taylor, Larrabee, Perkins, Pease, and Wonn, such committee.

Senator Young of Mahaska, moved that the Senate adjourn until 10 A. M. to-morrow.

Senator Campbell moved to amend by striking out "10 A. M. to-morrow" and inserting "2 o'clock this afternoon."

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

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

AFTERNOON SESSION.

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

Senator Miles moved to reconsider the vote by which the resolution fixing the number and titles of the committees of the Senate was adopted.

The motion to reconsider prevailed.

Senator Miles moved to amend by striking out the committee on "Medical Institutions."

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

Senator McCormack offered the following concurrent resolution :

Resolved by the Senate of Iowa, the House of Representatives concurring, That we emphatically condemn the law passed by the Forty-Second Congress, increasing the pay of members of Congress and other officers of the government; that the action of all members of said Congress, of whatsoever political faith, who voted for said law, or received and retained the back pay under said law, was unjust, contrary to the best interests of the country, and calculated to lessen the respect which all good citizens should entertain for those in authority, and that we hereby instruct our senators and request our representatives to vote for the immediate and absolute repeal of said law, and the enactment of proper measures, if such measures can be constitutionally enacted, compelling the return to the treasury of the United States, the money paid out of said treasury in compliance with the requirements of said so called salary steal law.

Resolved, That the signing of said so called back pay law by the President of the United States, was unwise, contrary to the best interests of the country, and it merits, as it receives, the unqualified disapproval of the people of Iowa.

Senator Fitch moved to strike out all after the words "other officers of the government."

On this question the yeas and nays were demanded and the yeas were—

Senators Converse, Fitch, Miller, and Taylor—4.

The nays were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway,

Cooley, Crary, Dague, Howland, Jessup, Kephart, Karrabee, Lovell, Maxwell, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Smith, Stone, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—39.

Absent or not voting—

Senators Dashiell, Fairall, Gault, Kinne, McCoid, McIntyre, and Young of Mahaska—7.

So the motion to strike out did not prevail.

Senator Boomer moved to postpone the further consideration of the resolution until Monday next at 10 o'clock A. M.

On this question the yeas and nays were demanded, and the yeas were—

Senators Boomer, Chambers, Howland, and Taylor—4.

The nays were—

Senators Bailey, Bemis, Campbell, Conaway, Converse, Cooley, Crary, Dague, Fitch, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Smith, Stone, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—40

Absent or not voting—

Senators Dashiell, Fairall, Gault, Kinne, McIntyre, and Young of Mahaska—6.

So the motion to postpone did not prevail.

Senator Stone offered the following amendment:

Resolved, That it was a misfortune to the Democratic party that there was a greater proportion of their members voting for said bill than there was of the Republican party.

The amendment was adopted.

The question recurring on the adoption of the concurrent resolution as amended, the yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fitch, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—46

The yeas were—None.

Absent or not voting—

Senators Dashiell, Fairall, Gault, and Young of Mahaska—4.

So the concurrent resolution as amended was adopted.

On motion of Senator Kephart, the Senate adjourned until 10 o'clock A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, January 14, 1874. }

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

Prayer by the Rev. Mr. Smith.

Journal of yesterday read and approved.

Mrs. J. M. Dixon was sworn in as Paper Folder.

Senators McIntyre and Kinne asked and obtained leave to record their votes in favor of the passage of the concurrent resolution condemning the Back-Pay Bill passed by the Forty-Second Congress.

Senator Taylor, from the Special Committee on Concurrent Resolution relating to Postmasters, submitted the following report :

MR. PRESIDENT :—Your Special Committee, to whom was referred a concurrent resolution in regard to the abolition of the offices of Postmaster, Assistant Postmaster, and Mail Carrier, for the 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 the accompanying substitute be adopted.

The committee have further instructed me to present with this report the information derived from the Postmaster of Des Moines and the Secretary of State.

R. HOWE TAYLOR, *Chairman.*

On motion, the report was considered.

The following is the substitute reported by the committee :

Resolved by the Senate, the House concurring, That the services of Postmaster, Assistant Postmaster, and Mail Carrier of the General Assembly be, and the same are hereby dispensed with for the present session.

On the adoption of the substitute the yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Campbell, Chambers, Conaway, Crary, Dague, Fitch, Howland, Jessup, Kinne Larrabee, Lovell, McCormack, McIntyre, Merrell of Clinton, Miles, Miller, Mitchell, Murphy, Newton, Pease, Rothert, Russell, Selby, Smith, Stone, Stuart, Thornburg, Willett, Wonn, Wood, Young of Cass, and Young of Mahaska—34.

The nays were—

Senators Boomer, Converse, Kephart, Maxwell, McCoid, Merrill of Wapello, Perkins, Rumpel, Shane, Taylor, West, and Williams—12.

Absent or not voting—

Senators Cooley, Dashiell, Fairall, and Gault—4.

So the substitute reported by the committee was adopted.

Senator Perkins offered the following concurrent resolution :

Resolved by the Senate, the House concurring, That the action of Congress in partially repealing what is known as the "Salary Grab Law," meets our hearty approval ; and further, that we feel honored by the stand taken in this matter by Senators and Representatives of Iowa in Congress, and most earnestly request that they continue in the good

work until all of said Salary Grab Law, so far as can be legally done, shall be repealed.

Senator Stone offered the following amendment :

Resolved, That it is a misfortune for the Democratic party that by the greater proportion of the votes of its members in favor of the old bill it exhibited a greater proportion of political depravity than the Republican party, so in the course of its members on the new bill they have exhibited a smaller proportion of public virtue.

The amendment did not prevail.

Senator West moved to strike out the word "partially."

On this question the yeas and nays were demanded and the yeas were—

Senators Boomer, Chambers, Crary, Dague, Fitch, Howland, McCoid, Merrill of Wapello, Miles, Miller, Perkins, Rothert, Russell, Smith, Stone, Taylor, and Young of Mahaska—17.

The nays were—

Senators Bailey, Bemis, Campbell, Conaway, Converse, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCormack, McIntyre, Merrill of Clinton, Mitchell, Murphy, Newton, Pease, Rumble, Selby, Shane, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—29.

Absent or not voting—

Senators Cooley, Dashiell, Fairall, and Gault—4.

So the motion to strike out did not prevail.

The question recurring on the adoption of the resolution, the yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Crary, Dague, Fitch, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCormack, McIntyre, Merrill of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—45.

Senator voting in the negative—McCoid—1.

Absent or not voting—

Senators Cooley, Dashiell, Fairall, and Gault—4.

So the resolution was adopted.

Senator Taylor, from the special committee on mileage, submitted the following report:

MR. PRESIDENT: Your special committee on mileage of Senators, have performed the duty for which they were appointed, and respectfully submit the following report of the amount due each Senator, in accordance with law:

NAME OF SENATOR.	DIST.	AMOUNT.
H. W. Rothert.....	1	\$ 54.00
James B. Pease.....	2	45.00
H. A. Wonn.....	3	36.00
E. J. Gault.....	4	45.00
Lloyd Selby.....	5	45.00
R. A. Dague.....	6	48.00
E. T. Smith.....	7	75.00

NAME OF SENATOR.	DIST.	AMOUNT.
J. S. McIntyre.....	8	84.00
J. Y. Stone.....	9	60.00
J. Wilson Williams.....	10	48.00
J. P. West.....	11	42.00
M. A. McCoid.....	12	39.00
J. H. Merrill.....	13	30.00
H. N. Newton.....	14	63.00
J. D. Miles.....	15	60.00
H. Thornburg.....	16	10.00
Lafe Young.....	17	24.00
James A. Young.....	18	20.00
J. L. McCormack.....	19	17.00
M. A. Dashiell.....	20	6.00
G. H. Wood.....	21	54.00
J. H. Murphy.....	22	54.00
N. A. Merrell.....	23	63.00
J. C. Chambers.....	24	44.00
S. H. Fairall.....	25	39.00
J. N. W. Rumble.....	26	27.00
F. T. Campbell.....	27	12.00
Thos. Mitchell.....	28	6.00
Elias Jessup.....	29	42.00
L. W. Stuart.....	30	75.00
G. W. Lovell.....	31	60.00
E. B. Kephart.....	32	57.00
John Shane.....	33	60.00
R. Howe Taylor.....	34	36.00
D. N. Cooley.....	35	82.00
A. Boomer.....	36	75.00
G. W. Bemis.....	37	66.00
John Conaway.....	38	21.00
O. W. Crary.....	39	80.00
Wm. Larrabee.....	40	80.00
S. H. Kinne.....	41	111.00
Geo. R. Willett.....	42	83.00
A. Converse.....	43	54.00
E. G. Miller.....	44	60.00
Geo. M. Maxwell.....	45	9.00
E. A. Howland.....	46	54.00
W. H. Fitch.....	47	27.00
H. Bailey.....	48	68.00
J. J. Russell.....	49	18.00
Geo. D. Perkins.....	50	70.00
Lieutenant Governor Bulis.....		90.00
Lieutenant Governor Dysart.....		66.00

R. HOWE TAYLOR, *Chairman.*

The report was adopted.

Senator Campbell offered the following resolution:

Resolved, That when any public measure is under consideration in the Senate, no person (not a member,) pecuniarily or otherwise directly

interested in the passage of the same, shall be permitted on the floor of the Senate; and the Sergeant-at Arms is hereby ordered to enforce this resolution.

Senator Taylor moved to amend by adding thereto the words "except ex-members of the Senate."

Senator Larrabee moved to lay the resolution on the table.

On this question the yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Conaway, Crary, Fitch, Kinne, Larrabee, Lovell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Smith, Stone, Stuart, Thornburg, Wonn, Wood, and Young of Mahaska—23.

The nays were—

Senators Boomer, Campbell, Chambers, Converse, Dague, Howland, Jessup, Kephart, Maxwell, McCormack, Newton, Pease, Perkins, Rothert, Rumble, Selby, Shane, Taylor, West, Willett, Williams, and Young of Cass—22.

Absent or not voting—

Senators Cooley, Dashiell, Fairall, Gault, and Russell—5.

So the resolution was laid on the table.

On motion of Senator Stuart, the Senate adjourned until 10 o'clock A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, January 15, 1874. }

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

Prayer by the Rev. Mr. Cooper.

The Journal of yesterday was read and approved.

Senator Willett moved that the Senate adjourn until 10 o'clock A. M. to-morrow.

Senator Maxwell moved to amend by striking out "10 o'clock A. M. to-morrow" and inserting "2 o'clock this afternoon."

The amendment did not prevail.

Senator Willett's motion was agreed to and the Senate adjourned until 10 o'clock A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, January 16, 1874. }

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

Prayer by the Rev. Mr. Stayt.

The journal of yesterday was read and approved.

Senator Dague moved that the Senate adjourn until 10 o'clock Monday morning.

On this question the yeas and nays were demanded and the yeas were—

Senators Bailey, Cooley, Dague, Murphy, Newton, Russell, Stone, and West—8.

The nays were—

Senators Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Crary, Fitch, Gault, Howland, Jessup, Larrabee, Maxwell, McCoid, McCormack, Merrill of Wapello, Miles, Miller, Mitchell, Pease, Perkins, Rumble, Selby, Shane, Smith, Stuart, Taylor, Thornburg, Willett, Williams, Wonn, Young of Cass, and Young of Mahaska—33.

Absent or not voting—

Senators Dashiell, Fairall, Kephart, Kinne, Lovell, McIntyre, Merrell of Clinton, Rothert, and Wood—9.

So the motion was lost.

Senator Howland moved to adjourn until to-morrow morning at 10 o'clock.

Senator Shane moved to amend by striking out 10 o'clock to-morrow morning and inserting 2 o'clock this afternoon. Amendment did not prevail.

The question recurring upon Senator Howland's motion, the yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Boomer, Conaway, Fitch, Howland, Maxwell, McIntyre, Miller, Mitchell, Murphy, Newton, Perkins, Rumble, Russell, Smith, Stone, Taylor, Thornburg, Willett, Wonn, and Young of Mahaska—22.

The nays were—

Senators Campbell, Chambers, Converse, Cooley, Crary, Dague, Gault, Jessup, Larrabee, McCoid, McCormack, Merrill of Wapello, Miles, Pease, Selby, Shane, Stuart, West, Williams, and Young of Cass—20.

Absent or not voting—

Senators Dashiell, Fairall, Kephart, Kinne, Lovell, Merrell of Clinton, Rothert, and Wood—8.

So the motion prevailed, and the Senate adjourned until 10 o'clock to-morrow morning.

SENATE CHAMBER,
DES MOINES, IOWA, January 17, 1874. }

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.

On motion, Senators Kephart, Fairall, McIntyre, Dashiell and Conaway were granted leave of absence.

Senator Dague moved a call of the Senate.

The call was sustained and all the Senators were found present or excused except Senator Campbell.

Senator Converse moved to excuse Senator Campbell.

The motion did not prevail.

The Sergeant-at-Arms reported at the bar of the Senate that Senator Campbell was not in the city, he having left for home yesterday.

Senator West moved that further proceedings under the call be dispensed with, to which motion the Senate refused to agree.

On motion of Senator Shane, the Sergeant-at-Arms was directed to proceed to the residence of Senator Campbell and bring him before the bar of the Senate.

Senator McCormack moved that the Senate adjourn until Monday morning at ten o'clock.

The motion did not prevail.

Senator Taylor moved that the Senate adjourn until two o'clock p. m., to which the Senate refused to agree.

On motion of Senator Larrabee the Senate adjourned until 10 o'clock Monday morning.

SENATE CHAMBER,
DES MOINES, IOWA, January, 19, 1874. }

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

Prayer by Rev. A. Irvine Crigler.

Journal of Saturday read and approved.

Senator Campbell offered the following

PROTEST:

The undersigned, in the name of a million and a quarter of people of Iowa, desires to protest against the arbitrary and unseemly action of the Senate in seeking to abridge the right of personal liberty by attempting to arrest without just cause or due process of law; and would further protest against the frivolous manner in which the time of the State was wasted in frolicking and child's-play, to the great injury of the reputation of the State Senate as *the* conservative and dignified legislative body of this great commonwealth. By a lock in the House, the Senate is deprived of the power to legislate, and having nothing to do but adjourn from day to day, no injury could have resulted from my absence, called home as I was, by matters demanding my attention. There is a strong feeling among the people, that if this Legislature would adjourn *sine die* without further proceedings, there would be great cause for rejoicing; and such actions, as aforesaid, only serve to encourage this feeling. During the past four years, as the journals will show, no member has been more punctual in attendance, answered to roll-call oftener, or attended to his legislative duties more closely than the undersigned, and on no occasion when his presence is necessary, or

can be of any benefit to the State or his constituents, will his seat be found vacant. A call of the Senate was ordered, as one member expressed it, to "have some fun at Campbell's expense." Let the credit attach to those who are responsible for it, and not to the whole legislative body, who are here for a higher purpose than to fritter away the time and money of the State in frolic and mirth.

For these reasons I protest against the call and order, as only necessary when business of importance demands the presence of the members in their seats.

Respectfully,

F. T. CAMPBELL.

Senator Stone raised the point of order that the right to protest applied only to the passage of bills and joint resolutions.

The President decided the point of order not well taken.

The protest was ordered entered upon the journals of the Senate.

Senator McCoid offered the following resolution:

Resolved, That a committee of five, composed of the Senators from Winneshiek, Scott, Henry, Fayette, and Jasper, be appointed to select, digest, and report official data, information, messages of governments, copies of existing state laws and laws introduced in Congress, reports of committees and matter from any other sources, bearing upon the question of transportation and railway regulations as they may deem necessary, with a view to printing the same for information of the General Assembly.

Senators Murphy and Rumble were excused.

On the adoption of this resolution the yeas and nays were demanded, and the yeas were—

Senators Bailey, Conaway, Cooley, Crary, Fitch, Howland, Larrabee, McCoid, McIntyre, Miles, Miller, Mitchell, Rothery, Selby, Stone, Wonn, and Young of Mahaska—17.

The nays were—

Senators Bemis, Boomer, Campbell, Chambers, Converse, Dague, Gault, Jessup, Kinne, Lovell, Maxwell, McCormack, Merrell of Clinton, Merrill of Wapello, Newton, Pease, Perkins, Russell, Shane, Smith, Stuart, Taylor, Thornburg, West, Willett, Williams, Wood, and Young of Cass—28.

Absent or not voting—

Senators Dashiell, Fairall, Kephart, Murphy, and Rumble—5.

So the resolution was not adopted.

Senators Campbell, Cooley, and Merrell of Clinton, presented petitions from citizens of Iowa asking that the Soldiers' Orphans' Homes of the State be opened for the reception of all orphans.

On motion all the petitions were laid on the table for the present.

Senator Shane presented a petition from citizens of Benton county asking that church property and the property of religious corporations be taxed; also asking an amendment of the law in relation to University and Agricultural College Lands, and that all lands enclosed in cemeteries, and kept for sale, shall be taxed the same as other property.

The petition was passed on file.

Senator Shane presented the following resolution :

Resolved, That it is the sense of the Senate that a law should be enacted without delay, amending Section 797 of the Code so as to provide for the assessment and taxation of the grounds and other property of religious corporations and societies and all property leased to such corporations and societies; and also the Agricultural College and University lands, and all lands enclosed in cemeteries kept for sale.

On motion of Senator Shane the resolution was made a special order for to-morrow morning at 10½ o'clock.

On motion of Senator Howland the Senate adjourned until 10 A. M. to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, January 20, 1874. }

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

Prayer by the Rev. Mr. Crigler.

Journal of yesterday read and approved.

Senator Young of Cass was excused for two days.

Senator Converse presented a petition from citizens of Iowa asking the amendment of Section 4,048 of the Code of 1873, in relation to ensnaring or trapping prairie chickens.

Ordered passed on file.

Senator Bemis offered the following concurrent resolution:

Resolved, By the Senate, the House concurring, That our representatives in Congress be requested, and our senators instructed, to vote to submit to the several state legislatures, for their ratification, an amendment to the Constitution of the United States, forbidding members from increasing their pay during their term of office.

The resolution was adopted.

Senator Cooley presented a memorial from citizens of Iowa, in relation to the construction of public sewers in cities.

Referred to Committee on Judiciary, when such committee shall have been appointed.

Senator Maxwell offered a joint resolution memorializing Congress to appropriate money to indemnify the holders of pre-emptions and homestead certificates, and certificates of entry, and patents upon lands in Iowa, within the so-called Des Moines River Grant, on account of failure of title.

Read first and second time, and on motion referred to a Special Committee, consisting of Senators Shane, Mitchell, Maxwell, Perkins, Fitch and Rumble.

Senator Merrell, of Clinton, presented a petition in relation to the railroad bridge over the Mississippi River at Clinton.

Senator Merrell, of Clinton, also offered a joint resolution in relation to the railroad bridge across the Mississippi River, at Clinton.

Read first and second time, and on motion of Senator Merrell, of

Clinton, 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 Bailey, Bemis, Boomer, Campbell, Conaway, Converse, Cooley, Crary, Dague, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumple, Russell, Selby, Shane, Smith, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Mahaska—43.

The nays were—none.

Absent or not voting—

Senators Chambers, Dashiell, Fairall, Kephart, McIntyre, Stone, and Young of Cass—7.

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

The hour for the special order having arrived, it being the resolution in relation to the taxation of church property, and the property of religious corporations, University, Agricultural College lands and cemetery lands kept for sale, it was taken up and considered.

On motion of Senator Campbell the resolution was divided, and that part relating to the taxation of church property and the property of religious corporations, was first considered.

Senator Converse offered the following amendment:

Provided, That in ascertaining the value of property so assessed and taxed the yearly dividends derived therefrom shall be taken into account and in no case shall the taxes levied in a single year exceed said dividends.

Senator Russell filed a motion to reconsider the vote by which the resolution offered by Senator Bemis was adopted this morning.

On motion of Senator Shane the Senate adjourned until 10 o'clock A. M., to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, January 21, 1874. }

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

Prayer by the Rev. Mr. Gaston.

Journal of yesterday read and approved.

Senator Russell renewed his motion to reconsider the vote by which the resolution offered by Senator Bemis was adopted yesterday.

The motion prevailed.

The question recurring on the adoption of the resolution, Senator Bemis, by leave, withdrew it.

Senator Bemis offered a joint resolution relative to an amendment to the Constitution of the United States in regard to compensation of members of Congress.

Read first and second time.

Senator Bemis moved to suspend the rules and read the joint resolution a third time now.

Senator Maxwell moved to refer the joint resolution to a special committee, with Senator Bemis as chairman, to which motion the Senate agreed.

Senator Shane, from the Select Committee, submitted the following report:

MR. PRESIDENT:—Your committee, to whom was referred a joint resolution memorializing the Congress of the United States to appropriate money to indemnify the holders of pre-emption and homestead certificates and certificates of entry, and patents upon lands in Iowa within the so-called Des Moines River Grant, on account of failure of titles, 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 accompanying papers, and with the recommendation that the joint resolution do pass.

JOHN SHANE, *Chairman.*

The report was considered.

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 Bailey, Bemis, Boomer, Campbell, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Mahaska—45.

The nays were—None.

Absent or not voting—

Senators Chambers, Fairall, Kephart, McIntyre, and Young of Cass. So the joint resolution passed, and the title was agreed to.

Senator Rothert offered a joint resolution in relation to the amount due from the United States to the State of Iowa on account of lands conveyed to non-commissioned officers and privates in the Mexican war.

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 Bailey, Bemis, Boomer, Campbell, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Mahaska—44.

The nays were—None.

Absent or not voting—

Senators Chambers, Fairall, Kephart, McCormack, McIntyre, and Young of Cass—6.

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

Senator Cooley presented a memorial from A. P. Wood relative to a work on the services of Iowa troops in the late war.

On motion the memorial was laid on the table.

The President announced Senators Bemis, Maxwell, Murphy, Merrell of Clinton, and Shane as the special committee on the joint resolution offered by Senator Bemis.

A 10:30 Senator Cooley moved that the Senate take a recess of 15 minutes.

The motion prevailed.

At 10:45 the President called the Senate to order.

On motion of Senator Jessup the Senate adjourned until 10 o'clock A. M., to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, January 22, 1874. }

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

Prayer by the Rev. Mr. Hill.

Journal of yesterday read and approved.

Senator Bemis from special committee submitted the following report:

MR. PRESIDENT: The special committee to whom was referred joint resolution relative to an amendment of the Constitution of the United States in regard to compensation of members of 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 it be amended by adding the following resolution:

Resolved, That the Secretary of State be instructed to furnish a certified copy of these resolutions to each of our senators and representatives in Congress and that when so amended it do pass.

GEO. W. BEMIS, *Chairman*.

On motion of Senator Bemis the report was considered and the amendment reported adopted.

On motion of Senator Bemis 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 Bailey, Bemis, Boomer, Campbell, Conaway, Converse, Cooley, Crary, Dague, Dasbiell, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Rothert, Rumble, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Mahaska

The nays were—none.

Absent or not voting—

Senators Chambers, Fairall, Kephart, McIntyre, Perkins, Russell, and Young of Cass—7.

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

Senator Campbell offered the following concurrent resolution :

Resolved, by the Senate of Iowa, the House concurring, That the immediate repeal of the act known as the Bankrupt Law of the United States is demanded by the highest interests of the country, and especially of the west; and that our senators in congress be instructed and our representatives be requested to use every effort to secure the repeal of said act.

The concurrent resolution was adopted.

On motion the Senate took up and considered the resolution relative to an amendment to section 797 of the Code, providing for the assessment and taxation of church property and the property of religious corporations.

Senator Taylor moved the previous question, which the Senate refused to second.

Pending the discussion Senator Willett yielded the floor to Senator West, who moved that the Senate adjourn until 10 o'clock, A. M., tomorrow.

The motion prevailed and the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, January 23, 1874. }

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

Prayer by the Rev. Mr. Hay.

Journal of yesterday read, corrected, and approved.

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

Resolved by the Senate, the House concurring, That a Joint Committee of five members, two of the Senate and three of the House, be appointed to inquire into the reports of destitution said to exist among the homesteaders of some of our northwestern counties, and report to their respective houses the true state of the case as they may understand it, together with such recommendations, if any, as they may consider the emergency demands.

Senator Dague offered the following resolution.

Resolved, That it is the sense of the Senate that section 1446 of the Code of 1873, which provides for the restraint of hogs and sheep from running at large, and so much of sections 309, 1457, 1458, 1459, and 1460, as relates to the restraint of *all* stock from running at large should be repealed.

Ordered passed on file.

Senator Shane offered the following resolution:

Resolved, That in the sense of the Senate this General Assembly should not adjourn until laws shall have been passed upon the following subjects:

First. Regulating and providing for a reasonable maximum rate of freights and passenger fares on and over the railroads of this state.

Second. Prohibiting railroad companies doing business in this State from hereafter buying or holding any more real estate than is necessary to carry on the legitimate business of railroading therein, and to prohibit the consolidation of parallel or competing lines of railway in this State, and to prevent the issuing of any stock or bonds by any railway company, except the same is in good faith actually paid for in money or other valuable consideration.

Third. Prohibiting railroad companies from issuing free passes or passes at a discount from the uniform rate to any person residing in this State and holding any office of trust, honor or profit under or by virtue of the laws of this State.

Fourth. And prohibiting railroad companies from granting or giving to any of its officers any special privileges in carrying passengers or freight by express or otherwise over their respective lines of roads; and

Fifth. Regulating and taxing railroads and railroad property as the property of others.

On motion of Senator Taylor the resolution was ordered passed on file, printed and referred to the Committee on Railroads when such committee shall have been appointed.

The Senate resumed the consideration of the resolution relating to the taxation of church property and the property of religious corporations.

Senator McCoid offered the following substitute for the resolution, and also submitted a memorial from E. H. Warring, Secretary of the Iowa M. E. Conference, protesting against the taxation of church and educational property.

The substitute was as follows :

Resolved, That the unselfish philanthropy and christian benevolence of the people, in freely donating their money to support religious institutions, independent of the State, through which incalculable aid and energy is given to good government, ought to receive generous room for action.

And that the State gratefully recognizes the results of their noble work, alike contributing to our national progress and defence and giving our people a character finding no equal in the history of the past, no superior in the present and full of promise in the future.

And that the State should not seek to raise revenue for their charitable donations by taxation of religious institutions or endanger or embarrass their progress by restrictive legislation of any character.

Senator Taylor moved to indefinitely postpone the resolution and substitute therefor.

On this question the yeas and nays were demanded, and the yeas were—

Senators Bailey, Boomer, Campbell, Conaway, Converse, Crary, Dashiell, Fitch, Gault, Howland, Jessup, Kinne, Maxwell, Merrell of Clinton, Merrill of Wapello, Miles, Murphy, Newton, Pease, Perkins,

Rumple, Russell, Selby, Smith, Stuart, Taylor, Thornburg, Willett, Williams, Wonn, Young of Cass, and Young of Mahaska—32.

The nays were—

Senators Bemis, Cooley, Dague, Lovell, McCoid, McCormack, Miller, Mitchell, Rother, Shane, West, and Wood—12.

Absent or not voting—

Senators Chambers, Fairall, Kephart, Larrabee, McIntyre and Stone—6.

So the resolution and substitute was indefinitely postponed.

On motion of Senator Dashiell the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

TWO O'CLOCK, P. M.

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

His Excellency, the Governor, by W. H. Fleming, his Secretary, presented his Biennial Message; also, a Message in relation to pardons and remissions during the past two years, and also a communication in relation to his Biennial Message.

On motion of Senator West, the reading of the communication was delayed until the Senate is informed of the organization of the House.

A committee from the House informed the Senate that the House was organized, and ready to proceed with business.

Senator Kinne offered the following Concurrent Resolution:

Resolved by the Senate, the House concurring, That the Senate will meet the House in Joint Convention, for the purposing of canvassing the vote for Governor and Lieutenant-Governor, on Saturday, January 24th, inst., at 10:30 o'clock, A. M.

The resolution was adopted.

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 resolution and ask your concurrence therein:

Resolved by the House, the Senate concurring, That the House will meet the Senate in joint convention, for the purpose of canvassing the vote for Governor and Lieutenant-Governor, on Saturday, January 24, at 10½ o'clock A. M.

JAS. M. WEART, *Chief Clerk.*

On motion of Senator Shane, House Messages were taken up, considered, and the Senate concurred in the resolution reported from the House.

On motion of Senator West, the communications from the Governor were taken up and the reading of the Biennial Message proceeded

with, when, on motion of Senator Shane, the further reading was dispensed with, and the message laid on the table.

The following communication was read :

GENTLEMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES:

I herewith transmit my Biennial Message, and also a message containing a report of the pardons and remissions during the last two years. An explanation is due of the manner in which my message came to be printed in advance of its transmission, in the usual manner, to the two Houses of the General Assembly. In accordance with custom, such newspapers as applied for advanced copies had been supplied with them, and some of them had put it in type, preparatory to an early issue upon the organization of the House. The delay in respect to the organization was somewhat embarrassing to them, as much of their type was tied up in this document; and they therefore took the liberty of printing it prior to its delivery. Although this was of course not contemplated by me, yet I have felt embarrassed lest it might be thought to imply disrespect to the General Assembly, and have therefore deemed it proper, as before stated, to submit this explanation.

CYRUS C. CARPENTER.

EXECUTIVE OFFICE, January 23, 1874.

The communication in relation to pardons and remissions during the past two years, was, on motion of Senator Taylor, ordered printed, and three hundred fixed as the number of copies.

Senator Young of Mahaska, presented the following resolution:

Resolved, That three thousand copies of the Governor's Biennial Message be printed.

Senator Cooley moved to amend by referring the resolution to the Committee on Printing when appointed.

Senator Stuart moved to amend by referring with instructions to have printed one thousand copies in the English, one thousand in the German, one thousand in the Bohemian, and one thousand in the Norwegian language.

The motion did not prevail.

The motion to refer to the Committee on Printing prevailed.

On motion of Senator Kinne, the Senate adjourned until 10 o'clock A. M. to-morrow.

SENATE CHAMBER, }
DES MOINES, IOWA, January 24, 1874. }

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

Prayer by Rev. M. L. P. Hill.

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 agreed to the following resolutions, which are returned herewith:

Concurrent resolution endorsing action of congress in partially repealing the salary grab.

Joint resolution relative to the railroad bridge across the Mississippi river at Cedar Rapids, Iowa.

Joint resolution relative to settlers on so-called Des Moines River Lands.

JAMES M. WEART, *Chief Clerk.*

The President announced as a committee on the part of the Senate under the concurrent resolution relative to the suffering in the northwestern counties, Senators Perkins and Fairall.

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

Resolved by the Senate, the House concurring, That 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 shall be retained by the State Binder, who shall bind the same with the Legislative Documents; and such documents shall be excluded from the Journals of the Houses of the General Assembly.

Senator Maxwell offered the following resolution:

Resolved by the Senate, That so much of the Governor's Message as refers to the Des Moines River School Lands, be referred to the Judiciary Committee, and that said committee be requested to thoroughly investigate the matter and report at an early day, by bill or otherwise.

On motion of Senator West, the resolution was laid on the table, to be considered with the Governor's Message, when said message is taken up.

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 concurrent resolution, fixing the time for inaugurating the Governor and Lieutenant-Governor, which is transmitted herewith, and the concurrence of the Senate is asked.

JAMES M. WEART, *Chief Clerk.*

House messages were then taken up and considered.

Senator Campbell moved that the Senate concur in the House resolution relative to inaugurating the Governor and Lieutenant-Governor elect, on Tuesday, the 27th inst., at 10½ o'clock A. M.

The motion prevailed.

Senator Stone moved that Senator Campbell be appointed teller on the part of the Senate.

Senator Campbell declined to serve.

Senator Maxwell nominated Senator Stone.

Senator Stone declined to serve as teller.

Senator McCoid moved that Senator Campbell be appointed teller on the part of the Senate.

The motion prevailed.

Senator Campbell rose to a question of privilege, claiming that the Senate could not compel him to act as teller.

On motion Senator Campbell was excused.

Senator Stone moved that Senator Howland be appointed teller on the part of the Senate, to which the Senate agreed.

Senator Howland rose to a question of privilege, declined, and asked to be excused.

On motion the declination of Senator Howland was accepted.

Senator McCormack moved that Senator Fairall be appointed teller on the part of the Senate, which was agreed to.

A committee from the House informed the Senate that the House of Representatives was ready to go into joint convention for the purpose of canvassing the votes cast for Governor and Lieutenant-Governor at the general election held in October, 1873, and declaring the result of such canvass.

On motion of Senator Fitch the Senate proceeded to the hall of the House.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 24th, 1874. }

Senate and House of Representatives in Joint Convention.

H. C. Bulis, Lieutenant Governor, 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 Senator Fairall had been appointed teller on the part of the Senate.

The Speaker announced that Mr. Kelly had been appointed teller on the part of the House.

The President of the Joint Convention proceeded to announce the votes of the several counties of the State.

On motion of Senator West, the Joint Convention took a recess until two o'clock, P. M.

TWO O'CLOCK, P. M.

Joint Convention called to order by the President, when the canvass was proceeded with, with the following result:

FOR GOVERNOR.

Whole number of votes cast	188,757
Of which Cyrus C. Carpenter had	106,122
Of which J. G. Vale had	80,557
Scattering	2,080

FOR LIEUTENANT GOVERNOR.

Whole number of votes cast.....	185,734
Of which Joseph Dysart had	104,973
Of which C. E. Whiting had	75,363
Scattering.....	5,398

Whereupon the President announced Cyrus C. Carpenter duly elected Governor of the State of Iowa for the term of two years from the second Monday in January, 1874, and Joseph Dysart duly elected Lieutenant Governor of the State of Iowa for the term of two years from the second Monday in January, 1874, they having received a majority of the votes cast at the election in October last, (1873,) and certificates of their election were read and signed as follows:

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 24, 1874. }

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. 1873, 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 24th day of January, A. D. 1874.

H. C. BULIS,
President of the Senate and President of the Joint Convention.
JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

SAMUEL H. FAIRALL, *Teller of the Senate.*
HENRY KELLEY, *Teller of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 24th, 1874. }

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. 1873, for the Lieutenant-Governor of the State of Iowa, it appeared that Joseph Dysart received a majority of all the votes cast at said election, 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 24th day of January, A. D. 1874.

H. C. BULIS,
President of the Senate and President of the Joint Convention.
JOHN H. GEAR,
Speaker of the House of Representatives.

ATTEST:

SAM. H. FAIRALL, *Teller of the Senate.*
HENRY KELLEY, *Teller of the House.*

Mr. Peet moved that the Joint Convention do now dissolve. The motion prevailed and the Joint Convention dissolved.

THREE O'CLOCK AND FORTY-FIVE MINUTES, P. M.

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

Senator Pease moved that a committee of two be appointed on the part of the Senate to make arrangements for the inauguration of the Governor and Lieutenant-Governor on Tuesday next.

The motion prevailed and the President appointed Senators Pease and Taylor such committee.

Senators Jessup and Fairall were granted leave of absence.

On motion of Senator Taylor the Senate adjourned until 10 o'clock Tuesday morning next.

SENATE CHAMBER,
DES MOINES, IOWA, January 27, 1874. }

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

Prayer by the Rev. E. B. Kephart.

Journal of Saturday last read and approved.

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 :

Resolved by the House, the Senate concurring, That the resolution heretofore passed, fixing the time for the inauguration of the Governor and Lieutenant-Governor, be rescinded; and

Resolved by the House, the Senate Concurring, That the House will meet the Senate in joint convention on Tuesday, January 27, at 2½ o'clock P. M., for the purpose of inaugurating the Governor and Lieutenant-Governor elect.

JAMES M. WEART, *Chief Clerk.*

House messages were taken up and considered.

On motion of Senator Taylor, the Senate concurred in the House resolution fixing the time of the inauguration of the Governor and Lieutenant-Governor at 2½ o'clock P. M. this day.

Senator Dashiell and Assistant Secretary Vestal were granted leave of absence until Thursday.

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

AFTERNOON SESSION.

TWO O'CLOCK, P. M.

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

Senator Stuart moved that the Senate take a recess until 2 o'clock and twenty-five minutes, which motion prevailed.

At 2:25 the Senate was called to order, when a committee from the House was announced that the House was ready to receive the Senate in joint convention, for the purpose of inaugurating the Governor and Lieutenant-Governor elect.

Senator Kephart moved that the Senate proceed to the hall of the House of Representatives.

The motion prevailed, and at two o'clock and thirty minutes the Senate repaired to the hall of the House.

HALL OF THE HOUSE OF REPRESENTATIVES.

The President of the Senate announced that the meeting of the joint convention was for the purpose of inaugurating the Governor and Lieutenant-Governor elect.

Mr. Tracy moved that the supreme, district and circuit judges, ex-governors and ex-lieutenant-governors, state officers and clergymen of the city be invited to seats upon the platform.

The motion prevailed and the President appointed the following committee to extend the invitation: Messrs. Tracy, Rogers and Senator McCormack.

Mr. Leahy moved that a committee of three be appointed to wait upon the Governor and Lieutenant-Governor elect, and notify them that the joint convention is ready to receive them.

The motion prevailed and the President appointed as such committee, Messrs. Leahy, Bonham and Senator Gault.

Mr. Tracy, from the committee on invitation to judges of supreme, district and circuit courts, etc., reported that the committee had performed that duty, and were discharged.

Mr. Leahy, from the committee appointed to wait upon the Governor and Lieutenant Governor elect, reported they had performed that duty, and were discharged.

The Sergeant-at-Arms announced the Governor and Lieutenant Governor elect, the Judges of the Supreme, District and Circuit Courts, and State Officers, who came into the hall and took seats assigned them; the Mechanics' Band, of Des Moines, playing "Hail to the Chief."

INAUGURATION CEREMONIES.

Prayer by the Rev. C. C. Maybee.

Music by the band—"Napoleon Quick Step."

The oath of office was then administered to the Governor elect,

Cyrus C. Carpenter, and to the Lieutenant Governor elect, Joseph Dysart, by Justice C. C. Cole.

Governor Carpenter then delivered his inaugural address.

Music by the band.

On motion of Mr. Peet, the Joint Convention dissolved.

At 3:55 p. m. the Senate returned to its chamber.

On Motion of Senator Gault the Senate adjourned until 10 o'clock to-morrow morning.

SENATE CHAMBER, }
DES MOINES, IOWA, January 28, 1874. }

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

Prayer by Rev. J. R. Murphy.

Journal of yesterday read and approved.

Senator Shane offered the following resolution, which was adopted :

Resolved, That a Committee of two be appointed to wait on Lieutenant Governor Dysart, and to notify him that the Senate is now ready to conduct him into the chair, and that said committee be further instructed to introduce him to the presiding officer of this body for such purpose.

The President appointed Senators Shane and Kinne such committee.

Senator Wood was excused on account of sickness.

The committee appointed to wait upon the Lieutenant Governor reported by introducing Lieutenant Governor Dysart to the President of the Senate, who invited him to the chair.

The retiring Lieutenant-Governor, A. H. Bulis, then addressed the Senate as follows:

SENATORS: The term to which I was elected to the office of Lieutenant Governor having expired, my labors and responsibilities as presiding officer of this House now terminate. In retiring from this chair I desire to express my grateful acknowledgements for the generous support and confidence that has been accorded to me on all occasions, and for the uniform courtesy with which I have been treated by every member of this body. To the Senators of the Fourteenth General Assembly I again in an especial manner tender my earnest and heartfelt thanks for their many acts of personal kindness.

As president of this Senate I have endeavored faithfully and impartially to discharge the duties of the position, and now in reviewing my past actions, I am not conscious of having intentionally wronged any of its members.

Senators, in parting from you the sincere desire of my heart is that your lives may be crowned with prosperity and happiness, and that in the discharge of your trust as legislators you may advance every material interest of this great and glorious commonwealth.

Soliciting for my honored successor the same partial forbearance, the same kind consideration, and the same unvarying courtesy that have ever been extended to me, I now in taking my leave present to you as President of the Senate, Hon. Joseph Dysart, Lieutenant Governor of Iowa.

Lieutenant-Governor Dysart then addressed the Senate, as follows :

SENATORS : In obedience to the legally declared will of a majority of the electors of our great and prosperous commonwealth, I am here to assist in your proceedings. For want of the experience essential to a successful discharge of the duties that attach to the position, I shall not hesitate to take counsel of those of you best versed in parliamentary law, to the end that the necessary business of this present session may be speedily and properly transacted.

The recollection of the generous and courteous treatment received while associated with many of you in the labors of this body, is sufficient evidence to my mind that I can rely upon your support in any difficulties I may encounter in the untried field of services before me.

Coming from every section of the broad territory of our State, and from mingling freely with your constituents, you know well their wishes, wants and expectations. You are aware, too, that the people will watch with more than usual interest your doings this winter, strongly impressed with the conviction that your sympathies and impulses accord with their own, and that your actions on the greatest questions of the day, which they have remitted to you for consideration, will fully reflect their sentiments. Confident that you possess the wisdom and disposition to honestly and earnestly endeavor to satisfy their demands, I entertain the most sanguine hopes that when your work is done they will have no just grounds for disappointment or complaint.

The President then handed the Secretary, who read, the following list of the

SENATE STANDING COMMITTEES.

1. *Ways and Means*—Senators Larrabee, Crary, West, Dague, Taylor, Rothert, Young of Mahaska, Merrill of Wapello, and Smith.

2. *Judiciary*—Senators Shane, Willett, Stone, Fairall, McCoid, Russell, Converse, Cooley, Murphy, Rumble, and Merrell of Clinton.

3. *Federal Relations*—Senators Dague, McCormack, Conaway, Rothert, and Perkins.

4. *Constitutional Amendments*—Senators Willett, Kinne, Merrell of Clinton, Stone, and McCoid.

5. *Appropriations*—Senators West, Maxwell, Bemis, Lovell, Gault, Rumble, Kephart, Miles, and Williams.

6. *Normal Schools*—Senators Mitchell, Chambers, Fitch, Wonn, and Stuart.

7. *Schools*—Senators Kephart, Miles, Young of Mahaska, Miller, Boomer, Chambers, and Bailey.

8. *Agriculture*—Senators Fitch, West, Crary, Stuart, Thornburg, Wonn, and Wood.

9. *County and Township Organization*—Senators Howland, Shane, Young of Mahaska, Dague, Maxwell, Young of Cass, Williams, Campbell, and Conaway.

10. *Railways*—Senators Campbell, West, Willett, Boomer, Converse, Kephart, McCormack, Taylor, McIntyre, Dague, Miller, Pease, and Jessup.
11. *State University*—Senators Bemis, Fairall, Miles, Kephart, Murphy, Shane, and Newton.
12. *Military*—Senators Miller, Stone, Converse, Boomer, and McCormack.
13. *Elections*—Senators Newton, Fitch, Selby, Perkins, and Thornburg.
14. *Claims*—Senators Smith, Howland, Wood, Russell, and Mitchell.
15. *Banks*—Senators McIntyre, Cooley, Larrabee, Chambers and Murphy.
16. *Commerce*—Senators Merrill of Wapello, Russell, West, Wood and Campbell.
17. *Public Buildings*—Senators Dashiell, Rothert, Mitchell, Stone and Lovell.
18. *Incorporations*—Senators McCoid, Rumble, Kinne, Boomer and Pease.
19. *Manufactures*—Senators Crary, Fitch, Gault, Thornburg, and Bailey.
20. *Printing*—Senators Perkins, McCormack, Young of Cass, Mitchell, and Dague.
21. *Public Lands*—Senators Merrell of Clinton, Russell, Taylor, Wonn, and Kinne.
22. *Internal Improvements*—Senators Lovell, Howland, Thornburg, Rothert, and Murphy.
23. *Highways*—Senators Maxwell, Newton, Fairall, Williams, and Chambers.
24. *State Library*—Senators Russell, Cooley and Taylor.
25. *Engrossed Bills*—Senators Wonn, Miller and Conaway.
26. *Enrolled Bills*—Senators Young of Cass, Perkins and Selby.
27. *Judicial Districts*—Senators Converse, Smith, Russell, Dashiell, Williams, Perkins, Selby, McCormack, Murphy, Shane, Jessup, Cooley and Willett.
28. *Congressional Districts*—Senators Rothert, Stone, Gault, Rumble, Murphy, Fitch, Mitchell, Converse and Boomer.
29. *Senatorial Districts*—Senators Taylor, Wonn, Miller, Bailey, Fitch, Stone, Howland, Conaway and Converse.
30. *Representative Districts*—Senators Bailey, McCoid, Young of Cass, Stuart, Kinne, Dashiell, Pease, Thornburg, and McIntyre.
31. *Hospital for Insane*—Senators Miles, West, Bemis, Rothert, and Smith.
32. *Institution for Deaf and Dumb*—Senators Gault, Stone, Lovell, Young of Cass, and McCoid.
33. *College for the Blind*—Senators Rumble, Chambers, Merrell of Clinton, Lovell, and Shane.
34. *Orphans' Homes*—Senators Chambers, Murphy, Stone, McCormack, and Miller.
35. *Penitentiary*—Senators Young of Mahaska, Rothert, Boomer, Lovell, and Wood.

36. *Reform School*—Senators Pease, Conaway, Mitchell, Jessup, and Dashiell.

37. *Agricultural College*—Senators Cooley, Shane, Gault, Miller, and Larrabee.

38. *Horticulture and Forestry*—Senators Williams, Fitch, Stuart, Cray, and West.

39. *Suppression of Intemperance*—Senators Boomer, Chambers, Kephart, Jessup, and Newton.

40. *Insurance*—Senators Stone, Taylor, Murphy, Kinne, Rumble, Cooley, Larrabee, Willett, and Fairall.

41. *Compensation of Public Officers*—Senators Jessup, Mitchell, Smith, Wood, and Campbell.

42. *Fish and Game*—Senators Selby, Taylor, Kephart, Merrill, of Wapello, and Howland.

Senator Howland offered the following resolution, which was adopted :

Resolved, That a committee as follows, viz: Senators Stone, McCormack, West, Gault, and Bemis, be appointed to draft resolutions expressive of the sentiments of respect entertained by this body toward our retiring presiding officer.

Senator West offered a 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.

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

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

Resolved by the Senate, the House concurring, That the Secretary of State be instructed to have printed five hundred copies of the rules for the use of members, and have attached to said rules the names, ages, weight, occupation, county, post-office address, length of time in the State, nativity, and boarding place of each member of the Senate; also, a diagram of the Senate Chamber attached to said rules, and a list of the standing committees of the Senate; and also to have bound in each copy of the rules a copy of Mills & Co.'s small skeleton map of Iowa, showing the population of each county according to the last census.

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:

Memorial and joint resolution in reference to improving Fox and Wisconsin rivers.

Concurrent resolution relative to printing the Governor's message in the different languages.

JAMES M. WEART, *Chief Clerk*.

RESOLUTIONS.

Senator Boomer offered a joint resolution relative to returning to specie payment.

Read first and second time, and referred to the committee on banking.

Senator Kephart offered a joint resolution for a committee to investigate the affairs of the Iowa State Agricultural College and Farm.

Read first and second time.

Pending the consideration of which Senator Stone, from special committee, by leave, submitted the following resolutions :

Resolved, That the thanks of the Senate are hereby tendered to Hon. H. C. Bulis, our retiring presiding officer, for the able, fair, and impartial manner in which he has presided over this body.

Resolved, That we tender him the strongest expression of our esteem and respect, and that the unshaken personal friendship which he has so often exhibited toward us is as feelingly reciprocated as it has been generously bestowed.

The resolutions were adopted unanimously by a rising vote.

The consideration of the joint resolution relative to the Agricultural College was resumed.

Senator Maxwell 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Young of Cass, and Young of Mahaska—45.

The nays were—None.

Absent or not voting—

Senators Dashiell, Fairall, Larrabee, Russell, and Wood—5.

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

INTRODUCTION OF BILLS.

Senator Shane introduced S. F. No. 1, A bill for an act to repeal section 1105 of the Code.

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

By Senator Cooley: S. F. No. 2, A bill for an act to amend section 3793 of the Code, in relation to compensation of county treasurers.

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

Also, S. F. No. 3: A bill for an act to repeal section 850 of the Code, relating to county treasurers and their bondsmen.

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

Also, S. F. No. 4: A bill for an act relating to the decrees and judgments in the United States District and Circuit Courts.

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

Also, S. F. No. 5: A bill for an act to authorize a subscription to Wood's Military History of Iowa for the period of the Rebellion.

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

By Senator Crary: S. F. No. 6, A bill for an act to amend sections 3822 and 3823 of chapter 3, title 23, of the Code.

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

By Senator Campbell: S. F. No. 7, A bill for an act to amend section 814 of chapter 1, title 6, of Code of 1873.

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

By Senator Merrell: S. F. No. 8, A bill for an act relating to taxes voted in aid of the construction of railroads.

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

Also, S. F. No. 9, A bill for an act to require plaintiffs to give security for costs in certain cases.

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

Also, S. F. No. 10, A bill for an act to legalize the official acts of W. A. Cotton, a notary public.

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

By Senator Maxwell: S. F. No. 11, A bill for an act to regulate travel on railroads in this state.

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

By Senator McIntyre: S. F. No. 12, A bill for an act to define the crime of extortion and to provide the penalty therefor.

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

Also, S. F. No. 13, A bill for an act to provide for the appointment of railroad commissioners, defining their duties, and to provide for their compensation, and to change the law of evidence.

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

By Senator Jessup: S. F. No. 14, A bill for an act to legalize the acts of the independent school district of Ackley, Hardin county, Iowa.

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

Also, S. F. No. 15, A bill to legalize acts of the independent school district of Steamboat Rock, Hardin county, Iowa.

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

By Senator Kephart: S. F. No. 16, 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, referred to the Committee on Schools and ordered printed.

By Senator Converse: S. F. No. 17, A bill for an act to provide for the public printing and binding.

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

By Senator Wonn: S. F. No. 18, A bill for an act to legalize the election held on the second Monday of March, 1873, in Bloomfield village school district, Davis county, Iowa, at which election the electors of said school district voted to levy a tax of ten mills on the dollar for the purpose of building a school-house.

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

By Senator McCormack: S. F. No. 19, A bill for an act to amend sections 1774 and 1776 of the Code of 1873 prescribing the duties of county superintendents and fixing the salary of such officers.

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

By Senator Mitchell: S. F. No. 20, A bill for an act amendatory to chapter 3, sections 1616, 1617 and 1618 of the Revised Code of Iowa, 1873.

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

By Senator McCoid: S. F. No. 21, A bill for an act to amend section 4254, chapter 13, title 25 of the Code of 1873, relative to preliminary examinations.

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

Also, S. F. No. 22, A bill for an act to amend chapter one title 21, of the Code of 1873, of Justices of the Peace and their courts in relation to the forcible entry or destruction of real property.

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

Also, S. F. No. 23, A bill for an act to encourage manufacturing of State produce by exemption from taxation, amendatory of section 797 chapter one (1), title 3, Code of 1873.

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

Also, S. F. No. 24, A bill for an act to prevent frauds and mismanagement of corporations, companies, or persons holding corporate powers in the State of Iowa.

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

Also, S. F. No. 25, A bill for an act to amend section 1305, chapter 5, title 10, of the Code of 1873, relative to railways.

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

Also, S. F. No. 26, A bill for an act to regulate transportation by railways in the State of Iowa.

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

By Senator Williams: Senate File No. 27, A bill for an act to provide for the registry of county warrants and the payment of them in regular order.

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

Senator Miles was granted leave of absence until Thursday night.

On motion of Senator Rothert, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER,
DES MOINES, IOWA, January 29, 1874. }

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

Prayer by the Rev. Mr. Matheny.

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 relative to the re-issue of patents on sewing machines.

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

Concurrent resolution relative to compelling railroads to receive and transmit grain without passing the same through the elevators at Chicago.

I am further directed to inform you that the House has passed a substitute for the Senate concurrent resolution providing for the publication of the rules, names of senators, and other statistical information, in which the concurrence of the senate is asked.

Also that the House has concurred in the following:

Joint resolution for a committee to investigate the affairs of the Iowa Agricultural College and Farm, and have appointed Messrs. Goodrich, Mitchell, and Newbold, committee on the part of the House, thereunder.

Concurrent resolution providing for a joint committee to inquire into the reports of destitution among the homesteaders in the north-western counties, and have appointed Messrs. Gilliland, Roszell, and Hartshorn, committee on the part of the House thereunder.

JAMES M. WEART, *Chief Clerk.*

PETITIONS.

Senator Murphy presented a petition from citizens of Davenport, Iowa, asking for the passage of a law conferring authority upon certain citizens to make assessments for sewerage.

Also from citizens of Clinton, Cedar Rapids, and Fort Madison, of same import.

Referred to Judiciary Committee.

Senator Taylor presented a petition from citizens of Marshall county asking that the Iowa Soldiers' Orphans' Homes be opened for the destitute orphans of the State.

Referred to the committee on Orphans' Homes.

Senator Williams presented a petition of same import from citizens of Des Moines county.

Same reference.

Senator Fitch presented a petition from citizens of Webster county, asking the appointment of a State Constabulary for the enforcement of the prohibitory law and for the amendment of said law prohibiting the sale of beer and wine.

Referred to committee on Suppression of Intemperance.

Senator Bemis presented a petition from citizens of Buchanan county asking the law be changed in regard to the number of members and pay of County Supervisors.

Petition withheld to be offered in the other House.

Senator West presented a petition of citizens of Henry county, asking that the revenue laws be so amended as to allow the payment of taxes semi-annually.

Referred to committee on Ways and Means with instructions to report a bill.

Senator Merrill of Wapello, presented a petition from the Ottumwa Fish Culturists' Association asking that fishways be constructed in dams within the borders of the State.

Referred to committee on Fish and Game.

INTRODUCTION OF BILLS.

By Senator Boomer : S. F. No. 28, A bill for an act entitled an act to amend chapter five of title nine of the Code and to release certain penalties.

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

By Senator Rother : S. F. No. 29, A bill for an act to amend section number 2092, title 14, chapter 3, of the Code of 1873, defining the time of grace allowed upon negotiable bills or notes payable within the State.

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

By Senator Bemis : S. F. No. 30, A bill for an act to provide State Institutions and Justices of the Peace with a copy of the Code.

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

By Senator Dague : S. F. No. 31, A bill for an act to repeal sections 3903 and 3904 of the Code of 1873.

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

By Senator Rumble : S. F. No. 32, A bill for an act to protect partition hedge fences.

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

By Senator Perkins : S. F. No. 33, A bill for an act to legalize deeds and conveyances made by executors, and cure acknowledgments taken in another state.

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

By Senator Young, of Mahaska : S. F. No. 34, A bill for an act to prevent keepers of billiard saloons, nine or ten pin alleys, or ball alleys from harboring minors.

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

Also, S. F. No. 35, A bill for an act to amend section 303 of chapter 2, title 4 of the Code.

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

By Senator Rumples : S. F. No. 36, A bill for an act to amend section 2315 of the Code in relation to probate duties of Clerk in vacation.

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

By Senator Stuart : S. F. No. 37, A bill for an act to amend chapter 2, title 4 of the Code.

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

By Senator Young, of Cass : S. F. No. 38, A bill for an act to compel children to attend school.

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

Also, S. F. No. 39, A bill for an act to amend section 2221 of the Code of 1878 in relation to divorces.

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

By Senator Converse : S. F. No. 40, A bill for an act to amend chapter 1 of title 6 of the Code.

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

By Senator Murphy: S. F. No. 41, A bill for an act to amend chapter 4 of the Code.

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

Also, S. F. No. 42, A bill for an act to amend title 17 of the code of civil practice, passed at adjourned session of the Fourteenth General Assembly.

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

By Senator Fairall: S. F. No. 43, A bill for an act to add to chapter 2 of the Code, entitled "Of the General Assembly," and to provide for the payment of the members, officers, and employees thereof.

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

By Senator Willett: S. F. No. 44, A bill for an act to amend section 2884 of the Code, relating to the liens of judgments of the District and Circuit Courts of the United States and of this State.

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

Senator Rothert offered the following concurrent resolution; which was adopted:

Resolved by the Senate, the House concurring, That the two Houses will meet in joint convention on Thursday, January 29, 1874, at two and a half o'clock, P. M., for the purpose of electing a Warden of the Iowa State Penitentiary.

By leave, Senator West introduced S. F. No. 45, A bill for an act making an appropriation for the payment of the mileage of the members of the Fifteenth General Assembly, and the per diem of the temporary officers and employees of the same.

Read first and second time.

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

The motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Gault, Howland, Jessup, Kephart, Kinne, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Young of Cass, and Young of Mahaska—45.

The nays were—None.

Absent or not voting—

Senators Dashiell, Fitch, Larrabee, Miles, and Wood—5.

So the bill passed and the title was agreed to.

By leave, Senator Shane introduced S. F. No. 46, A bill for an act to authorize a patent to issue to Wm. C. Willey for the southeast quarter of the northeast quarter of section 36, in township 86, north of range No. 10 west 5th principal meridian, and to correct a mistake in a deed.

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

By leave, Senator Jessup introduced S. F. No. 47, A bill for an act to repeal sections 1457, 1458, 1459, 1460, 1461, 1462, chapter 3, title xi, of Code of Iowa.

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

RESOLUTIONS.

Senator Stone offered the following resolution, which was adopted:

Resolved, That each of the following committees may have a clerk if in the judgment of each of said committees such clerk is by it needed, viz: Judiciary, Ways and Means, Appropriations, Railroads, and Insurance.

Senator Miller offered the following resolution, which was adopted:

Resolved, That, after to-day, until otherwise ordered, the Senate hold one session a day, and that the hours of meeting be 10 o'clock A. M.

Petitions heretofore received and passed on file were taken up and referred to the appropriate committees.

Senator Bemis offered the following resolution:

Resolved by the Senate, the House concurring, That a joint committee of five, two on the part of the Senate and three on the part of the House, be appointed to visit the hospitals for the insane at Mt.

Pleasant and Independence, for the purpose of examining into their conditions and the wants of these institutions.

Senator Kephart moved to amend so that committees be appointed to visit the several State institutions.

Pending which, by leave, Senator Cooley introduced S. F. No. 48, A bill for an act to provide for the organization and management of savings banks.

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

HOUSE MESSAGES.

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

House concurrent resolution for the appointment of committees to visit the several State institutions was taken up and considered.

Senator Shane moved to refer the resolution to the Committee on Orphans' Homes.

The motion prevailed.

The Chair announced as committee on part of the Senate to investigate the affairs of the Agricultural College and Farm, Senators Kephart, and Cooley.

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

AFTERNOON SESSION.

TWO O'CLOCK, P. M.

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

Senator Converse presented the following concurrent resolution, which was adopted:

Resolved by the Senate, the House concurring, That the Senator from Clinton county be appointed on the part of the Senate an additional member of the Investigating Committee raised to inquire into the affairs of the Agricultural College, and that two additional members of said committee be appointed on the part of the House; and that when so organized five members of said committee shall constitute a quorum to do business.

HOUSE MESSAGES.

House Messages were then taken up.

House substitute for Senate Resolution providing for printing rules of the House, the joint rules and statistics of members was taken up, considered and concurred in.

House resolution relative to compelling railways to receive and transmit grain without passing the same through the elevators in Chicago, was taken up and referred to Committee on Railroads.

House resolution relative to the reissue of patents on sewing machines was taken up, considered and concurred in.

House resolution relative to printing the Governor's Biennial Message in the different languages, was taken up and considered.

Senator McCormack moved to amend by inserting "one thousand copies in the Holland language."

Senator Miller moved to indefinitely postpone the resolution.

On this question the yeas and nays were demanded, and the yeas were—

Senators Bemis, Boomer, Campbell, Chambers, Crary, Jessup, Kinne, McCormack, Merrill of Wapello, Miles, Miller, Newton, Selby, Shane, Smith, Stuart, West, Williams, Wonn, and Young of Cass—20.

The nays were—

Senators Bailey, Converse, Cooley, Dague, Fairall, Fitch, Gault, Howland, Kephart, Lovell, Maxwell, McCoid, McIntyre, Merrell of Clinton, Mitchell, Murphy, Pease, Perkins, Rothert, Rumple, Russell, Stone, Taylor, Thornburg, Willett, and Young of Mahaska—26.

Absent or not voting—

Senators Conaway, Dashiell, Larrabee, and Wood—4.

So the motion to indefinitely postpone did not prevail.

Senator McCormack's amendment was then adopted.

Senator Rumple moved to amend by reducing the number ordered to be printed in the English language from two thousand and five hundred to one thousand and five hundred.

Senator West moved to amend by striking out the entire English edition, which motion prevailed.

The question being on concurring in the resolution as amended, the yeas and nays were demanded, and the yeas were

Senators Converse, Cooley, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Lovell, Maxwell, McCoid, McIntyre, Merrell of Clinton, Mitchell, Murphy, Perkins, Rothert, Rumple, Russell, Smith, Taylor, Thornburg, and Willett—24.

The nays were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Crary, Kinne, McCormack, Merrill of Wapello, Miles, Miller, Newton, Pease, Selby, Shane, Stone, Stuart, West, Williams, Wonn, Young of Cass, and Young of Mahaska—22.

Absent or not voting—

Senators Conaway, Dashiell, Larrabee, and Wood—4.

So the resolution, as amended, was concurred in.

House resolution relative to Fox and Wisconsin river improvements was taken up.

Read first and second time.

Senator Merrell of Clinton moved that the rule be suspended and the joint resolution be read a third time now.

The motion prevailed and the joint resolution was read a third time.

On the question "Shall the joint resolution pass?"

The yeas were—

Senators Bailey, Boomer, Chambers, Converse, Cooley, Crary, Dague, Fairall, Gault, Howland, Jessup, Kephart, Kinne, Lovell, Maxwell, McCoid, Merrell of Clinton, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rumple, Smith, Stone, Thornburg, West, Willett, Williams, Wonn, and Young of Cass—32.

The nays were—

Senators Bemis, Campbell, Fitch, Merrill of Wapello, Miles, Rothert, Russell, Selby, Shane, Taylor, and Young of Mahaska—11.

Absent or not voting—

Senators Conaway, Dashiell, Larrabee, McCormack, McIntyre, Stuart, and Wood—7.

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

Senator Chambers, from special committee to whom was referred House resolution in relation to visiting committees, reported the following amendments:

Strike out "this" and insert "either" in first proviso. Also, after the word "county" insert the words "or districts" and add the following proviso: *Provided further*, That but one committee be appointed to visit the hospitals for the insane, one for the penitentiaries, and one for the orphans' homes.

Report adopted and resolution as amended concurred in.

Senator Rothert, at 3 o'clock, moved that the Senate take a recess of fifteen minutes, which was agreed to.

At 3:15 Senate was called to order.

MESSAGES 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, in the opinion of this House the Post-office of the General Assembly should be retained as heretofore.

BENJ. VAN STEINBURG,
First Assistant-Clerk.

Senator McCoid moved to take up House Messages.

Motion prevailed.

Senator McCoid moved that the Senate concur in the House Resolution in relation to retaining the postal officers of the session.

On this motion the yeas and nays were demanded and the yeas were—

Senators Converse, Dague, Kephart, Maxwell, McCoid, Merrill of Wapello, Perkins, Rumble, Russell, Shane, Smith, Stone, Taylor, West, Willett, Williams, and Wonn—18.

The nays were—

Senators Bailey, Bemis, Boomer, Campbell, Crary, Fitch, Gault, Howland, Kinne, Lovell, McCormack, McIntyre, Merrell of Clinton, Miles, Miller, Mitchell, Murphy, Newton, Pease, Selby, Stuart, Thornburg, Young of Cass, and Young of Mahaska—24.

Absent or not voting—

Senators Chambers, Conaway, Cooley, Dashiell, Jessup, Larrabee, Rothert, and Wood—8.

So the Senate refused to concur in the House resolution.

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 both houses meet in joint convention on "Friday the 30th inst. at two o'clock in the afternoon," for the purpose of electing a Warden of the State Penitentiary "and the usual officers of the postal department of the General Assembly."

BENJ. VAN STEINBURG,
First Assistant-Clerk.

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

Senator Rothert moved to strike out the words "Friday, the 30th inst., at 2 o'clock P. M.," and insert the words "this afternoon at 4 o'clock."

The amendment prevailed.

On this question the yeas and nays were demanded, and the yeas were—

Senators Bailey, Boomer, Campbell, Crary, Fitch, Howland, Kinne, Lovell, McCormack, Merrell of Clinton, Miles, Miller, Murphy, Newton, Selby, Stuart, Young of Cass, and Young of Mahaska—18.

The nays were—

Senators Bemis, Chambers, Converse, Cooley, Dague, Fairall, Gault, Jessup, Kephart, Maxwell, McCoid, McIntyre, Merrill of Wapello, Mitchell, Pease, Perkins, Rothert, Rumpel, Russell, Shane, Smith, Stone, Taylor, West, Willett, Williams, and Wonn—27.

Absent or not voting—

Senators Conaway, Dashiell, Larrabee, Thornburg, and Wood—5.

So the amendment did not prevail.

The resolution was then concurred in.

Senator Murphy asked permission to change his vote on the passage of the resolution relative to printing the Governor's biennial message, from nay to yea, which was granted.

MESSAGES FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to notify your honorable body that the House has concurred in Senate amendments to House resolution fixing time of joint convention for the purpose of electing a warden of the penitentiary, and the postal officers for this General Assembly.

JAMES M. WEART, *Chief Clerk.*

A committee from the House announced that the House was now ready to receive the Senate for the purpose of electing a Warden of the Penitentiary and the Postal Officers of this General Assembly.

On motion of Senator Stone, Senator Rothert was appointed teller on part of the senate.

On motion of Senator Shane, the Senate proceeded to the hall of the House of Representatives.

JOINT CONVENTION.

President Dysart called the joint Convention to order and announced the object to be the election of a Warden to the State Penitentiary, a Postmaster, Assistant Postmaster, and Mail-Carrier, of this General Assembly; also announced as Teller, on the part of the Senate, Senator Rtothert.

The Speaker appointed Mr. Spangler teller on the part of the House.

Mr. Anderson nominated Seth H. Craig, of Pottawattamie county, as candidate for Warden.

Senator Murphy nominated Captain W. S. Clark, of Scott county, for the same office.

The roll was then called with the following result :

Those voting for Mr. Craig were—

Messrs. Anderson, Axtell, Bailey, Bemis, Boomer, Brandt, Breckenridge, Brown, Campbell of Black Hawk, Campbell of Jasper, Case, Chambers, Chantry, Chapin, Clark of Iowa, Converse, Cooley, Cooper, Cowman, Crary, Dague, Danforth, Darland, Dashiell, Dorr, Easton, Fitch, Gear, Gilliland, Haskell, Heberling, Hollingsworth, Hopkirk, Horton, Howland, Jennings, Jessup, Johnston of Ringgold, Jordan Kelly, Kephart, Lamme, Leahy, Litzenberg, Lyons, McCloud, McCoid, McIntyre, McNeill, Madden, Maxwell, Merrill of Wapello, Miles, Miller of Black Hawk, Miller of Sac, Mitchell of Polk, Moninger, Monroe, Moore of Poweshiek, Morley, Newbold, Parmelee, Peet, Perkins, Platler, Rotherth, Rumble, Russell, Schweer, Secor, Shane, Siberell, Smith, Speer, Stedman, Stone, Svendsen, Taylor, Thompson, Tracy, Tufts, West, Wharton, Willett, Williams, Wilson, Wood of Clay, Young of Cass, and Young of Mahaska—89.

Those voting for Mr. Clark were—

Messrs. Archer, Baird, Beach, Birchard, Bishop, Bissell, Bolter, Brockway, Burnet, Cardell, Clark of Marion, Cone, Connolly, Dayton, DeCow, Defore, Dixon, Fairall, Gault, Goodrich, Hanan, Harper, Hindman, Hoggatt, Humeston, January, Johnston of Dubuque, Kinne, Lattner, Lovell, McCormack, McLucas, Malin, Mekeel, Merrell of Clinton, Mickelwait, Mitchell of Jackson, Moore of Jones, Mueller, Muhs, Murphy, Newton, Paul, Pease, Rogers, Roszell, Rounds, Runciman, Schroeder, Selby, Spangler, Stuart, and Work—53.

Absent or not voting—

Messrs. Bonham, Conaway, Corey, Hartshorn, Larrabee, Thornburg, Wonn, and Wood of Muscatine—8.

Whole number of votes cast.....	142
Necessary to a choice.....	72
Of which S. H. Craig received.....	89
Of which W. S. Clark received.....	53

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

Mr. Lyons nominated Mrs. E. M. Elliott, of Henry county, for Postmaster.

The roll was called with the following result :

Whole number of votes cast.....	117
Necessary to a choice.....	59
Of which Mrs. Elliott received.....	115
Of which Fred Grant received.....	1
Of which Nellie Grant received.....	1

Those voting for Mrs. Elliott were—

Messrs. Anderson, Archer, Axtell, Bailey, Bemis, Boomer, Brandt, Breckenridge, Brockway, Burnet, Campbell of Black Hawk, Campbell of Jasper, Cardell, Case, Chambers, Chantry, Chapin, Clark of Iowa, Connolly, Converse, Cooley, Cowman, Dague, Danforth, Darland, Dashiell, Dayton, DeCow, Defore, Dixon, Dorr, Easton, Fairall, Fitch, Gear, Gilliland, Goodrich, Hanan, Harper, Heberling, Hollingsworth, Hopkirk, Horton, Howland, Jennings, Jessup, Johnston of Dubuque, Johnston of Ringgold, Jordan, Kelly, Kephart, Lamme, Leahy, Litzenberg, Lovell, Lyons, McCloud, McCoid, McIntyre, McLucas, McNeill, Madden, Malin, Maxwell, Merrill of Wapello, Mickelwait, Miles, Miller of Black Hawk, Miller of Sac, Mitchell of Jackson, Mitchell of Polk, Moninger, Monroe, Moore of Jones, Moore of Poweshiek, Mueller, Muhs, Murphy, Newbold, Newton, Parmelee, Paul, Pease, Peet, Perkins, Platter, Rogers, Roszell, Rothert, Rounds, Rumpel, Runciman, Russell, Schroeder, Secor, Shane, Siberell, Smith, Spangler, Speer, Stedman, Stone, Svendsen, Taylor, Thompson, Tracy, Tufts, West, Wharton, Willett, Williams, Wilson, Work, Young of Cass, and Young of Mahaska--115.

Mr. Hogatt voted for Fred Grant.

Mr. Wood of Clay voted for Nellie Grant.

Mrs. E. M. Elliott having received a majority of all the votes cast was declared duly elected Postmaster for the Fifteenth General Assembly.

Mr. Work nominated Miss Anna P. Smith of Van Buren county, for Assistant Postmaster.

The roll was then called with the following result:

Those voting for Miss Anna P. Smith were—

Messrs. Anderson, Archer, Axtell, Bailey, Baird, Beach, Bemis, Birchard, Bishop, Bissell, Bolter, Boomer, Brandt, Breckenridge, Brockway, Burnet, Campbell of Black Hawk, Campbell of Jasper, Cardell, Case, Chambers, Chantry, Chapin, Clark of Iowa, Connolly, Converse, Cooley, Cowman, Dague, Danforth, Darland, Dashiell, Dayton, DeCow, Defore, Dixon, Dorr, Easton, Fairall, Fitch, Gear, Gilliland, Goodrich, Hanan, Harper, Haskell, Heberling, Hindman, Hoggatt, Hollingsworth, Hopkirk, Horton, Howland, Jennings, Jessup, Johnston of Dubuque, Johnston of Riggold, Jordan, Kelly, Kephart, Lamme, Leahy, Litzenberg, Lovell, Lyons, McCloud, McCoid, McIntyre, McLucas, McNeill, Madden, Malin, Maxwell, Mekeel, Merrill of Wapello, Mickelwait, Miles, Miller of Black Hawk, Miller of Sac, Mitchell of Jackson, Mitchell of Polk, Moninger, Monroe, Moore of Jones, Moore of Poweshiek, Morley, Mueller, Muhs, Murphy, Newbold, Newton,

Parmelee, Paul, Pease, Peet, Perkins, Platter, Rogers, Roszell, Rothert, Rounds, Runciman, Russell, Schroeder, Secor, Shane, Siberell, Smith, Spangler, Speer, Stedman, Stone, Svendsen, Taylor, Thompson, Tracy, Tufts, West, Wharton, Willett, Williams, Wilson, Wood of Clay, Work, Young of Cass, and Young of Mahaska—127.

Absent or not voting—

Messrs. Bonham, Brown, Clark of Marion, Conaway, Cone, Cooper, Corey, Crary, Gault, Hartshorn, Humeston January, Kinne, Larrabee, Lattner, McCormack, Merrell of Clinton, Schweer, Selby, Stuart, Thornburg, Wonn, and Wood of Muscatine—23.

Whole number of votes cast.....	127
Necessary to a choice	64
Of which Miss Anna F. Smith received	127

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

Mr. Cardell nominated E. H. Stedman, of Benton county, for Mail-carrier.

Mr. Birchard nominated Capt. W. N. Greer, of Scott county, for the same office.

The roll was called with the following result:

Those voting for Mr. Stedman were—

Messrs. Anderson, Archer, Axtell, Bailey, Baird, Beach, Bemis Boomer, Brandt, Brackenridge, Burnet, Campbell of Black Hawk, Campbell of Jasper, Cardell, Case, Chambers, Chantry, Chapin, Clark of Iowa, Converse, Cooley, Cowman, Crary, Danforth, Darland, Dashiell, Dayton, Defore, Dorr, Easton, Fitch, Gear, Gilliland, Hanan, Haskell, Heberling, Hollingsworth, Hopkirk, Horton, Howland, Jennings, Jessup, Johnston of Dubuque, Johnston of Ringgold, Jordan, Kelly, Kephart, Lamme, Leahy, Litzenberg, Lyons, McCloud, McCoid, McIntyre, McNeill, Maxwell, Mekeel, Merrell of Clinton, Merrill of Wapello, Mickelwait, Miles, Miller of Black Hawk, Miller of Sac, Mitchell of Jackson, Moninger, Monroe, Moore of Poweshiek, Morley, Muhs, Newbold, Parmelee, Paul, Peet, Perkins, Platter, Rogers, Rothert, Rounds, Runciman, Russell, Secor, Shane, Siberell, Smith, Speer, Stedman, Stone, Svendsen, Taylor, Thompson, Tufts, West, Wharton, Willett, Wilson, Williams, Wood of Clay, Work, Young of Cass, and Young of Mahaska—100.

Those voting for Mr. Greer were—

Messrs. Birchard, Bishop, Bissell, Bolter, Brockway, Brown, Clark of Iowa, Cone, Connelly, Cooper, DeCow, Dixon, Goodrich, Hindman, Humeston, January, Lattner, Lovell, Madden, Malin, Mitchell of Polk, Moore of Jones, Mueller, Newton, Roszell, Schroeder, Schweer, Spangler, and Stuart—29.

Mr. Hoggatt voting for Wood of Clay.

Absent or not voting—

Messrs. Bonham, Conaway, Corey, Dague, Fairall, Gault, Harper, Hartshorn, Kinne, Larrabee, McCormack, McLucas, Murphy, Pease, Rumble, Selby, Thornburg, Tracy, Wonn, and Wood of Muscatine—20.

Whole number of votes cast.....	130
Necessary to a choice	66
Of which Mr. Stedman received.....	100
Of which Mr. Greer received ..	29
Of which Mr. Wood of Clay received	1

Mr. E. H. Stedman having received a majority of all the votes cast, was declared duly elected as mail-carrier for the present session.

The following certificate of election of the officer therein named were read and signed in open convention.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, January 29, 1874. }

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 29th day of January, A. D., 1874, for the purpose of electing a Warden of the Penitentiary, Seth H. Craig having received a majority of all the votes cast for said office, was declared duly elected Warden of the Penitentiary for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in presence of the joint convention, this 29th day of January, A. D., 1874.

JOSEPH DYSART,
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST :

HENRY W. ROTHERT,
Teller of the Senate.

S. T. SPANGLER,
Teller of the House of Representatives.

On motion of Mr. Clark of Iowa, the joint convention dissolved.

At 4:40 P. M. Senate returned to its chamber, and on motion of Senator Shane, adjourned until 10 o'clock to-morrow morning.

SENATE CHAMBER, }
DES MOINES, IOWA, January 30, 1874. }

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

Prayer by the Rev. Mr. Miles.

Journal of yesterday read and approved.

Senator Fitch asked and obtained leave to have his vote recorded in favor of the passage of S. F. No. 45.

Senator Perkins, from the Special Committee appointed to inquire into the reports of destitution in the northwestern counties of Iowa, submitted the following report :

TO THE GENERAL ASSEMBLY:—Your committee appointed to make inquiries into the reports of destitution in northwestern counties of this State, etc., beg leave to submit this partial report:

We have examined such evidence as is attainable here, and made such inquiries of parties interested in affording temporary relief as were to be met, and are satisfied in our own minds that the case is one of sufficient importance to command the attention of the State. At the same time the testimony received is not sufficiently explicit and satisfactory to warrant us in making definite recommendations as to your duty in the matter. We therefore ask for an expression from the General Assembly as to whether we shall visit the afflicted locality and make personal examination of its needs or not.

GEO. D. PERKINS,
SAM. H. FAIRALL,
On the part of the Senate.

CHAS. A. L. ROSZELL,
L. B. GILLILAND,
On the part of the House.

Senator Fitch offered the following resolution:

Resolved by the Senate, the House Concurring, That the special committee to investigate the condition of the settlers of the northwest be authorized to visit the needy counties and make personal inquiry into the facts.

So the resolution was adopted.

Senator West moved that the Postmaster, Assistant-Postmaster, and Mail-Carrier elect, be requested to appear before the bar of the Senate and take the oath of office.

The motion prevailed, and the oath of office was administered to said officers by the President of the Senate.

Senator Dashiell presented a petition from A. W. Richards, in relation to certain lands in Warren county, Iowa.

Referred to Committee on Judiciary.

Senator McCoid presented a petition from Auditor of Jefferson county, in relation to road districts.

Referred to Committee on County and Township Organization.

INTRODUCTION OF BILLS.

By Senator Campbell: S. F. No. 49, A bill for an act creating a board of railroad commissioners, and defining their powers and duties; also fixing maximum rates for transporting freight and passengers on the different railroads of this State.

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

By Senator Merrill, of Wapello: S. F. No. 50, A bill for an act to legalize official acts of George Haw, a notary public.

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

By Senator Kephart: S. F. No. 51, A bill for an act to amend section 2187 of chapter 1 of title 15 of the Code, relating to marriage.

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

By Senator Stuart: S. F. No. 52, A bill for an act to amend section 796 of chapter 1, title 6, of the Code.

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

By Senator Converse: S. F. No. 53, A bill for an act to amend chapter 32 of title 25 of the Code.

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

By Senator Smith: S. F. No. 54, A bill for an act to amend chapter 11, title 24, and sections 4058 and 4059 of the Code.

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

By Senator Dague: Joint resolution in relation to postage on newspapers in the county where published.

Read first and second time, and, on motion of Senator Dague, the rule was suspended and the joint resolution read a third time.

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

The yeas were—

Senators Bailey, Campbell, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Rothert, Rumpel, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—42.

The nays were—

Senators Bemis, Chambers, and Perkins—3.

Absent or not voting—

Senators Boomer, Lovell, McIntyre, Mitchell, and Russell—5.

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

By Senator Larrabee: S. F. No. 55, A bill for an act to legalize the official acts of John Hosford, a notary public of Fayette county, Iowa.

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 Bailey, Boomer, Campbell, Conaway, Converse, Cooley, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Maxwell, McCoid, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Smith, Stone, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—42.

The nays were—None.

Absent or not voting—

Senators Bemis, Chambers, Crary, Lovell, McCormack, McIntyre, Mitchell, and Taylor—8.

So the bill passed and the title was agreed to.

By Senator Murphy: S. F. No. 56, A bill for an act to authorize cities to provide for the construction of sewers.

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

By Senator Merrell of Clinton: S. F. No. 57, A bill for an act to provide for the organization of independent school-districts, and for other purposes.

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

By Senator Maxwell: S. F. No. 58, A bill for an act to further regulate the expenditures of funds belonging to the public institutions of the State and to prescribe certain tests of eligibility to office in such institutions.

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

By Senator Shane: S. F. No. 59, A bill for an act to amend section 464 of the Code of 1873.

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

On motion of Senator Fitch, the Governor's Biennial Message was taken from the table.

Senator Fitch offered the following resolution:

RESOLUTION REFERRING GOVERNOR'S MESSAGE.

Resolved, That so much of the Governor's Message as refers to Finance, be referred to the Committee on Ways and Means.

That portion in relation to Public Lands, to the Committee on Public Lands.

That to the Census, to the Committee on Federal Relations.

To the Militia, to the Committee on Military.

State Library, to the Committee on State Library.

Schools, to the Committee on Schools.

That to the State University, to the Committee on State University.

To the College for the Blind, institution for the Deaf and Dumb, Orphans' Homes, and Reform School, to the respective Committees for those institutions.

Penitentiary, to the Committee on Penitentiary.

Hospitals for the Insane, to the Committee on Hospitals for the Insane.

New Capitol, to the Committee on Appropriations.

Notaries Public, River Land trouble, and Jurors, to the Judiciary Committee.

The Insurance Law, to the Committee on Insurance.

Saving's Banks, to the Committee on Banks.

Railroads, to the Committee on Railroads.

The Constitution, to the Committee on Constitutional Amendments.

Counties and Cities, to the Committee on County and Township Organization.

The Road Law, to the Committee on Highways.

Fish Culture, to the Committee on Fish and Game.

Centennial Exhibition, to the Committee on Federal Relations.

Diversified Industry, to the Committee on Manufactures.

That so much of the Governor's Message as refers to the "Des Moines River School Lands," be referred to the Judiciary Committee, and that said committee be requested to thoroughly investigate the matter and report at an early day by bill or otherwise.

The resolution was adopted.

Senator Merrill of Wapello, offered the following resolution:

Resolved, That the Committee on Printing are requested to inquire into the expediency of abolishing the offices of State Printer and Binder, and to report at as early a day as is practicable.

The resolution was agreed to by the Senate.

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. 45, A bill for an act making appropriations for the payment of mileage of members, and per diem of temporary officers of the Fifteenth General Assembly, with the following amendments:

SEC. 23. For expenses incurred by inauguration ceremonies the sum of two hundred dollars, or so much thereof as may be deemed necessary, ordered to be drawn in favor of Senator Pease, Chairman of Joint Committee on Inauguration Ceremonies, in which the concurrence of the Senate is asked.

JAS. M. WEART, *Chief Clerk.*

BILLS ON THIRD READING.

S. F. No. 45, together with the amendment made by the House, was taken up and considered.

On the question, "Shall the Senate concur in the House amendment?" the yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Perkins, Rothens, Rumple, Russell, Selby, Smith, Stone, Stuart, Taylor, West, Willott, Williams, Wood, Young of Cass, and Young of Mahaska—45.

The nays were—

Senators Shane, and Wonn—2.

Absent or not voting—

Senators McIntyre, Mitchell, and Thornburg—3.

So the Senate concurred in the House amendment.

Senator Stuart moved that the Senate adjourn.

The motion did not prevail.

Senator Taylor moved a call of the Senate, which was not seconded.

On motion of Senator Taylor, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, January, 31, 1874. }

Senate met, and was called to order by the President.
Prayer by the Rev. S. N. Matheny.
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 our Senators in Congress be instructed, and our Representatives be requested, to use their utmost endeavors to secure the passage by Congress of a law compelling all railway companies to receive and transmit cars belonging to any individual or corporation whatever, on the payment of reasonable rates of haulage.

Also, that the House has concurred in the resolution authorizing the committee on destitution in the northwestern counties to visit the counties and make personal inquiry into the facts.

Also, that the House has concurred in the resolution to appoint additional members of the committee to investigate the affairs of the Iowa Agricultural College and Farm, and have appointed Messrs. Brown and Horton such additional members.

Also, that the House has concurred in the Senate amendments to the resolution providing for the appointment of committees to visit State Institutions, with the following amendment: Add to the Senate proviso the words, "and one for the Reform Schools"; in which the concurrence of the Senate is asked.

Also, that the House has indefinitely postponed the resolution providing for Printing the Governor's message in the various languages.

JAMES M. WEART, *Chief Clerk.*

Senator Young of Cass, 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 for a Committee to Investigate the affairs of the Iowa Agricultural College and Farm, and find the same correctly enrolled.

LAFE YOUNG, *Chairman.*

Senator Howland presented a petition from citizens of Iowa in relation to certain school-lands in Wright county, Iowa.

By leave, Senator Howland introduced S. F. No. 80, A bill for an act to legalize the sale of certain school-lands in Wright county, Iowa.

Read first and second time, and referred, with the petition, to the Committee on County and Township Organization.

Senator Lovell presented a petition from citizens of Iowa, asking that the Soldiers' Orphans' Homes be opened to all orphans.

Referred to Committee on Orphans' Homes.

Senator Campbell presented a petition from citizens of Iowa, in relation to an amendment to the game laws of the State.

Referred to Committee on Fish and Game.

Senator Cooley presented a memorial from Francis Springer and others, asking for the establishment of a department of military science at the State University.

By leave, Senator Cooley introduced a joint resolution for the establishment of a chair of military science at the State University.

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

INTRODUCTION OF BILLS.

By Senator Bailey: S. F. No. 61, A bill for an act supplementary to title 14, chapter 1 of the Code, in relation to weights and measures.

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

By Senator Dague: S. F. No. 62, A bill for an act in relation to strays.

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

By Senator Smith: S. F. No. 63, A bill for an act to amend section 3818 of chapter 3, title 23, of the Code.

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

By Senator Shane: S. F. No. 64, A bill for an act to amend chapter 24 of the Code, relating to criminal procedure.

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

REPORT OF COMMITTEE.

Senator Young of Cass, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have examined concurrent resolution relative to the reissue of patents on sewing machines; memorial and joint resolution relative to the improvement of the Fox and Wisconsin rivers; concurrent resolution relative to compelling railroads to receive and transmit grain without passing through the elevators at Chicago, and find the same correctly enrolled.

LAFE YOUNG, *Chairman.*

Senator Chambers offered the following resolution:

Resolved by the Senate, the House concurring, That the capitol post-office be kept open from 8 o'clock A. M. to 7 o'clock P. M. during the week, and on the Sabbath from 8 o'clock A. M. to 10 o'clock A. M., and the Postmaster and Assistant-Postmaster are instructed accordingly.

The resolution was adopted.

Senator Smith offered the following resolution:

Resolved, That smoking be prohibited in the Senate Chamber and post-office during the session of the Senate, and that members of the House be prohibited from smoking in the Senate Chamber between the hours of 6 A. M. and 9 P. M., and that the Sergeant-at-Arms enforce this rule.

Senator Chambers offered the following substitute for the resolution:

Resolved, That the Sergeant-at-Arms be instructed to prevent all smoking in the Senate Chamber and post-office.

Senator Howland moved to amend by inserting after the word "smoking," the words "chewing tobacco and gum."

The amendment did not prevail.

Senator Howland moved to postpone further consideration of resolution, and substitute until Tuesday next, at 11 o'clock, A. M.

The motion was lost.

Senator Shane moved to strike out the words "and post-office."

The motion prevailed.

Senator Rumble moved to amend by adding the words "while in session."

The Senate refused to agree to the amendment.

Senator Maxwell moved to amend by inserting after the word "smoking," the words "and tobacco chewing."

The amendment was disagreed to.

The substitute as amended was adopted.

MESSAGES 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 the Capitol Postoffice be kept open on each week day from eight o'clock A. M. to seven o'clock P. M., and on the Sabbath from eight o'clock A. M. to ten o'clock A. M., and the Postmaster and Assistant are instructed accordingly.

Also, the following: S. F. No. 55, A bill for an act legalizing the acts of John Hosford, a Notary Public.

BENJ. VAN STEINBURG,
First Assistant-Clerk.

REPORTS OF COMMITTEES.

Senator Stone, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT:—Your Committee on Insurance, to whom was referred Senate File No. 28, A bill for an act entitled an act to amend chapter 5 of title 9 of the Code, and to release certain penalties, beg leave to report 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: Insert after the word "county," in the 9th line of section 4, the following: "Failing to file the evidence of deposit and the statement within the time stated herein."

Also, strike out the word "absolutely," in the first line of section five.

Also, strike out the word "absolutely," in the first line of section six.

Also, add to section six the following: "Said penalties, when recovered, shall be paid into the state treasury for the use of the permanent school fund.

J. Y. STONE, *Chairman.*

Ordered passed on file.

Senator Shane, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred Senate File No. 46, A bill for an act to authorize a patent to issue to Wm. C. Willy, for the southeast quarter of the northeast quarter of sec. No. 36, in township No. 86 north, range No. 10 west of 5th principal meridian, beg leave to report 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.*

Ordered passed on file.

Senator Shane, from the Committee on Judiciary, reported back S. F. No. 7, A bill for an act to amend section 814, of chapter 1, title 6, of the Code of 1873, with the recommendation that it be referred to the Committee on Ways and Means.

The recommendation was concurred in, and the bill so referred.

Senator Shane also reported back Senate Files numbers 41 and 42, with the recommendation that the bills be printed, which was agreed to.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 39, A bill for an act to amend section 2221 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 30, A bill for an act to provide State institutions and justices of the peace with a copy of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JNO. SHANE, *Chairman.*

Ordered passed on file.

REPORT OF COMMITTEE.

Senator Dague, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT:--Your Committee on Federal Relations, to whom was referred the accompanying joint resolution, requesting our Senators and Representatives in Congress 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, 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.

R. A. DAGUE, *Chairman.*

Ordered passed on file.

By leave, Senator Shane, from the Committee on Judiciary, introduced S. F. No. 65, A bill for an act to authorize the Secretary of State to furnish the necessary stationery for the use of the standing and select committees of the General Assembly or either branch thereof.

Read first and second time.

Senators Merrell of Clinton, Murphy, Mitchell, and Russell, were granted leave of absence.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrill of Wapello, Miles, Miller, Newton, Pease, Rothert, Rumple, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—43.

The nays were—None.

Absent or not voting—

Senators Fairall, McIntyre, Merrell of Clinton, Mitchell, Murphy, Perkins, and Russell—7.

So the bill passed and the title was agreed to.

BILLS ON SECOND READING.

S. F. No. 28, A bill for an act entitled an act to amend chapter 5, title 9, of the Code, and to release certain penalties, together with the report of committee, was taken up and passed on file.

S. F. No. 46, A bill for an act to authorize a patent to issue to Wm. C. Willey for the southeast quarter of the northeast quarter of section 36, in township 86, north of range No. 10, west 5th principal meridian, and to correct a mistake in a deed, together with the report of the committee, 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrill of Wapello, Miles, Miller, Newton, Pease, Rothert, Rumble, Selby, Shane, Smith, Stuart, Taylor, Thornburg, West, Willett, Williams, Wood, Young of Cass, and Young of Mahaska—42.

The nays were—None.

Absent or not voting—

Senators Fairall, Merrell of Clinton, Mitchell, Murphy, Perkins, Russell, Stone, and Wonn—8.

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

MESSAGE FROM THE GOVERNOR.

A message was received from the Governor at the hands of his private secretary, Wm. H. Fleming, which was laid on the President's table.

S. F. No. 39, A bill for an act to amend section 3221 of the Code of 1873, with the report of the committee, recommending that the bill be indefinitely postponed, was taken up and the report adopted.

S. F. No. 30, A bill for an act to provide State Institutions and Justices of the Peace, with copies of the Code, with the report of the committee, was taken up and considered.

Senator Taylor moved to amend by inserting the words "Township Clerks" after the word "Peace."

The amendment was adopted.

Senator Larrabee moved to amend by inserting "by the State" after "supplied" in first section.

The amendment was agreed to.

On motion of Senator West, the bill was recommitted with instructions to the Committee on Judiciary.

The joint resolution relating to the election of United States Senators by the people, was taken up and ordered engrossed for a third reading.

The President submitted a communication from the Governor.

On motion of Senator Taylor, the communication relating to the Agricultural College and Farm was referred to the Committee on Agricultural College and Farm.

On motion of Senator Larrabee, that relating to centennial affairs was referred to Committee on Federal Relations.

On motion of Senator Rothert, that relating to destitution in north-western Iowa was referred to the special committee on that subject.

House messages were taken up, and the Senate concurred in the House amendment to the resolution appointing visiting committees to State Institutions.

The concurrent resolution asking Congress to enact a law compelling railroad companies to receive and transmit cars belonging to any individual or corporation whatever on payment of reasonable rates of haulage, was taken up and referred to Committee on Railroads.

The Senate concurred in House resolution in relation to post-office hours at the Capitol.

The President announced on the part of the Senate, the following Senators as members of committees to visit State Institutions:

Penitentiary.—Senator Campbell.

Hospital for Insane.—Senator Gault.

College for Blind.—Senator Taylor.

Orphan's Home.—Senator Dague.

Reform School.—Senator Miles.

Agricultural College.—Senator Howland.

Institution for Deaf and Dumb.—Senator Shane.

State University.—Senator Boomer.

On motion of Senator Maxwell the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 2, 1874. }

Senate met at 10 A. M., and was called to order by the President.

Prayer by the Rev. Mr. Nash.

Journal of Saturday read and approved.

REPORT OF COMMITTEE.

Senator Young, 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. 45, An act making an appropriation for the payment of the mileage of the members of the Fifteenth General Assembly, and the per diem of the temporary officers and employees thereof.

Also, a joint resolution memorializing the Congress of the United States to appropriate money to indemnify the holders of pre-emption and homestead certificates and certificates of entry and patents upon lands in Iowa, within the so-called Des Moines River Grant, on account of failure of title.

Also, joint resolution in relation to the railroad bridge across the Mississippi river, at Clinton, Iowa.

Also, joint resolution thanking Congress for partial repeal of salary grab.

Also, S. F. No. 55, An act to legalize acts of John Hosford, notary public, and find the same correctly enrolled.

LAFE YOUNG, *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 resolutions, in which the concurrence of the Senate is asked :

Resolved by the House, the Senate concurring, That the Secretary of State be directed to have published (including those already published) 3,300 copies of the Governor's inaugural address.

I am further directed to inform you that the House has reconsidered the vote by which S. F. No. 45, A bill for an act making appropriations for the payment of mileage of members, and per diem of temporary members of the Fifteenth General Assembly, was passed, and respectfully request a return of said bill.

Also, that the House has appointed Mr. Hopkirk a member of the committee on destitution in the northwest, *vice* Mr. Hartshorn resigned, and Mr. Peet a member of the committee to investigate certain charges against the Iowa Agricultural College and Farm, *vice* Mr. Horton resigned.

Also that the House has appointed the following visiting committees:

Penitentiary—Messrs. Tufts, and Connolly.

Hospital for Insane—Messrs. McNeill, and Hollingsworth.

Asylum for the Blind—Messrs. Campbell, and Cardell.

Soldiers' Orphans' Homes—Messrs. Tracy, and Muhs.

Agricultural College and Farm—Messrs. Platter, and Rogers.

Reform Schools—Messrs. Clark of Iowa, and Dayton.

State University—Messrs. Miller, and Bonham.

Asylum for the Blind—Messrs. Secor, and Hindman.

I also herewith present for your signature the following resolutions which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

Concurrent resolution relative to the re-issue of patents on Sewing Machines.

Memorial and joint resolution in reference to improving Fox and Wisconsin rivers.

Concurrent resolution relative to compelling railways to receive and transmit grain without passing through the elevators in Chicago.

Joint resolution for a committee to investigate the affairs of the Iowa State Agricultural College and Farm.

J. M. WEART, *Chief Clerk.*

Senator Campbell presented a petition from citizens of Iowa, asking for the enactment of a law regulating freights on railroads.

Referred to committee on railroads.

Senator West presented a petition from citizens of Iowa, asking an amendment to the constitution of the State, so that it shall give to *all* citizens the privilege and protection to be secured only by the ballot.

Referred to committee on elections.

Senator Miller presented a petition from citizens of Iowa, asking an amendment of the game laws of the State.

Referred to committee on fish and game.

HOUSE MESSAGES.

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

The Senate acceded to the request of the House for the return of S. F. No. 45, and ordered it transmitted to the House.

The Senate refused to concur in the House resolution relative to printing copies of the Governor's Inaugural Address.

Senator Young of Cass, moved to reconsider the vote by which the Senate refused to concur.

The motion prevailed, and on motion of Senator Williams, the resolution was referred to a special committee to ascertain the number already printed.

INTRODUCTION OF BILLS.

By Senator McIntyre : S. F. No. 66, A bill for an act to amend section 1305 of the Code of 1873.

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

By Senator McIntyre : S. F. No. 62, A bill for an act to amend sections 865 and 866 of the Code of 1873, in relation to the time taxes become delinquent.

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

By Senator McIntyre : S. F. No. 68, A bill for an act to amend section 814 of the Code of 1873.

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

By Senator Young, of Mahaska: S. F. No. 69, A bill for an an act providing for the collection and payment of State revenue, and amending certain sections of the Code.

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

By Senator Gault: S. F. No. 70, A bill for an act to amend chapter 4 of title 10 of the Code of Iowa.

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

By Senator Rothert: S. F. No. 71, A bill for an act to amend chapter 2, title 6 of the Code, in relation to tax sales and the redemption of property in counties having more than one county seat.

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

By Senator Rumble: S. F. No. 72, A bill for an act to prevent the destruction of baggage.

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

By Senator Larrabee: S. F. No. 73, A bill for an act to protect the people against the abuses and unjust discriminations of railroads, express, and telegraph companies.

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

By Senator McCormack: S. F. No. 74, A bill for an act relinquishing an escheat, and for the relief of William F. Dawson.

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

RESOLUTIONS.

Senator Converse offered the following:

Resolved by the Senate, the House concurring, That the Fifteenth General Assembly will adjourn *sine die* on Thursday, the 26th day of February, A. D. 1874, at 12 o'clock, M.

Senator Shane offered the following as a substitute for the resolution:

Resolved by the Senate, the House concurring, That this General Assembly should, by the 26th of February, inst., pass laws upon the following subjects:

First. Regulating and providing for a reasonable maximum rate of freights and passenger fare on and over the railroads of this State.

Second. To prohibit the consolidation of parallel or competing lines of railway in this State, and to prevent the issuing of any stock or bonds by any railway company, except the same is in good faith actually paid for in money or other valuable consideration.

Third. Prohibiting railroad companies from issuing free passes or passes at a discount from the uniform rate to carry passengers residing in this State and holding any office of trust, honor or profit under or by virtue of the laws of this State.

Fourth. And prohibiting railroad companies from granting or giving to any of its officers any special privileges in carrying passengers or freight by express or otherwise over their respective lines of road; and

Fifth. Regulating and taxing railroads and railroad property as the property of others, and then adjourn.

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, without amendment, S. F. No. 45, A bill for an act making an appropriation for the payment of mileage of members, and per diem of temporary officers, etc.

BENJ. VAN STEINBERG,

First Assistant Clerk.

Senator Mitchell was excused.

The consideration of the resolution on adjournment was resumed.

Senator Stone moved to postpone the further consideration of the resolution and substitute until 10:30 A. M. to-morrow.

On this question the yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Cooley, Crary, Fitch, Howland, Jessup, Smith, Stone, Williams, Wonn, and Young of Mahaska—12.

The nays were—

Senators Boomer, Campbell, Chambers, Conaway, Converse, Dague, Gault, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Rothery, Rumple, Selby, Shane, Stuart, Taylor, Thornburg, West, Willett, Wood, and Young of Cass—32.

Absent or not voting—

Senators Dashiell, Fairall, Merrell of Clinton, Mitchell, Perkins, and Russell—6.

So the motion to postpone did not prevail.

Senator Shane moved the previous question, which the Senate refused to second.

Senator Kephart moved to refer the resolution and substitute to the committee on railroads.

On this question the yeas and nays were demanded and the yeas were—

Senators Bemis, Boomer, Conaway, Fitch, Gault, Howland, Kephart, Kiune, McCoid, Miller, Murphy, Newton, Pease, Rumble, Smith, Stone, Thornburg, West, Willett, Williams, Wonn—21.

The nays were—

Senators Campbell, Chambers, Converse, Cooley, Crary, Dague, Jessup, Larrabee, Lovell, Maxwell, McCormack, McIntyre, Merrill of Wapello, Miles, Rothert, Rumble, Selby, Shane, Stuart, Taylor, Wood, Young of Cass, and Young of Mahaska—22.

Absent or not voting—

Senators Bailey, Dashiell, Fairall, Merrill of Clinton, Mitchell, Perkins and Russell—7.

So the motion to refer did not prevail.

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.

Senate file No. 45. A bill for an act making an appropriation for the payment of the mileage of the members of the Fifteenth General Assembly and the per diem of the temporary officers and employes thereof.

Joint resolution memorializing the Congress of the United States, to appropriate money to indemnify the holders of pre-emption and homestead certificates.

Joint resolution in relation to the railroad bridge across the Mississippi river at Clinton, Iowa.

Joint resolution approving of the repeal of the law known as the "Salary Grab."

BENJ. VAN STEINBURG,

First Assistant Clerk.

The Senate resumed the consideration of the substitute.

Senator Murphy offered an amendment.

Senator Shane raised a point of order that the amendment was germane to the subject under debate.

The President decided the point of order well taken.

Senator West moved to amend by striking out all after "person" in the second line of the third sub-division, and insert the following: "holding office as members of the General Assembly or as Judges of the Supreme, District, and Circuit Courts, together with the State officers."

The amendment was agreed to.

On the adoption of the substitute, as amended, the yeas and nays were demanded, and the yeas were—

Senators Bailey, Boomer, Campbell, Dague, Maxwell, McCormack, McIntyre, Selby, Shane, West, Wood, and Young of Cass—12.

The nays were—

Senators Bemis, Chambers, Conaway, Converse, Cooley, Crary, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, McCoid, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Rothert, Rumpel, Smith, Stone, Stuart, Taylor, Thornburg, Willett, Williams, Wonn, and Young of Mahaska—32.

Absent or not voting—

Senators Dashiell, Fairall, Merrell of Clinton, Mitchell, Perkins, and Russell—6.

So the Senate refused to adopt the substitute.

The resolution offered by Senator Converse was then adopted.

Senator Larrabee moved that when the Senate adjourn it be until two o'clock P. M., to which the Senate agreed.

REPORTS OF COMMITTEES.

Senator Young of Cass, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have presented the following resolutions to the Governor for his signature:

Preamble and concurrent resolution relative to the reissue of patents on sewing machines.

Memorial and joint resolution in reference to improving Fox and Wisconsin rivers.

Concurrent resolution relative to compelling railways to receive and transmit grain without passing through the elevators in Chicago.

Joint resolution for a committee to investigate the affairs of the Iowa State Agricultural College and Farm.

LAFE YOUNG, *Chairman.*

Senator Wonn, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT:—The Committee on engrossed Bills respectfully report that they have compared the 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, and find it correctly engrossed.

H. A. WONN, *Chairman.*

On motion of Senator Kephart, the Senate adjourned.

AFTERNOON SESSION.

TWO O'CLOCK, P. M.

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

PETITIONS AND RESOLUTIONS.

By leave, Senator Newton presented a petition from citizens of the town of Keota in relation to a particular independent school district.

Referred to Committee on Schools.

Senator Rothert offered the following concurrent resolution :

Resolved by the Senate, the House concurring, That the Secretary of State be instructed to correspond with the Secretaries of the States of Illinois, Wisconsin, and Minnesota, with a view to secure at as early a day as practicable, printed copies of enactments of the several Assemblies now in session, as well as copies of such bills as may pertain to railroad legislation, insurance and banking laws introduced in either branch of the Assemblies of said States ; also copies of such bills and resolutions as may be deemed of general interest to the citizens of the west.

The resolution was adopted.

Senator Murphy offered the following resolution :

Resolved, That the Committee on Railroads be instructed to report a bill or bills, as soon as possible, upon the following subjects, viz. :

First. Regulating and providing for a reasonable maximum rate of freights and passenger fare on and over the railroads of this State.

Second. Prohibiting railroad companies doing business in this State from hereafter buying or holding any more real estate than is necessary to carry on the legitimate business of railroading therein, and to prohibit the consolidation of parallel or competing lines of railway in this State, and to prevent the issuing of any stock or bonds by any railway company, except the same is in good faith actually paid for in money or other valuable consideration.

Third. Prohibiting railroad companies from issuing free passes, or passes at a discount from the uniform rate to any person holding office as members of the General Assembly, or as judges of the Supreme, District, or Circuit courts, together with the State officers.

Fourth. And prohibiting railroad companies from granting or giving to any of its officers any special privileges in carrying passengers or freight by express or otherwise over their respective lines of roads ; and,

Fifth. Regulating and taxing railroads and railroad property as the property of others.

Senator Howland moved to amend by inserting after the word "bills" the words "if they deem proper."

The amendment was adopted.

Senator Dague moved to amend by striking out "instructed" and inserting "requested."

The motion was adopted.

Senator Larrabee moved to amend the 5th sub-division by striking out "regulating and" and "railroads and" and inserting after property "at the same rates" and after "of" strike out "others" and insert "individuals."

The Senate agreed to the amendment.

On motion of Senator Chambers, the resolution was referred to the Committee on Railroads.

Senator Willett offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That no bills of any kind shall be received after the 10th inst., unless introduced by a committee.

The resolution was adopted.

Senator Pease offered the following:

Resolved, That the chairman of the several standing committees of the Senate be required at the close of each daily session to give notice of the time and place of their meetings.

The Senate refused to adopt the resolution.

BILLS ON SECOND READING.

On motion of Senator Boomer, bills on second reading were taken up. S. F. No. 28, A bill for an act to amend chapter 5, of title 9, of the Code, and to release certain penalties, together with the report of the committee recommending amendments, was taken up and considered.

On motion of Senator Campbell, the bill was considered by sections.

The first, second, and third amendments reported by the committee were adopted.

Senator Kephart moved to amend the last amendment reported by the committee by striking out the word "permanent."

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

Senator Murphy moved to amend by striking out the second line of section 6, the words "Attorney-General," and inserting "District-Attorney of the District."

The amendment was agreed to.

Senator McCoid moved to strike out section 6.

On this question the yeas and nays were demanded, and the nays were—

Senators Campbell, Chambers, Converse, Crary, Dague, Dashiell, Gault, Jessup, Maxwell, McCoid, McCormack, Miles, Rothert, Selby, Shane, Stuart, West, Williams, Wood, and Young of Cass.—20.

The yeas were—

Senators Bailey, Bemis, Boomer, Conaway, Converse, Cooley, Fitch, Howland, Kephart, Kinne, Larrabee, Lovell, McIntyre, Merrill of Wapello, Miller, Murphy, Newton, Pease, Rumble, Smith, Stone, Taylor, Thornburg, Willett, Wonn, and Young of Mahaska.—25.

Absent or not voting—

Senators Fairall, Merrell of Clinton, Mitchell, Perkins and Russell.

So the Senate refused to strike out the section.

Senator McCoid moved to strike out of section 6 after the word "repealed" all down to and including the word "repeal" in second line.

The amendment was agreed to.

Senator West moved to strike out sections 3, 4, 5, and 6.

On this question the yeas and nays were demanded, and the yeas were—

Senators Chambers, Converse, Jessup, Maxwell, McCoid, Miles, Pease, Rothert, Shane, Stuart, and West—11.

The nays were—

Senators Bailey, Bemis, Boomer, Campbell, Conaway, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Howland, Kephart, Kinne, Larrabee, Lovell, McCormack, McIntyre, Merrill of Wapello, Miller, Murphy, Newton, Rumble, Selby, Smith, Stone, Taylor, Thornburg, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—34.

Absent or not voting—

Senators Fairall, Merrell of Clinton, Mitchell, Perkins, and Russell—5.

So the motion to strike out did not prevail.

On motion of Senator Cooley, the blank in section 8 was filled with the words "Iowa Daily State."

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 Bailey, Bemis, Boomer, Campbell, Chambers, Cooley, Conaway, Crary, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, McCormack, McIntyre, Merrill of Wapello, Miles, Miller, Murphy, Newton, Rothert, Rumble, Shane, Smith, Stone, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—39.

The nays were—

Senators Converse, Maxwell, McCoid, Pease, Selby, and Stuart—6.

Absent or not voting—

Senators Fairall, Merrell of Clinton, Mitchell, Perkins, and Russell—5.

On motion of Senator Stone, the title was amended by striking out "entitled an."

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

On motion of Senator Taylor, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 3, 1874. }

Senate met at 10 o'clock A. M., and was called to order by the President.

Prayer by the Rev. Mr. Nash.

Journal of yesterday read and approved.

PETITIONS.

Senator Campbell presented a petition from Milton Briggs, asking the establishment of State Normal Schools, on the conversion of the State Agricultural College into a Normal Academy, if compatible with law.

Referred to committee on schools.

Senator Murphy presented a petition, asking that the Soldiers' Orphan's Homes be opened to all orphans.

Referred to committee on orphan's homes.

Senator Kephart presented a similar petition from citizens of Cedar Rapids.

Same Reference.

REPORT OF COMMITTEE.

Senator Young of Cass, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT: The Committee on Enrolled Bills respectfully report that they have presented the following Joint Resolutions to the Governor for his approval:

A Joint Resolution memorializing the congress of the United States to appropriate money to indemnify the holders of pre-emption and homestead certificates, and certificates of entry, and patents upon lands in Iowa, within the so-called Des Moines River Grant on account of failure of title, &c.

A Joint Resolution in relation to the railroad bridge across the Mississippi River at Clinton, Iowa.

Joint resolution returning thanks to Congress for the partial repeal of salary grab law.

Also the following act:

An act making an appropriation for the payment of the mileage of the members of the Fifteenth General Assembly, and the per diem of the temporary officers and employees thereof.

LAFE YOUNG, *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 bill without amendment:

Senate File No. 65, A bill for an act to authorize the Secretary of State to furnish the necessary stationery for the use of the standing or select committees of the General Assembly or either branch thereof.

JAMES M. WEART, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Fitch: S. F. No. 75, A bill for an act in relation to revenue and taxing the property of express companies and telegraph companies.

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

By Senator Dague: S. F. No. 76, A bill for an act in relation to the cancellation of mortgages.

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

By Senator Smith: S. F. No. 77, A bill for an act to amend section 914 and to repeal section 915 of the Code.

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

By Senator Smith: S. F. No. 78, A bill for an act to amend section 4779, chapter 2, of title 26, of the Code.

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

By Senator McCormack: S. F. No. 79, A bill for an act to repeal section 1584 of the Code relating to teachers' institutes.

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

By Senator McIntyre: S. F. No. 80, A bill for an act to amend section 4058 of the Code of 1873.

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

By Senator Young of Cass: S. F. No. 81, A bill for an act prescribing certain duties to be performed by boards of supervisors.

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

By Senator Converse: S. F. No. 82, A bill for an act to amend Chapter 9 of Title 11 of the Code.

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

By Committee on Schools: S. F. No. 83, A bill for an act to legalize the acts of the independent school district of Keota, Lafayette township, Keokuk county, Iowa.

Read first and second time and passed on file.

RESOLUTIONS.

Senator Cooley offered the following resolution respecting the authentication of the Code of Iowa in the several courts of the United States within this State:

WHEREAS, It often becomes necessary in practice in the United States District and Circuit Courts, to introduce in evidence the laws and Code of this State; and

WHEREAS, The laws of the United States provide for their admissibility only when "The acts of the legislatures of the several States shall be authenticated by having the seal of their respective States affixed thereto;" and

WHEREAS, The Code of 1873 has no seal or similitude thereof thereunto attached; therefore,

Resolved, That the Committee on Judiciary is directed to ascertain what action or legislation is necessary to cure the oversight or defect, and to report by bill or otherwise.

The resolution was adopted.

Senator Cooley also offered the following:

WHEREAS, There is now pending before Congress, a bill favorably reported, which provides that five per cent of the circulation of National Banks shall be kept with the Treasurer of the United States, thus locking up from circulation \$25,000,000, and also providing that such bank shall keep *all their reserve* in their own vaults, which will withdraw more than \$100,000,000 from circulation in addition to the reserve now required to be kept, which, said proposed law it is believed, is a scheme of the New England and New York banks to *cripple the West* in its *banking resources*, and will result in great embarrassment to the business interests of the country if it becomes a *law* which is now *imminent*.

Resolved, That the committee on banks enquire into the expedience of reporting a concurrent resolution, instructing our Senators and our Representatives in Congress to oppose the passage of said bill, and that said committee report at an early day.

The resolution was agreed to.

Senator Kinne offered the following:

WHEREAS, At the adjourned session of the 14th General Assembly of Iowa, to-wit: On the 17th day of February, 1873, there was introduced into the Senate "a bill for an act to preserve the funds of the State Institutions," and known as S. F. No. 27, which bill passed both branches of the General Assembly, and

WHEREAS, Said bill was never presented to the Governor for his approval or veto, and never became a law of the State of Iowa, therefore

Be it resolved by the Senate, the House concurring, That a committee of three be appointed—one on the part of the Senate, and two on the part of the House, to investigate said matter and ascertain why said bill did not become a law, and why the same was not presented to the Governor for his signature, and that said committee have power to send for persons and papers.

The resolution was adopted.

Senator McCoid offered the following:

Resolved, That the committee on Ways and Means be requested to consider and report upon the subject of the taxation of telegraph lines of railways, and the taxation of Pullman Palace Sleeping Cars in this State, by bill or otherwise.

The Senate agreed to the resolution.

Senator McCoid also offered the following :

Resolved by the Senate, the House concurring, That the officer in charge of the Iowa Hospital for the Insane at Mt. Pleasant, be requested to furnish to this General Assembly, at as early a day as possible, a full detailed statement of the number of private patients received at such hospital, with dates of entry and discharge, name, sex, and county from which they came, with the amounts charged each per week, and for all other items of charge, with total paid by each; this information to cover a period of two years from January, 1872.

Also, that the Steward be requested to show an itemized bill of expenditures, charged under the head of "farm," and to show all receipts from said farm for the same period.

The resolution was agreed to by the Senate.

The following was offered by Senator Larrabee:

Resolved, That in the future, unless otherwise ordered, the Senate will hold two sessions daily, as follows: from 10 o'clock to 12, A. M., and from 2 to 4, P. M.

The resolution was adopted.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT:—Your Committee on Schools, to whom was referred petition of citizens of Keota, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying bill to the Senate with the recommendation that it do pass.

(S. F. No. 83.)

E. B. KEPHART, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT:—Your Committee on Railroads, to whom was referred House concurrent resolution instructing our Senators and requesting our Representatives in Congress to use their utmost endeavors to secure the passage by Congress of a law compelling all railway companies to receive and transmit cars over its line of road, belonging to any individual or corporation whatever, on the payment of reasonable rates of haulage, beg leave to report 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.

F. T. CAMPBELL, *Chairman.*

Ordered passed on file.

Senator Boomer, from the Committee on the Suppression of Intemperance, submitted the following report:

MR. PRESIDENT: Your Committee on the Suppression of Intemperance, to whom was referred S. F. No. 45, A bill for an act to prevent keepers of billiard saloons, nine or ten-pin alleys or ball alleys, from

harboring minors, beg leave to report 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.*

Ordered passed on file.

Senator Fitch, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture to whom was referred S. F. No. 32, A bill for an act to protect partition hedge fences, beg leave 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, and when so amended that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred S. F. No. 1, A bill for an act to repeal section 1105 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

WILLIAM H. FITCH, *Chairman.*

Ordered passed on file.

BILLS ON THIRD READING

Joint resolution in relation to the election of United States Senators by the people, was taken up and read a third time.

On the question, "Shall the joint resolution pass?" the yeas were—

Senators Bailey, Bemis, Boomer, Chambers, Conaway, Converse, Cooley, Dague, Dashiell, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McIntyre, Merrill of Wapello, Miller, Newton, Rothert, Rumpel, Russell, Selby, Shane, Smith, Stuart, Thornburg, West, Williams, Wood, Young of Cass, and Young of Mahaska—35.

The nays were—

Senators Campbell, McCoid, McCormack, Merrell of Clinton, Miles, Murphy, Pease, Taylor, Willett, and Wonn—10.

Absent or not voting—

Senators Crary, Fairall, Mitchell, Perkins, and Stone—5.

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

BILLS ON SECOND READING.

S. F. No. 83, A bill for an act to legalize the acts of the independent school district of Keota, Lafayette township, Keokuk county, Iowa, was taken up, and, on motion of Senator Taylor, was referred to the Committee on Schools.

S. F. No. 34, A bill for an act to prevent keepers of billiard saloons, and nine or ten-pin alleys, from harboring minors, together with the

report of the committee recommending that it do pass, was taken up and considered.

Senator Young of Mahaska moved to amend the second section by inserting after the word "shall" the words "on conviction thereof."

The amendment was agreed to.

On motion of Senator West, the bill was recommitted to the Committee on Judiciary.

S. F. No. 32, A bill for an act to protect partition hedge fences, together with the report of the committee recommending amendments, was taken up, considered, and the committee amendments agreed to.

Senator Fitch moved to amend by inserting after the word "fence" the words "or otherwise injure the same."

The amendment was adopted.

On motion of Senator Taylor, the bill was referred to Senator McIntyre as committee of one.

S. F. No. 1, A bill for an act to repeal section 1105 of the Code, with the report of 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Gault Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Rothert, Rumble, Russell, Shane, Smith, Stuart, Taylor, Thornburg, West, Willett, Williams, Wood, Young of Cass, and Young of Mahaska—43.

The nays were—

Senators Howland—1.

Absent or not voting—

Senators Fairall, Mitchell, Perkins, Selby, Stone, and Wonn—6.

So the bill passed and the title was agreed to.

Senator McIntyre offered the following resolution:

Resolved, That the Committee on Banks be instructed to prepare a joint resolution instructing our Senators and requesting our Representatives in Congress to prepare and introduce a bill looking to the returning of the national bank notes, and substituting in their place legal tender notes of the United States for the amount of national bank notes now issued.

The resolution was referred to the Committee on Banks.

Senator Taylor moved that the Special Committee to ascertain the number of copies of the governor's inaugural address already printed should consist of one member.

The motion prevailed, and the President appointed Senator Merrill, of Wapello, such committee.

Senator Cooley moved that when the Senate adjourn it be until 10 o'clock, A. M., to-morrow.

The motion prevailed.

By leave, Senator Bailey offered to following concurrent resolution:

Resolved by the Senate, the House concurring, That the Superintendent of Public Instruction be required to correspond immediately

with four or more leading furnishing establishments of series of school books, for a list of all the different varieties of books necessary for use in the common schools of this State, and the price affixed thereto for which they will supply the same, with a view to adopt one of them, (if their proposition is satisfactory) as the standard series of the State, to the exclusion of all others, being purchased for use in any of the common schools thereof, for the term of five years from the first day of April next. The furnishing establishment to furnish on commission such amounts of the different series, at such towns and cities as may be designated by the several county superintendents, as necessary for present use, and to supply at such other times as necessary to keep the demand supplied. And in case where the establishment desires, the superintendent be required to give reference to proper persons to sell their books. *Provided*, that no person shall be allowed more than ten per cent. commission for selling the same, and that there be a committee of two from the Senate and three from the House, who, in connection with the State Superintendent, shall take into consideration such proposals as may be received from furnishing establishments, and make such recommendations therefrom as they deem proper.

The resolution was referred to the Committee on Schools.

On motion of Senator Cooley, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 4, 1874. }

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

Prayer by the Rev. Mr. Nash.

Journal of yesterday read and approved.

MESSAGES 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 resolution, requiring the Secretary of State to correspond with the Secretaries of States of Illinois, Wisconsin, and Minnesota, to gain certain information.

Also, that the House has indefinitely postponed the concurrent resolution prohibiting the introduction of bills, except through committees, after the 10th inst.

JAMES M. WEART, *Chief Clerk.*

The President announced the following as the times for certain visiting committees to enter upon their duties:

Orphans' Homes, College for the Blind, and Agricultural College—February 5.

Insane Hospitals, and Reform School—February 12.

Penitentiary, Institution for Deaf and Dumb, and State University—February 19.

By leave, Senator Dague offered the following resolution:

Resolved by the Senate, the House concurring, That the committee now appointed to visit the Soldiers' Orphans' Homes be enlarged to six members by the appointment to said committee of one member of the Senate, and two members of the House; and that when so appointed, one senator and two representatives shall visit the Homes at Cedar Falls and Davenport, and the other members of the committee, the Home at Glenwood. The time of the departure of said committees shall be determined by the President of the Senate and Speaker of the House. Said committees to take into consideration the expediency of consolidating said Homes into one or more.

The resolution was adopted.

REPORT OF COMMITTEE.

Senator Young of Cass, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have examined Senate files numbers 55 and 65:

An act to legalize the official acts of John Hosford, a notary public, of Fayette county, Iowa.

An act to authorize the Secretary of State to furnish stationery for the use of standing or select committees of the General Assembly, or either branch thereof, and find the same correctly enrolled.

LAFE YOUNG, *Chairman.*

INTRODUCTION OF BILLS.

By Senator Williams: S. F. No. 84, A bill for an act to amend section 3896 of the Code in relation to driving away stock.

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

By Senator Rothert: S. F. No. 85, A bill for an act to legalize the incorporation of the Odd Fellows' Building Association at Keokuk, Lee county, Iowa.

Read first and second time.

On motion of Senator Rothert the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Newton, Pease, Rothert, Ruple, Russell, Selby, Shane, Smith, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—45.

The nays were—None.

Absent or not voting—

Senators Fairall, Kephart, Murphy, Perkins, and Stone—5.

So the bill passed and the title was agreed to.

By Senator Howland: S. F. No. 86, A bill for an act to amend section 1289 of chapter 5, title 10 of the Code.

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

By Senator West: S. F. No. 87, A bill for an act to pay the Board of Trustees of the Iowa State Agricultural College and Farm.

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

By Senator Dashiell: S. F. No. 88, A bill for an act for the support of the Reform School.

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

By Senator Merrill of Wapello, S. F. No. 89, A bill for an act for the appointment of Fish Commissioners, and for other purposes.

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

By Committee on Judiciary: S. F. No. 90, A bill for an act for the relief of Arthur W. Richards.

Read first and second time, and passed on file.

By Senator Wood: Joint resolution relative to shipment of grain.

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

By leave, Senator Merrell of Clinton, presented a petition asking the passage of a joint resolution requesting Congress to grant homesteads to honorably discharged soldiers of the United States.

Referred to Committee on Federal Relations, with instructions to report.

MESSAGE FROM THE GOVERNOR.

A message was received from the Governor, by the hands of his Private Secretary, W. H. Fleming.

Pending the reading of the document, Senator Maxwell moved that the further reading be dispensed with and the message ordered printed.

The motion was agreed to.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 53, A bill for an act to amend Chapter 32, of Title 25, of the Code, 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.

Ordered passed on file.

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred Senate File No. 36, A bill for an act to amend section 2315 of the Code of 1873, in relation to probate duties of clerks in vacation,

beg leave to report 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.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 33, A bill for an act to legalize deeds and conveyances made by executors, 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.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 53, A bill for an act to require plaintiffs to give security for costs 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 amended by inserting in the second line after the word "affidavit," the words "accompanied by a sworn answer," and so amended that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 19, A bill for an act to amend sections 1774 and 1776 of the Code of 1873, prescribing the duties of county superintendents, and fixing the salary of such officers, beg leave to report 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.

The report was adopted.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 21, A bill for an act to amend section 4254, chapter 13, of title 25, of the Code of 1873, relating to preliminary examinations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 22, A bill for an act to amend chapter 1, title 21 of the Code of 1873, of justices of the peace and their courts, in relation to the forcible entry or detention of real 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 do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 10, A bill for an act to legalize the official acts of W. A. Cotton, a notary public, beg leave to report 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.*

Ordered passed on file.

Senator McCoid, from the Committee on Judiciary, submitted the following report :

MR. PRESIDENT:—Your committee on Judiciary, to whom was referred Senate File No. 34, a bill for an act to prevent keepers of billiard saloons, nine or ten pin alleys from harboring minors, beg leave to report 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 fourth line of section 1 the word "agent," and by inserting in the eighth line of the same section, after the word "alley," the words "his clerk, agent, or servant, or any person in control of the same," and when so amended that it do pass.

M. A. McCOID, *for Committee.*

Ordered passed on file.

Senator Campbell, from the committee on Railroads, submitted the following report :

MR. PRESIDENT:—Your committee on Railroads, to whom was referred Senate File No. 8, A bill for an act relating to taxes voted in aid of 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 following amendments, and that as so amended it do pass :

In section 1, insert in third line after the words "provided by," the following: "Chapter 48 of the acts of the Twelfth General Assembly, and."

2d. Strike out the word "two" in tenth line and insert "three."

3d. Strike out of eleventh and twelfth lines the words "would have become delinquent had the collection thereof not been suspended as aforesaid," and insert the words "were levied."

Add new section, as section 3, as follows :

SEC. 3. The penalties provided by section 866 of the Code shall not apply to such taxes voted and levied as aforesaid, and the treasurer of the county shall only collect, and any railroad entitled to taxes voted in aid of its construction, shall only be entitled to receive after the same have become delinquent, interest thereon at the rate of six per cent. per annum.

Change section 3 of bill to section 4.

F. T. CAMPBELL, *Chairman.*

On motion of Senator Campbell, Senate File No. 8, together 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 Campbell, the words "as provided by law," were stricken out of section four.

On motion of Senator Merrell of Clinton, the rules were suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Pease, Rothert, Rump, Russell, Shane, Smith, Stone, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—45.

The nays were—None.

Absent or not voting—

Senators Fairall, Murphy, Perkins, Selby, and Taylor—5.

So the bill passed and the title was agreed to.

Senator Howland, from the Committee on County and Township Organization, submitted the following report:

MR. PRESIDENT:—Your Committee on County and Township Organization, to whom was referred S. F. No. 60, A bill for an act to legalize the sale of certain school lands in Wright 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.

E. A. HOWLAND, *Chairman.*

On motion of Senator Howland the bill and report was taken up and considered.

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 Bailey, Bemis, Boomer, Campbell, Conaway, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Newton, Pease, Rothert, Rump, Russell, Selby, Shane, Smith, Stone, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—44.

The nays were—None.

Absent or not voting—

Senators Chambers, Converse, Fairall, Murphy, Perkins, and Taylor—6.

So the bill passed and the title was agreed to.

Senator Shane moved that when the Senate adjourn it be until 10 A. M. to-morrow.

The Senate agreed to the motion.

Senator Howland, from the committee on County and Township Organization, submitted the following report:

MR. PRESIDENT:—Your committee on County and Township Organization, to whom was referred the communication of S. M. Boling, County Auditor of Jefferson county, Iowa, in regard to road 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 referred to the Committee on Highways.

E. A. HOWLAND, *Chairman.*

Report adopted.

Also the following :

MR. PRESIDENT:—Your committee on County and Township Organization, to whom was referred Senate File No. 35, A bill for an act to amend section 303 of chapter 2, title 4 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows, to-wit.: In the fourteenth line, strike out the words "have power to," and as so amended that it do pass.

E. A. HOWLAND, *Chairman.*

Ordered passed on file.

Also the following:

MR. PRESIDENT: Your committee on County and Township Organization to whom was referred S. F. No. 37, A bill for an act to amend chapter two, title four of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on County and Township organization to whom was referred S. F. No. 52, A bill for an act to amend section 796, of chapter 1, title 6 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

E. A. HOWLAND, *Chairman.*

Ordered passed on file.

Senator Merrill of Wapello, from the special committee to ascertain the number of copies of the Governor's Inaugural Address already printed, reported 3,500 as the number, 900 of which will be bound with the public documents—leaving for distribution 2,600.

On motion of Senator Fitch the Senate concurred in the House resolution in relation to the Governor's Inaugural Address.

BILLS ON SECOND READING.

S. F. No. 90, A bill for an act for the relief of Arthur W. Richards, together with the report of the committee recommending its passage, was 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 Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Newton, Pease, Rothert, Rumble, Selby, Shane, Smith, Stone, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—43.

The nays were—Senator Stuart—1.

Absent or not voting—

Senators Bailey, Crary, Fairall, Murphy, Perkins, and Taylor—6.

So the bill passed and the title was agreed to.

S. F. No. 53, A bill for an act to amend chapter 32, of title 25 of the Code, together with the report of the Committee recommending its indefinite postponement was taken up, and the report of the committee adopted.

S. F. No. 36, A bill for an act to amend section 2315 of the Code of 1873, in relation to probate duties of clerk in vacation, together with the report of the committee recommending its passage, was taken up and considered.

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

On the question "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Newton, Rothert, Ruple, Russell, Selby, Shane, Smith, Stone, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young, of Mahaska—45.

The nays were—None.

Absent or not voting—

Senators Fairall, Murphy, Pease, Perkins, and Taylor—5.

So the bill passed and the title was agreed to.

S. F. No. 33, A bill for an act to legalize deeds and conveyances made by executors and cure acknowledgments taken in other States, was taken up, and the report of the committee recommending its indefinite postponement adopted.

S. F. No. 9, A bill for an act to require plaintiffs to give security for cost in certain cases, with the report of the committee recommending amendments, was taken up and considered.

The amendments reported by the committee were agreed to.

Senator Kinne moved to strike out of section 2 the words "according to law."

Senator Campbell moved to amend by striking out all of section 2, which was agreed to.

The bill was then ordered engrossed for a third reading.

S. F. No. 21, A bill for an act to amend section 4254, chapter 13 of title 25 of the Code of 1873, relating to preliminary examinations, with the 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.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Newton,

Pease, Rothert, Rumble, Russell, Selby, Shane, Smith, Stone, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—45.

The nays were—None.

Absent or not voting—

Senators Fairall, Howland, Murphy, Perkins, and Taylor—5.

So the bill passed and the title was agreed to.

S. F. No. 22, A bill for an act to amend title 21 of the Code of 1873, of justices of the peace and their courts in relation to forcible entry and detention of property, with the report of the committee recommending its passage, was taken up and considered.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kephart, Kirne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Newton, Pease, Rothert, Rumble, Russell, Selby, Shane, Smith, Stone, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—46.

The nays were—None.

Absent or not voting—

Senators Fairall, Murphy, Perkins, and Taylor—4.

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

S. F. No. 10, A bill for an act to legalize the official acts of W. A. Cotton a Notary Public, with the report of the committee recommending its passage was taken up and considered.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Newton, Pease, Rothert, Rumble, Russell, Shane, Smith, Stone, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—44.

The nays were—

Senator Miles—1.

Absent or not voting—

Senators Fairall, Murphy, Perkins, Selby, and Taylor—5.

So the bill passed and the title was agreed to.

S. F. No. 34, A bill for act to prevent keepers of billiard saloons, nine or tenpin alleys or ball alleys from harboring minors, with the report of the committee recommending its passage, 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Newton Pease, Rumples, Russell, Selby, Shane, Smith, Stone, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—44.

The nays were—None.

Absent or not voting—

Senators Fairall, Mitchell, Murphy, Perkins, Rothert, and Taylor,
—6.

So the bill passed and the title was agreed to.

Senator Willett moved to re-consider the vote by which the bill (S. F. No. 34,) was passed.

The motion prevailed.

On motion of Senator Dague the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 5, 1874. }

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

Prayer by 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 and resolutions in which the concurrence of the Senate is asked:

Substitute for H. F. No. 14, A bill for an act to legalize the acts of Geo. W. Howe, notary public of Washington county.

H. F. No. 24, A bill for an act to legalize the ordinances of the town of Sidney, Fremont county.

Substitute for H. F. No. 37, A bill for an act to amend sections 8 and 9 of the appendix to the Code, page 742.

S. F. No. 47, A bill for an act to legalize the acts of independent school district of Strawberry Hill, in the county of Jones.

Joint resolution asking a law by Congress preventing the granting of any more lands to corporations or railroad companies.

Also, that the House has concurred in the following resolutions:

Concurrent resolution for additional members of the Committee to visit Soldiers' Orphans' Homes.

Concurrent resolution requesting additional information from the Insane Asylum, at Mt. Pleasant.

Concurrent resolution providing for the appointment of a committee to inquire into the causes of the loss of S. F. No. 27, at the adjourned session of the Fourteenth General Assembly.

Also, that the House of Representatives has passed the following resolutions, which are returned herewith:

Joint resolution in relation to an amendment to the Constitution of the United States, providing for electing United States Senators by a vote of the people.

Joint resolution relative to the amount due from the United States to the State of Iowa on account of lands conveyed to non-commissioned officers and privates in the Mexican War.

I am further directed to inform you that Messrs. Wilson and Bolter have been appointed additional members of the Committee to visit the Soldiers' Orphans' Homes, and that Messrs. Wood and Baird have been appointed members of the Committee to inquire into the loss of S. F. No. 27, of the adjourned session of the Fourteenth General Assembly.

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. 55, A bill for an act to legalize the official acts of John Hosford, a notary public of Fayette county, Iowa.

S. F. No. 65, A bill for an act to authorize the Secretary of State to furnish stationery for the use of standing and select committees of the General Assembly, or either branch thereof.

JAMES M. WEART, *Chief Clerk.*

The President announced Senator Kinne as the additional member of the committee to visit the Soldiers' Orphans' Homes.

Also announced Senator Murphy as committee on the part of the Senate to investigate the loss of Senate File No. 27 of the Adjourned Session of the Fourteenth General Assembly.

PETITIONS.

Senator Rothert presented the petition of Sole, Kretsinger & Co., in relation to certain claims against the State.

Referred to Committee on Claims.

Senator Converse presented a petition from the Secretary of the Iowa Christian Conference, and others, in relation to camp meeting grounds at New Hartford, Butler county, Iowa.

Referred to Committee on Judiciary.

Senator Maxwell presented a petition from citizens of Iowa, asking that the office of County Superintendent be abolished.

Referred to Committee on Schools.

Senator Williams presented a petition of J. P. Wilder in relation to the laws regulating the pay of County Surveyors.

Referred to committee on County and Township Organization.

INTRODUCTION OF BILLS.

By Senator Dashiell : S. F. No. 91, A bill for an act to prevent discrimination by railway corporations, and prescribing penalties therefor.

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

By Senator Kinne : S. F. No. 92, A bill for an act relating to the paying of jurors.

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

By Senator Cooley : S. F. No. 93, A bill for an act to amend section 1762 of the Code in relation to Teachers' Institutes.

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

By Senator Rumble : S. F. No. 94, A bill for an act to define the crime of swindling, and to punish the same.

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

By Senator Merrill of Wapello : S. F. No. 95, A bill for an act providing for the greater efficiency in making surveys by County Surveyors in all counties in which the population exceeds in number 15,000.

Read first and second time, ordered printed, and referred to Committee on County and Township Organization.

By Senator Russell : S. F. No. 96, A bill for an act to amend section 4427 of the Code of 1873.

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

Senator Larrabee moved that the vote by which Senate File No. 8, A bill for an act relating to taxes voted in aid of the construction of railroads, was passed yesterday, be reconsidered.

The motion prevailed, and the Secretary was directed to ask the House to return the bill to the Senate.

RESOLUTIONS.

Senator Dague offered the following resolution :

Resolved by the Senate, the House concurring, That the Secretary of State be instructed to furnish to each regular reporter of a daily newspaper now reporting the proceedings of this General Assembly, stationery to the amount of one dollar per week, the balance of the session.

The resolution was adopted.

Senator Jessup offered the following:

Resolved, That there be a committee of three appointed to procure from the Secretary of State and Auditor of State, or from any other source, such information as they may be able to obtain relative to the State printing and binding, and report the same to the Senate at as early a day as possible, to the end that Senators may be thoroughly informed relative to the propriety or impropriety of abolishing the offices of State Printer and Binder.

The resolution was adopted.

Senator Miller offered a joint resolution relative to the organization of the militia of the United States.

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

Senator Maxwell offered the following:

WHEREAS, Section 227 of the Code authorizes a county auditor to take and certify acknowledgments of instruments, and by section 1955 of the Code county auditors are not included among the officers authorized to take acknowledgments of instruments affecting real estate; and

WHEREAS, Certain county auditors, supposing they had the power to do so, have taken and certified acknowledgments of instruments affecting real estate; therefore

Resolved by the Senate, That the foregoing be referred to the Committee on Judiciary with the request that they examine what, if any, legislation is needed to cure the discrepancy in the statute, and legalize the acknowledgments taken as aforesaid, and that they report by bill or otherwise.

The resolution was adopted.

Senator Russell offered the following:

WHEREAS, The State Grange of Patrons of Husbandry, a large and intelligent body representing extensively the agricultural interests of the State, did, at its last annual meeting, appoint a committee to draft a bill for an act on the subject of tariff regulations for railroads; therefore

Be it resolved by the Senate, the House concurring, That the said committee be respectfully and urgently invited by the President of the Senate and Speaker of the House to present such bill, and such facts as they may have on this subject, to this General Assembly for its consideration.

Senator Miller moved to lay the resolution on the table.

On this question the yeas and nays were demanded and the yeas were—

Senators Bailey, Boomer, Chambers, Converse, Kephart, Miller, Newton, West, and Wood—9.

The nays were—

Senators Bemis, Campbell, Conaway, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Mitchell, Pease, Rother, Ruple, Russell, Selby, Shane, Smith, Stone, Stuart, Thornburg, Willett, Williams, Wonn, Young of Cass, and Young of Mahaska—36.

Absent or not voting—

Senators Fairall, Howland, Murphy, Perkins, and Taylor—5.

So the motion to lay on the table did not prevail.

Senator Chambers moved to refer the resolution to the Committee on Railroads.

On this question the yeas and nays were demanded, and the yeas were—

Senators Boomer, Chambers, Converse, Miller, Newton, and West—6.

The nays were—

Senators Bailey, Bemis, Campbell, Conaway, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello,

Miles, Mitchell, Pease, Rothert, Rumpel, Russell, Selby, Shane, Smith, Stone, Stuart, Thornburg, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—39.

Absent or not voting—

Senators Fairall, Howland, Murphy, Perkins, and Taylor—5.

So the motion to refer did not prevail.

The question recurring on the adoption of the resolution, the yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Campbell, Conaway, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Mitchell, Pease, Rothert, Rumpel, Russell, Selby, Shane, Smith, Stone, Stuart, Thornburg, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—38.

The nays were—

Senators Boomer, Chambers, Converse, Kephart, Miller, Newton, and West—7.

Absent or not voting—

Senators Fairall, Howland, Murphy, Perkins, and Taylor—5.

So the resolution was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith return to your honorable body S. F. No. 8, A bill for an act relating to taxes voted in aid of the construction of railroads.

I am also directed to inform your honorable body that the House of Representatives has passed without amendment S. F. No. 28, A bill for an act to amend chapter 5, of title 9, of the Code, and to release certain penalties.

BENJ. VAN STEINBURG,
First Assistant Clerk.

INTRODUCTION OF BILLS.

By leave, Senator Rothert introduced Senate File No. 97, A bill for an act for leasing the convict labor in the Iowa Penitentiary, after the expiration of the lease now in force.

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

Senator Kephart moved that when the Senate adjourn it be until 10 A. M. to-morrow.

The motion prevailed.

Senator Larrabee moved that the vote by which Senate File No. 8 was ordered to a third reading, be reconsidered.

The motion prevailed and the bill was referred to Committee on Railroads.

REPORTS OF COMMITTEES.

Senator Shane, from the Committee on Judiciary, submitted the following report :

MR. PRESIDENT :—Your Committee on Judiciary, to whom was referred Senate File No. 74, A bill for an act relinquishing an escheat, and for the relief of William F. Dawson, beg leave to report 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.

Also the following :

MR. PRESIDENT :—Your Committee on Judiciary, to whom was referred Senate File No. 59, A bill for an act to amend section 464 of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following :

MR. PRESIDENT :—Your Committee on Judiciary, to whom was referred Senate File No. 6, A bill for an act to amend sections 3822 and 3823 of chapter 3, title 23 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting after the word " Auditor," in the fourth line, the words "also by striking out the word Justices," and inserting in lieu thereof the word " Auditors." Section 2 be amended by changing the figure 7 in the 1st line to figure 5, and striking out the figure 11 in the second line of said section and inserting the figure 9 in lieu thereof. So amended the committee recommend that it do pass.

Ordered passed on file.

Also the following :

MR. PRESIDENT :—Your Committee on Judiciary, to whom was referred Senate File No. 31, A bill for an act to repeal sections 3903 and 3904 of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JNO. SHANE, *Chairman.*

Ordered passed on file.

Senator Boomer, from the 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. 82, A bill for an act to amend chapter 6, of title 11, of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass

A. BOOMER, *Chairman.*

Passed on file.

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

MR. PRESIDENT:—Your Committee on Schools, to whom was referred concurrent resolution relating to a uniform system of text-books in public schools, 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.

Also a petition of Milton Briggs, and recommend that it be referred to the Committee on Normal Schools.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred S. F. No. 79, A bill for an act to repeal section 1584 of the Code, relating to teachers' institutes, beg leave to report 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.

E. B. KEPHART, *Chairman.*

Ordered passed on file.

Senator Young of Cass, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have presented the following acts to the Governor for his approval:

An act to authorize the Secretary of State to furnish stationery for the use of standing or select committees of the General Assembly, or either branch thereof.

An act to legalize the official acts of John Hosford, a notary public of Fayette county, Iowa.

LAFE YOUNG, *Chairman.*

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. 62, A bill for an act in relation to strays, beg leave to report 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.

Also the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 50, A bill for an act to legalize acts of George Haw, notary public, beg leave to report 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.*

Senator McIntyre, from the special committee to whom was referred S. F. No. 32, A bill for an act to protect partition hedge fences, submitted a report recommending that section 2 be stricken out and the following substituted therefor:

SEC. 2. If any person, other than the owner of said fence, his agents

or employees, wilfully plant or cultivate shade trees which would retard or injure the growth of said fence, or otherwise injure the same within the time named in section one of this act, such person shall be deemed guilty of misdemeanor, and, upon conviction thereof, shall be punished by fine not less than five nor more than one hundred dollars.

J. S. McINTYRE, *Committee.*

Ordered passed on file.

S. F. No. 50, A bill for an act to legalize the official acts of George Haw, a notary public, with the report of committee recommending its passage, was taken up and considered.

On motion of Senator Merrill of Wapello, the rules were suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Newton, Pease, Rothert, Rumble, Russell, Selby, Shane, Smith, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—42.

The nays were—None.

Absent or not voting—

Senators Fairall, Gault, Howland, Kinne, Murphy, Perkins, Stone, and Taylor—8.

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

On motion of Senator McIntyre, S. F. No. 32, A bill for an act to protect partition hedge fences, with the report of the committee recommending amendments, was taken up and considered.

The amendments reported by the committee were agreed to by the Senate.

On motion of Senator Rumble, the rule was suspended and the bill read third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Newton, Pease, Rothert, Rumble, Russell, Selby, Shane, Smith, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—42.

The nays were—None.

Absent or not voting—

Senators Fairall, Gault, Howland, Kinne, Murphy, Perkins, Stone, and Taylor—8.

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

On motion of Senator Stuart, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 6, 1874. }

Senate met at 10 A. M., and was called to order by the President.
Prayer by the Rev. Mr. Farnsworth.

The journal of yesterday was read and approved.

The Governor, by his Secretary, W. H. Fleming, submitted a special message and certain accompanying documents.

The President announced Senators Miller, Selby, and Merrill of Wapello, as the committee ordered in Senator Jessup's resolution, adopted yesterday.

INTRODUCTION OF BILLS.

By Senator Williams: S. F. No. 98, A bill for an act to provide for the permanent survey of lands.

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

By Senator Wonn: S. F. No. 99, a bill for an act to amend section 1751, chapter 9, title 12, of the Code of 1873, in relation to the system of common schools.

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

By Senator Rothert: S. F. No. 100, A bill for an act providing for the sale of property in certain cases for delinquent taxes by municipal corporations having special charters.

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

By Senator Rothert: S. F. No. 101, A bill for an act to authorize municipal corporations to levy and collect a road tax in certain cases.

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

By Senator Boomer: S. F. No. 102, A bill for an act to amend section 1555 of the Code of Iowa.

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

By Senator Russell: S. F. No. 103, A bill for an act to amend chapter 8, title 11, Code of 1873, in relation to the inspection of coal mines.

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

By Senator Converse: S. F. No. 104, A bill for an act to limit the charges of railroad companies for the transportation of passengers and freights.

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

By leave, Senator Larrabee presented a petition from the board of supervisors of Fayette county, in reference to the price on Iowa Reports.

Senator Larrabee also introduced the following resolution:

Resolved, That the Committee on State Library be instructed to inquire into the subject of the resolution of the board of supervisors of Fayette county.

The resolution was adopted, and the communication referred to the Committee on State Library.

Senator Wonn offered the following:

WHEREAS, It has heretofore been the practice of the officers of the different railroad companies operating roads in this State to give to the members of former General Assemblies free passes over their several roads; and

WHEREAS, In consequence of members having such free passes they were tempted and frequently did leave their seats in both Houses in such numbers to visit their homes or on business as to leave but a quorum in each House, thereby prolonging the session and greatly retarding the public business entrusted to their care; therefore

Be it resolved by the Senate, the House concurring, That the people of the State of Iowa, through their representatives in the General Assemblies, tender to the officers of said railroad companies their grateful thanks for withholding free passes from the members of this General Assembly, thereby removing a great temptation from their present representatives to follow "in the footsteps of their illustrious predecessors" to the neglect of their public duties.

Resolved, That the Secretary of State furnish a copy of this preamble and resolutions to the President of each of the railroad companies operating a road in this State.

On motion of Senator Converse, the resolution was laid on the table.

HOUSE MESSAGES.

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:

Joint resolution relative to the quieting of land titles of homesteaders.

Joint resolution in relation to a freight railroad from the seaboard to Council Bluffs.

Concurrent resolution authorizing the committee to investigate certain charges against the Agricultural College and Farm; to employ an attorney, visit the College, and sit during the sessions of the two Houses.

Also, that the House has passed the following resolutions, which are returned herewith:

Joint resolution relative to postage on newspapers in the counties where published.

Joint resolution relative to amending the Constitution of the United States, prohibiting members of Congress from increasing their compensation.

I also herewith present for your signature the following joint resolutions and bill which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of House:

Joint resolution relative to amount due from the United States to the State of Iowa, on account of lands conveyed to non-commissioned officers and privates in the Mexican war.

Joint resolution requiring Senators and Representatives in Congress

from the State to vote for and use their influence in favor of an amendment to the Constitution of the United States, so that United States Senators shall be elected by the people.

S. F. No. 28, a bill for an act to amend Chapter 5, of Title 9, of the Code, and to release certain penalties.

JAMES M. WEART, *Chief Clerk.*

Senator Young of Cass, from the Committee on Enrolled Bills submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined joint resolution relative to the amount due from the United States to the State of Iowa, on account of lands conveyed to non-commissioned officers and privates in the Mexican war.

Also, S. F. No. 28, An act to amend chapter 5, of title 9, of the Code, and to release certain penalties.

Also, 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, and find the same correctly enrolled.

LAFE YOUNG, *Chairman.*

The special message from the Governor, and accompanying documents, were taken up and considered.

Senator Cooley moved that the message be printed, and that part relating to the joint resolution of the Fourteenth General Assembly relating to the appropriation of one thousand dollars for transportation statistics, be referred to the committee on Appropriations.

Senator West moved to amend by referring to Committee on Railroads.

Senator Larrabee moved to amend the amendment by ordering all the documents accompanying the message printed.

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

REPORTS OF COMMITTEES.

Senator John Shane, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 51, A bill for an act to amend section 2187 of chapter 1 of title 15 of the Code, relating to marriage, beg leave to report 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: Section 2 That section 2193 of the Code is hereby amended by adding at the end thereof the following words, to-wit: "Of the county from which the license issued," so amended, the Committee recommend that the same do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 81, A bill for an act prescribing certain duties to be performed by the board of supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Township and County Organizations.

JOHN SHANE, *Chairman.*

The report was adopted.

Senator Young, of Mahaska, from the Committee on Penitentiary, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiary, to whom was referred S. F. No. 97, A bill for an act to provide for leasing the convict labor in the Iowa Penitentiary after the expiration of the lease now in force, beg leave to report 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.

Also the following:

MR. PRESIDENT—Your Committee on Penitentiary, to whom was referred S. F. No. 78, A bill for an act to amend Section 4779, chapter 2, title 26 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the words "to any discharged convict," and when so amended that the bill do pass.

JAMES A. YOUNG, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred S. F. No. 57, A bill for an act to provide for the organization of independent school districts, 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 not pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Schools, to whom was referred S. F. No. 19, A bill for an act to amend Sections 1774 and 1776, of the Code of 1873, prescribing the duties of County Superintendents and fixing 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.

E. B. KEPHART, *Chairman.*

Ordered passed on file.

Senator Miller, from the Committee on Military, submitted the following report:

MR. PRESIDENT:—Your Committee on Military, to whom was

referred joint resolution relative to the organization of the Militia of the United States, beg leave to report 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.

Ordered passed on file.

Also the following :

MR. PRESIDENT :—Your Committee on Military, to whom was referred S. F. No. 5, A bill for an act to authorize a subscription to Wood's Military History of Iowa, for the period of the Rebellion, beg leave to report 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.

E. G. MILLER, *Chairman.*

Ordered passed on file.

Senator Campbell, from the committee on Railroads, submitted the following report :

MR. PRESIDENT :—Your committee on Railroads, to whom was referred joint resolution asking Congress to pass a law compelling Railroad Companies to erect scales at every station, for weighing cars when loaded, 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 do pass.

F. T. CAMPBELL, *Chairman.*

Ordered passed on file.

By leave, Senator Merrell of Clinton introduced S. F. No. 105, A bill for an act to amend chapter 3, of title 15 of the Code.

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

HOUSE MESSAGES.

Joint resolution asking our members of Congress to pass a law preventing the granting of any more lands to corporations or railroad companies, was taken up.

Read first and second time.

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

On the question "Shall the joint resolution pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Crary, Dashiell, Fitch, Gault, Jessup, Kephart, Larrabee, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Mitchell, Murphy, Newton, Pease, Rothert, Rumpel, Russell, Selby, Shane, Smith, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—39.

The nays were—

Senators Cooley, Lovell, Miles, and Miller—4.

Absent or not voting—

Senators Dague, Fairall, Howland, Kinne, Perkins, Stone, and Taylor—7.

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

Senator Willett moved to reconsider the vote by which the joint resolution passed.

The motion prevailed.

On motion of Senator Willett, the vote by which the joint resolution was ordered to a third reading was also reconsidered.

On motion of Senator Shane, the joint resolution was referred to a special committee, composed of Senators Willett, Cooley, and Larabee.

The concurrent resolution giving the investigating committee on the Agricultural College and Farm power to employ an attorney, and to visit said College, and to sit during the sessions, was taken up and considered.

Senator Willett moved to amend by striking out all relating to the employment of an attorney.

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. 113, A bill for an act to provide for the partial payment of the salaries and per diem of members, officers, and employees of the General Assembly.

BENJ. VAN STEINBURG,
First Assistant Clerk.

Senator Shane moved that when the Senate adjourn it be until 10, A. M., to-morrow.

The motion was agreed to.

The consideration of Senator Willett's amendment was resumed.

Senator Kephart moved to amend by striking out all after the word "authorized," down to and including the word "attorney," and inserting the words "to call to their aid the Attorney General, if a majority of such committee deem it necessary," which was agreed to, and the resolution as amended was concurred in.

Senator Conaway and the Sergeant-at-Arms were each granted leave of absence.

REPORT OF COMMITTEE.

Senator Young, from the Committee on Enrolled bills, submitted the following report:

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have presented the following act and joint resolutions to the governor for his approval:

An act to amend chapter 5 of title 9 of the Code, and to release certain penalties.

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.

Joint resolution relative to the amount due from the United States to the State of Iowa, on account of lands conveyed to non-commissioned officers and privates in the Mexican War.

LAFE YOUNG, *Chairman.*

On motion of Senator Kephart the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 7, 1874. }

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

Prayer by the Rev. Mr. Farnsworth.

Pending the reading of the Journal Senator West moved that the further reading be dispensed with.

The motion did not prevail.

Journal of yesterday was read and approved.

PETITIONS.

Senator Perkins presented a large number of petitions from citizens of northwestern Iowa in regard to the destitution there existing.

Referred to special committee on that subject.

Senator Murphy presented a petition from the citizens of Douglass township, Scott county, Iowa, in relation to general elections in that township.

Referred to committee on County and Township Organization.

Also, a petition from citizens of Iowa asking that Soldiers' Orphans' Homes be opened to all orphans in the State.

Referred to committee on Orphans' Homes.

INTRODUCTION OF BILLS.

By Senator Rothert: S. F. No. 106, A bill for an act to amend section 807, chapter 1, title 6, of the Code empowering municipal corporations to license insurance companies.

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

By Senator Mitchell: S. F. No. 107, A bill for an act to amend section 3188 of the Code in relation to Sheriff's fees.

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

By Senator Jessup: S. F. No. 108, A bill for an act to repeal section 3641 of chapter 1 of title 22 of the Code, and to enact a substitute therefor.

Read first and second time, and referred to Committee on Judiciary. Senator Young of Cass, 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 relative to postage on newspapers in the counties where published; joint resolution relative to an amendment to the Constitution of the United States in regard to the compensation of members of Congress, and find the same correctly enrolled.

LAFE YOUNG, *Chairman.*

HOUSE MESSAGES.

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

H. F. No. 113, A bill for an act to provide for the partial payment of the salaries and per diem of members, officers and employees of the General Assembly; was taken up, read first and second time, and considered.

Senator Jessup offered a substitute for the bill.

The substitute was adopted by the Senate.

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 Chambers, Cooley, Fairall, Gault, Jessup, Kephart, Maxwell, McCoid, McCormack, Miller, Mitchell, Murphy, Rothert, Rumble, Russell, Shane, Stuart, Thornburg, Willett, and Wonn—20.

The nays were—

Senators Boomer, Campbell, Converse, Crary, Fitch, Larrabee, Lovell, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Newton, Perkins, Selby, Smith, West, Williams, Wood, Young of Cass, and Young of Mahaska—20.

Absent or not voting—

Senators Bailey, Bemis, Conaway, Dague, Dashiell, Howland, Kinne, Pease, Stone, and Taylor—10.

So the bill, having failed to receive a constitutional majority, was lost.

Senator Campbell moved to reconsider the vote by which the bill failed to pass.

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, Converse, Crary, Larrabee, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Newton, Perkins, Smith, Wood, and Young of Mahaska—14.

The nays were—

Senators Campbell, Chambers, Cooley, Fairall, Fitch, Gault, Jessup, Kephart, Lovell, Maxwell, McCormack, Miller, Mitchell, Murphy, Rothert, Rumble, Russell, Selby, Shane, Stuart, Thornburg, West, Willett, Williams, Wonn, and Young of Cass—26.

Absent or not voting—

Senators Bailey, Bemis, Conaway, Dague, Dashiell, Howland, Kinne, Pease, Stone, and Taylor—10.

So the motion to lay on the table did not prevail.

On the motion to reconsider, the yeas and nays were demanded, and the yeas were—

Senators Campbell, Chambers, Cooley, Fairall, Fitch, Gault, Jessup, Kephart, Lovell, Maxwell, McCormack, Miller, Mitchell, Murphy, Rothert, Rumble, Russell, Selby, Shane, Stuart, Thornburg, West, Willett, Williams, Wonn, and Young of Cass,—26.

The nays were—

Senators Boomer, Converse, Crary, Larrabee, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Newton, Perkins, Smith, Wood, and Young of Mahaska—14.

Absent or not voting—

Senators Bailey, Bemis, Conaway, Dague, Dashiell, Howland, Kinne, Pease, Stone, and Taylor—10.

So the motion to reconsider prevailed.

Senator Campbell filed a motion to reconsider the vote by which the bill was ordered to a third reading.

On motion of Senator Fairall, the motion was made the special order for 10½ o'clock on Tuesday next.

H. F. No. 24, A bill for an act to legalize the ordinances of the town of Sidney, Fremont county, Iowa, was taken up, read first and second time, and referred to Committee on Judiciary.

Substitute for H. F. No. 37, A bill for an act to amend sections 8, and 9, of the appendix to the Code, page 742, was taken up, read first and second time, and referred to Committee on Judiciary.

H. F. No. 47, A bill for an act to legalize the acts of the independent school-district of Strawberry Hill, in the county of Jones, was taken up, read first and second time, and referred to the Committee on Judiciary.

Substitute for H. F. No. 14, A bill for an act to legalize the official acts of George Howe, notary public of Washington county, Iowa, was taken up, read first and second time, and referred to Committee on Judiciary.

Joint resolution in relation to a freight railroad from the seaboard to Council Bluffs, was taken up, read first and second time, and referred to Committee on Railroads.

Preamble and joint resolution relative to the quieting of land titles to homesteaders, was taken up, read first and second time, and considered.

Senator Willett moved to amend by striking out "the House, the Senate concurring," and inserting "by the General Assembly of the State of Iowa."

The amendment was agreed to.

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 Bailey, Boomer, Campbell, Chambers, Converse, Cooley, Crary, Fairall, Fitch, Gault, Jessup, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Perkins, Rothert, Rumble, Russell, Selby, Shane, Smith, Stuart, Thornburg, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—39.

The nays were—None.

Absent or not voting—

Senators Bemis, Conaway, Dague, Dashiell, Howland, Kephart, Kinne, Pease, Stone, Taylor, and West—11.

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

On motion of Senator Smith, S. F. No. 97, A bill for an act to provide for leasing the convict labor in the Iowa Penitentiary after the expiration of the lease now in force, together with report of committee, was taken up and considered.

Senator Willett moved that the further consideration of the bill be postponed until the reports of the Commission and Visiting Committee shall have been printed and laid before the Senate.

Senator Young, of Mahaska, moved to make the bill a special order for 10½ o'clock Wednesday next, and that the bill be printed.

The motion prevailed.

Senator Willett, from the Special Committee to whom was referred the joint resolution in relation to Congressional grants of land to corporations, submitted the following report :

MR. PRESIDENT :—Your Special Committee to whom was referred a joint resolution, asking our members of Congress to pass a law preventing the granting of any more lands to corporations or railroad companies, report that they have examined the same and recommend that the following words, in the 25th and 26th lines, be stricken out, to-wit : “power to have a law passed preventing,” and insert in lieu thereof the following, to-wit : “influence and so vote as to prevent,” and that so amended the resolution do pass.

G. R. WILLETT, *for Special Committee.*

On motion the joint resolution was considered and the amendments reported by the committee were adopted.

On motion of Senator Maxwell 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 Bailey, Boomer, Campbell, Chambers, Converse, Cooley, Cray, Fairall, Fitch, Maxwell, McCoid, McCormack, McIntyre, Merrill of Wapello, Miles, Mitchell, Murphy, Newton, Rothert, Rumble, Selby, Shane, Smith, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—31.

The nays were—

Senators Miller, and Perkins—2.

Absent or not voting—

Senators Bemis, Conaway, Dague, Dashiell, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Merrell of Clinton, Pease, Russell, Stone, Taylor, and Young of Mahaska—17.

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

BILLS ON SECOND READING.

S. F. No. 35, A bill for an act to amend section 303 of chapter 2,

title 4 of the Code, with report of committee recommending amendments, was taken up and considered.

The amendments recommended by committee were adopted.

Senator Shane moved to amend by inserting after "person," in fifth line of section 1, "who shall be sworn to the faithful discharge of his duties."

The amendment was agreed to.

On motion of Senator Young of Mahaska, the rule was suspended and the bill read a third time.

Senator Young of Cass, moved to reconsider the vote by which the rule was suspended and the bill ordered to a third reading.

The motion to reconsider prevailed.

On motion of Senator Young of Mahaska, the bill was made the special order for Thursday next, at 2½ o'clock, P. M.

Senator Shane moved that when the Senate adjourn, it be until 10, A. M., Monday.

The motion was agreed to.

S. F. No. 37, A bill for an act to amend chapter 2, title 4 of the Code, with the report of the committee, was taken up and considered.

On motion of Senator Stuart, the bill was made the special order for 2½ o'clock, P. M., next Tuesday.

S. F. No. 52, A bill for an act to amend section 796, chapter 1, of title 6, with the report of committee, was taken up and considered.

On motion of Senator Larrabee, the bill was indefinitely postponed.

S. F. No. 74, A bill for an act relinquishing an escheat, and for the relief of William Dawson, with report of committee recommending its passage, was taken up and considered.

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 Bailey, Boomer, Campbell, Chambers, Converse, Cooley, Crary, Fairall, Fitch, Jessup, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Smith, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—38.

The nays were—none.

Absent or not voting—

Senators Bemis, Conaway, Dague, Dashiell, Gault, Howland, Kephart, Kinne, Merrell of Clinton, Pease, Stone, and Taylor—12.

So the bill passed and the title was agreed to.

S. F. No. 59, A bill for an act to amend Section 464 of the Code of 1873, with the report of the committee recommending its passage, 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 Bailey, Boomer, Campbell, Chambers, Converse, Cooley, Crary, Fitch, Fairall, Jessup, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrill of Wapello, Miles, Miller, Murphy,

Newton, Perkins, Rothert, Rumple, Russell, Selby, Shane, Smith, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young, of Mahaska—37.

The nays were—None.

Absent or not voting—

Senators Bemis, Conaway, Dague, Dashiell, Gault, Howland, Kephart, Kinne, Merrell of Clinton, Mitchell, Pease, Stone, and Taylor—13.

So the bill passed and the title was agreed to.

S. F. No. 6, A bill for an act to amend Sections 3822 and 3823 of chapter 3, title 23 of the Code, with the report of committee recommending amendments, was taken up and considered.

The amendments reported by the committee were adopted.

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 Bailey, Boomer, Campbell, Chambers, Converse, Cooley, Crary, Fairall, Fitch, Jessup, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrill of Wapello, Miles, Miller, Murphy, Newton, Perkins, Rothert, Rumple, Selby, Shane, Smith, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—36.

The nays were—None.

Absent or not voting—

Senators Bemis, Conaway, Dague, Dashiell, Gault, Howland, Kephart, Kinne, Merrell of Clinton, Mitchell, Pease, Russell, Stone, and Taylor—14.

So the bill passed and the title was agreed to.

Senator Willett moved that the Senate adjourn.

The Senate refused to agree to the motion.

S. F. No. 31, A bill for an act to repeal sections 3903, and 3904, of the Code of 1873, with the 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.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Boomer, Chambers, Converse, Cooley, Crary, Fairall, Fitch, Jessup, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrill of Wapello, Miles, Miller, Murphy, Newton, Perkins, Rothert, Russell, Selby, Shane, Smith, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—33.

The nays were—

Senators Campbell, and Stuart—2.

Absent or not voting—

Senators Bemis, Conaway, Dague, Dashiell, Gault, Howland, Kephart, Kinne, McIntyre, Merrell of Clinton, Mitchell, Pease, Rumple, Stone, and Taylor—15.

So the bill passed and the title was agreed to.

S. F. No. 82, A bill for an act to amend chapter 6, of title 11 of the Code, with the report of committee recommending its passage, was taken up and considered.

Senator Willett moved to amend by striking out "said intoxicated person will" and insert "the court in its discretion may require such intoxicated person to."

On motion of Senator Cooley, further consideration of the bill and proposed amendment was postponed until Monday next at 11 A. M.

On motion of Senator Cooley, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 9, 1874. }

Senate met at 10 A. M., and was called to order by the President.
Prayer by Prof. Fellows.

Journal of Saturday read and approved.

Senator Perkins, from the Special Committee on Destitution in Northwestern Iowa, submitted a report which was ordered printed.

Senator Campbell presented a petition from citizens of Iowa, asking the enactment of a law prohibiting shows, circuses, etc., from exhibiting children under twelve years of age on horseback.

Referred to Committee on Judiciary.

Senator Perkins presented petitions from citizens of Harrison county, Iowa, asking an amendment to the game laws of the State.

Referred to committee on Fish and Game.

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 resolutions, which are returned herewith :

S. F. No. 50 : A bill for an act to legalize the official acts of George Haw, a Notary Public.

Concurrent resolution allowing stationery to reporters.

Concurrent resolution relative to the repeal of the Bankrupt Law.

I also herewith present for your signature the following resolutions, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House.

Joint resolution relative to postage on newspapers in the counties where published.

Joint resolution relative to an amendment to the Constitution of the United States, in regard to the compensation of members of Congress.

JAMES M. WEART, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Cooley: S. F. No. 109, A bill for an act to provide for

filing the opinions of the Supreme Court, in courts from which the appeal or writ of error was taken.

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

By Senator Kephart: S. F. No. 110, A bill for an act to establish a State Educational Board of Examiners, and to define their duties.

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

By Senator Jessup: S. F. No. 111, A bill for an act to amend Section 1194 of the Code of 1873.

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

Senator Cooley offered the following resolution:

WHEREAS, The Fourteenth General Assembly passed a joint resolution placing the sum of one thousand dollars at the disposal of the Governor of Iowa, for the purpose of enabling him to procure and lay before this General Assembly information on the subject of cheap transportation, &c.; and whereas, by oversight, no appropriation was made in accordance with said resolution, and no part of said sum so intended to be used has been drawn from the treasury; and it appears by the special message of the Governor transmitted to the Senate February 6th, that certain expenses have been incurred which should be paid;

Resolved, That the Committee on Appropriations is hereby instructed to inquire into the expediency of reporting a bill for an act appropriating one thousand dollars, or so much thereof as may be necessary to be placed at the disposal of the Governor, to enable him to comply with the resolution of the Fourteenth General Assembly.

The resolution was adopted.

REPORTS OF COMMITTEES.

Senator J. S. McIntyre, from the Committee on Banks, submitted the following report:

MR. PRESIDENT:—Your Committee on Banks, to whom was referred S. F. No. 29, A bill for an act to amend section 2092, title 15, chapter 3, beg leave to report 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. S. McINTYRE, *Chairman*.

Ordered passed on file.

Senator Shane, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 64, A bill for an act to amend chapter 24 of the Code, relating to criminal procedure, 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 accompanying substitute be adopted, and, when so adopted, that it do pass.

JNO. SHANE, *Chairman*.

Ordered passed on file.

BILLS ON THIRD READING.

S. F. No. 34, A bill for an act to prevent keepers of billiard saloons, nine or ten pin alleys, from harboring minors, was taken up and read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Boomer, Chambers, Converse, Crary, Jessup, Kephart, Maxwell, McCoid, McIntyre, Miles, Miller, Mitchell, Newton, Perkins, Selby, Shane, Smith, Stuart, Thornburg, West, Williams, Wood, Young of Cass, and Young of Mahaska—25.

The nays were—

Senators Cooley, Fitch, Larrabee, Lovell, McCormack, Merrell of Clinton, Murphy, Rothert, Russell, Taylor, Willett, and Wonn—12.

Absent or not voting—

Senators Bemis, Campbell, Conaway, Dague, Dashiell, Fairall, Gault, Howland, Kinne, Merrill of Wapello, Pease, Rumpel, and Stone—13.

So the bill, having failed to receive a constitutional majority, was lost.

S. F. No. 9, A bill for an act to require plaintiffs to give security for costs in certain cases, was taken up and read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Converse, Cooley, Crary, Fitch, Jessup, Kephart, Larrabee, Lovell, Maxwell, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Perkins, Rothert, Shane, Smith, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Mahaska—34.

The nays were—

Senators McCoid, McCormack, Selby, and Young of Cass—4.

Absent or not voting—

Senators Bemis, Conaway, Dague, Dashiell, Fairall, Gault, Howland, Kinne, Pease, Rumpel, Russell, and Stone,—12.

So the bill passed and the title was agreed to.

On motion of Senator McIntyre, S. F. No. 29, A bill for an act to amend section 2092, title 14, chapter 3 of the Code of 1873, defining the time of grace allowed upon negotiable bills or notes, payable within the State, was taken up and considered.

On motion of Senator McIntyre the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Chambers, Converse, Cooley, Crary, Fitch, Jessup, Larrabee, Miller, Mitchell, Murphy, Rothert, Russell, Smith, Stuart, Thornburg, West, Willett, Williams, and Young of Mahaska—19.

The nays were—

Senators Boomer, Campbell, Kephart, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Newton, Perkins, Selby, Shane, Taylor, Wonn, Wood, and Young of Cass—19.

Absent or not voting—

Senators Bailey, Bemis, Conaway, Dague, Dashiell, Fairall, Gault, Howland, Kinne, Pease, Rumpel, and Stone—12.

So the bill having failed to receive a constitutional majority, was lost.

Senator McIntyre moved to reconsider the vote by which the bill failed to pass.

Senator Maxwell moved to lay the motion to reconsider on the table.

On this question the yeas and nays were demanded and the yeas were—

Senators Bailey, Boomer, Campbell, Crary, Jessup, Maxwell, Merrill of Wapello, Selby, Taylor, Wonn, and Wood—11.

The nays were—

Senators Chambers, Converse, Cooley, Fitch, Kephart, Larrabee, Lovell, McCoid, McCormack, McIntyre, Merrell of Clinton, Miles, Miller, Mitchell, Murphy, Newton, Perkins, Rothert, Russell, Shane, Smith, Stuart, West, Willett, Williams, Young of Cass, and Young of Mahaska—27.

Absent or not voting—

Senators Bemis, Conaway, Dague, Dashiell, Fairall, Gault Howland, Kinne, Pease, Rumble, Stone, and Thornburg—12.

So the motion to lay the motion to reconsider on the table did not prevail.

The motion to reconsider was then agreed to.

On motion of Senator McIntyre, the vote by which the bill was ordered to a third reading was reconsidered.

Senator Russell moved that the bill be referred to the Committee on Judiciary.

The motion was agreed to.

REPORT OF COMMITTEE.

Senator Young of Cass, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—The committee on Enrolled Bills, respectfully report that they have submitted the following joint resolutions to the Governor for his approval:

Joint resolution relative to postage on newspapers in the counties where published.

Joint resolution relative to an amendment to the Constitution of the United States in regard to the compensation of members of Congress.

LAFE YOUNG, *Chairman.*

The hour for the special order having arrived, it being S. F. No. 82, A bill for an act to amend chapter 6, of title 11, of the Code, it was taken up and considered.

Senator Willett's amendment to strike out "said intoxicated person will" and insert "the court may in its discretion require such intoxicated person to" was adopted.

Senator Shane offered a substitute for the bill.

On the adoption of the substitute the yeas and nays were demanded, and the yeas were—

Senators Crary, Fitch, Kephart, Larrabee, Lovell, McCormack, Mer-

rell of Clinton, Merrill of Wapello, Mitchell, Murphy, Newton, Perkins, Rothert, Russell, Shane, Smith, Stuart, Taylor, Willett, Williams, Wonn, Wood, and Young of Mahaska—23.

The nays were—

Senators Bailey, Boomer, Campbell, Chambers, Converse, Jessup, Maxwell, McCoid, Miles, Miller, Selby, Thornburg, West, and Young of Cass—14.

Absent or not voting—

Senators Bemis, Conaway, Cooley, Dague, Dashiell, Fairall, Gault, Howland, Kinne, McIntyre, Pease, Rumble, and Stone—13.

So the substitute was adopted.

On motion of Senator Shane, the further consideration of the substitute was postponed until 11, A. M., to-morrow.

S. F. No. 79, A bill for an act to repeal section 1584 of the Code, relating to teachers' institutes, with the report of the committee recommending that it do not pass, was taken up and considered.

Senator Campbell moved that the bill be indefinitely postponed.

On this question the yeas and nays were demanded, and the yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Converse, Fitch, Jessup, Kephart, Miles, Miller, Perkins, Rothert, Russell, Smith, Stuart, Willett, Wonn, and Young of Cass—18.

The nays were—

Senators Crary, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Mitchell, Murphy, Newton, Selby, Shane, Taylor, Thornburg, West, Williams, Wood, and Young of Mahaska—17.

Absent or not voting—

Senators Bemis, Conaway, Cooley, Dague, Dashiell, Fairall, Gault, Howland, Kinne, Larrabee, Lovell, McIntyre, Pease, Rumble, and Stone—15.

So the bill was indefinitely postponed.

S. F. No. 62, A bill for an act in relation to strays, with the report of Committee recommending amendments, was taken up and considered.

The amendments reported by the committee were 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 Bailey, Boomer, Campbell, Chambers, Converse, Cooley, Crary, Fitch, Jessup, Kephart, Larrabee, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Perkins, Rothert, Russell, Selby, Shane, Smith, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—37.

The nays were—None.

Absent or not voting—

Senators Bemis, Conaway, Dague, Dashiell, Fairall, Gault, Howland, Kinne, Lovell, McIntyre, Pease, Rumble, and Stone—13.

So the bill passed and the title was agreed to.

On motion of Senator Russell, S. F. No. 64, A bill for an act to amend chapter 24, of the Code, in relation to criminal procedure, with report of committee recommending substitute, was taken up for consideration.

The Senate adopted the substitute reported by the committee.

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 Bailey, Boomer, Cooley, Crary, Fitch, Jessup, Lovell, Maxwell, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Mitchell, Murphy, Rothert, Russell, Smith, Taylor, Willett, Williams, Wonn, and Wood—22.

The nays were—

Senators Campbell, Chambers, Converse, Kephart, Larrabee, McCoid, Miller, Newton, Perkins, Selby, Shane, Stuart, Thornburg, West, Young of Cass, and Young of Mahaska—16.

Absent or not voting—

Senators Bemis, Conaway, Dague, Dashiell, Fairall, Gault, Howland, Kinne, McIntyre, Pease, Rumble, and Stone—12.

So the bill, having failed to receive a constitutional majority, was lost.

On motion of Senator Russell the hour of adjournment was postponed until 10 minutes past 12 m.

Senator Russell offered the following resolution:

Resolved, That until otherwise ordered, the Senate will hold one session each day from 9 o'clock A. M. until noon.

The resolution was adopted.

Senator Campbell offered the following:

Resolved, That the Capitol Commissioners, or Superintendent, be requested to report to the Senate, as soon as possible, the amount expended the past year for architects and assistants, superintendent, commissioners, secretaries, and superintendents of the different departments of labor, as compared with the amount paid labor employees. Also the increased cost of the stone from the quarries at Iowa City.

The Senate adopted the resolution.

At 12:05, on motion of Senator Shane, the Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, February 10, 1874. }

Senate met at 9 A. M., and was called to order by the President.

Prayer by Rev. Mr. Kephart.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

Senator Williams presented a petition from citizens of Des Moines and Louisa counties, in relation to grazing on the Mississippi bottoms. Referred to Committee on Agriculture.

Senator Perkins presented a petition from citizens of Correctionville,

Woodbury county, Iowa, in relation to an independent school district.

Referred to Committee on Schools.

Senator Murphy presented petitions from the board of supervisors of Scott county, asking that the constitution be so amended as to abolish the grand jury system, and to provide for county prosecutors.

Referred to Committee on Constitutional 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. 52, A bill for an act to punish carelessness in the use of steam boilers.

I return herewith, S. F. No. 46, A bill for an act to authorize a patent to issue to William C. Willey for the southeast quarter of the northeast quarter of section 36, township 86 north, of range 10 west of the Fifth principal meridian, and to correct a mistake in a deed ; which has passed the House without amendment.

I am further directed to inform you that the House has concurred in the Senate amendments to the following :

Joint resolution relating to quieting land titles of homesteads.

Joint resolution relative to land grants by Congress.

JAMES M. WEART, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Mitchell : S. F. No. 112, A bill for an act to authorize the board of supervisors of Polk county, Iowa, to extend the time as fixed in the contract donating the swamp lands of said county to the Des Moines and Minnesota Railroad.

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

By Senator Smith : S. F. No. 113, A bill for an act to legalize the official acts of H. H. Tyler, a justice of the peace.

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

By Senator West : S. F. No. 114, 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 the Committee on Hospital for the Insane.

By Senator Williams: S. F. No. 115, A bill for an act entitled an act to regulate the return of sheriffs on legal process.

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

By Senator Chambers: S. F. No. 116, A bill for an act regulating mutual insurance companies.

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

By Senator Murphy: S. F. No. 117, A bill for an act to amend section 2093, title 14, chapter 3, of the Code.

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

By Committee on Agricultural College and Farm : S. F. No. 118, A bill for an act making an appropriation for the purpose of releasing certain property in which the State is interested, from prior liens.

Read and first and second time.

Senator Cooley moved that the rule be suspended and the bill read a third time.

The motion did not prevail.

Senator Maxwell moved that it be recommitted with instructions to accept \$3,000 for the State's interest in the property in question.

The motion was agreed to.

On motion of Senator Stuart, S. F. No. 37, A bill for an act to amend chapter 2, title 2 of the Code, was taken up and made the special order for 10 A. M. Thursday next.

JOINT RESOLUTION.

Senator Converse offered the following :

Joint Resolution requesting the Secretary of the Interior and the Commissioner of the General Land Office to disregard any application for the certification of lands to the State, unless made by an agent duly commissioned by the Governor.

Read first and second time.

Senator Converse moved that the rule be suspended and the joint resolution read a third time now.

On motion of Senator Fairall the joint resolution was referred to Committee on Public Lands, with instructions to report to-morrow morning.

REPORT OF COMMITTEE.

Senator John Shane, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 109, A bill for an act to provide for filing the opinions of the Supreme Court in courts from which the appeal or writ of error was taken, beg leave to report 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.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 29, A bill for an act to amend section No. 2092, title 14, chapter 3 of the Code of 1873, defining the time of grace allowed upon negotiable bills or notes payable within the state, 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.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred substitute for H. F. No. 14, A bill for an act to legalize the acts of George W. Howe, a notary public of Washington 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.

JNO. SHANE, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred S. F. No. 93, A bill for an act to amend section 1762, of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

E. B. KEPHART, *Chairman.*

Ordered passed on file.

Senator Campbell, from the committee on Railroads, submitted the following report :

MR. PRESIDENT:—Your committee on Railroads, to whom was referred S. F. No. 70, A bill for an act to amend chapter 4, of title 10 of of the Code of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

F. T. CAMPBELL, *Chairman.*

On motion the bill was made the special order for Friday next, at 10½ A. M.

Senator Russell, from the Committee on State Library, submitted the following report :

MR. PRESIDENT:—Your Committee on State Library, to whom was referred a resolution from the board of supervisors of Fayette county, concerning the price of Iowa Reports beg leave to report 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 Judiciary Committee.

RUSSELL, *Chairman.*

So referred.

On motion of Senator Campbell, the special order, it being substitute for H. F. No. 113, A bill for an act to provide for the partial payment of the salaries and per diem of members, officers, and employees of the General Assembly, was taken up and considered.

The question being the motion to reconsider the vote by which the substitute was adopted, the motion prevailed.

On motion of Senator Shane, the bill was referred to the Committee on Compensation of Public Officers.

Senator Shane moved to reconsider the vote by which the substitute for S. F. No. 64 was lost.

The motion prevailed.

On motion the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Cooley, Crary, Fairall, Fitch, Maxwell, McCormack, Merrell of Clinton, Mitchell, Murphy, Rothert, Rumpel, Russell, Shane, Smith, Stone, Stuart, Taylor, Willett, Williams, Wonn, Wood, and Young of Cass—23.

The nays were—

Senators Boomer, Campbell, Chambers, Conaway, Converse, Jessup, Kephart, Larrabee, Lovell, McCoid, Miles, Miller, Newton, Perkins, Selby, Thornburg, and West—17.

Absent or not voting—

Senators Bemis, Dague, Dashiell, Gault, Howland, Kinne, McIntyre, Merrill of Wapello, Pease, and Young of Mahaska—10.

So the bill not having a constitutional majority was lost.

BILLS ON SECOND READING.

Resolution in reference to school books, was laid on the table for the present.

Petition of Milton Briggs, and others, asking that the Agricultural College be converted into a Normal School, was referred to Committee on Normal Schools.

S. F. No. 51, A bill for an act to amend section 2187 of chapter 1, of title 15 of the Code relating to marriage, with report of committee recommending amendments, was taken up and considered.

The amendments reported by the committee were adopted.

On motion of Senator Merrell of Clinton, the rule was suspended, and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Fairall, Fitch, Kephart, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Perkins, Rothert, Rumpel, Russell, Shane, Smith, Stone, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—36.

The nays were—

Senators Jessup, Selby, Stuart, and Taylor—4.

Absent or not voting—

Senators Bemis, Dague, Dashiell, Gault, Howland, Kinne, Larrabee, Mitchell, Pease, and Young of Mahaska—10.

So the bill passed and the title was agreed to.

Senator Young of Mahaska, was granted leave of absence, on account of sickness.

S. F. No. 78, A bill for an act to amend section 4779, chapter 2, of title 26, of the Code; with the report of committee recommending amendments, was taken up and considered.

The amounts reported by the committee were adopted.

On motion, the rule was suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse,

Cooley, Crary, Fairall, Fitch, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Perkins, Rothert, Rumble, Russell, Selby, Shane, Smith, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—41.

The nays were—None.

Absent or not voting—

Senators Bemis, Dague, Dashiell, Gault, Howland, Kinne, Pease, Stone, and Young of Mahaska—9.

So the bill passed and the title was agreed to.

S. F. No. 57, A bill for an act to provide for the organization of independent school districts, and for other purposes, with the report of committee recommending amendments, was taken up and considered.

On motion of Senator Merrill of Clinton, the bill was laid on the table for the present.

S. F. No. 19, A bill for an act to amend sections 1774 and 1776 of the Code of 1873, prescribing the duties of county superintendents and fixing the salary of such officers, with report of committee recommending that it do not pass, was taken up and considered.

Senator McCormack moved to lay the bill on the table for the present.

Senator Chambers moved to indefinitely postpone the bill.

On this question the yeas and nays were demanded and the yeas were—

Senators Bailey, Boomer, Chambers, Conaway, Jessup, Kephart, Larrabee, Miles, Miller, Perkins, Smith, and Willett—12.

The nays were—

Senators Campbell, Converse, Cooley, Crary, Fairall, Fitch, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Mitchell, Murphy, Newton, Rothert, Rumble, Russell, Selby, Shane, Stone, Stuart, Taylor, Thornburg, West, Williams, Wonn, Wood, and Young of Cass—30.

Absent or not voting—

Senators Bemis, Dague, Dashiell, Gault Howland, Kinne, Pease, and Young of Mahaska—8.

So the motion to indefinitely postpone did not prevail.

Senator McCormack's motion to lay on the table was then adopted.

The hour for the special order having arrived, it being substitute for S. F. No. 82, A bill for an act to amend chapter 6, of title 11, of the Code, it was taken up and considered.

Senator Larrabee moved to reconsider the vote by which the substitute was adopted yesterday.

On this question the yeas and nays were demanded, and the yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Crary, Fitch, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, Merrill of Wapello, Miles, Miller, Mitchell, Rumble, Selby, Smith, Thornburg, West, Williams, and Young of Cass—25.

The nays were—

Senators Cooley, Fairall, McCormack, McIntyre, Merrell of Clinton, Murphy, Newton, Perkins, Rothert, Russell, Shane, Stone, Stuart, Taylor, Willett, Wonn, and Wood—17.

Absent or not voting—

Senators Bemis, Dague, Dashiell, Gault, Howland, Kinne, Pease, and Young of Mahaska—8.

So the motion to reconsider prevailed.

Senator McCoid offered the following amendment to the substitute:

But the magistrate before whom said person is tried and convicted, may remit any portion of such penalty, and order the prisoner to be discharged upon his filing an information, as in other criminal cases, against the person from whom he purchased the liquor which produced the intoxication, and giving bond in the sum of one hundred dollars to prosecute such action, and thereupon the magistrate before whom such information is filed, shall issue a warrant on such information and proceed as in other criminal cases, either by trial or preliminary examination, as the case may require.

On motion of Senator West, the whole subject was referred to the Committee on the Suppression of Intemperance.

By leave, Senator Bailey introduced S. F. No. 119, A bill for an act to provide for the election of School Commissioners and District Superintendents, and to prescribe their duties, and to abolish the office of County Superintendent.

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

By leave, Senator Boomer presented a memorial from the State Temperance Society, asking an amendment to the prohibitory liquor law of the State.

Referred to the Committee on the Suppression of Intemperance.

On motion of Senator Russell the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 11, 1874. }

Senate met at 9 A. M., and was called to order by the President.

Prayer by Rev. Mr. Mabee.

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. 81, A bill for an act to amend section 289 and section 290, of the Code of 1873.

JAMES M. WEART, *Chief Clerk.*

Senator Converse moved that the memorial from the State Temperance Society, presented by Senator Boomer yesterday, be printed.

On this question the yeas and nays were demanded and the yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Jessup, Kephart, Larrabee, Maxwell, McCoid, Merrill of Wapello, Selby, Shane, Smith, Thornburg, and West,—17.

The nays were—

Senators Cooley, Crary, Fairall, Lovell, McCormack, McIntyre, Merrell of Clinton, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Stone, Stuart, Taylor, Willett, Williams, Wonn, Wood, and Young of Cass—25.

Absent or not voting—

Senators Bemis, Dague, Dashiell, Fitch, Gault, Howland, Kinne, and Young of Mahaska—8.

So the motion to print the memorial did not prevail.

INTRODUCTION OF BILLS.

By Senator Newton : S. F. No. 120, A bill for an act to amend chapter 9, title 12, of the Code of 1873.

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

By Senator Smith : S. F. No. 121, A bill for an act to prohibit the encouragement of minors to remain in certain buildings.

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

By Senator Miller : S. F. No. 122, A bill for an act relating to the duties of the adjutant general of this state when performing the duties of paymaster general.

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

By Senator McCoid : Joint resolution instructing our Senators, and requesting our Representatives to secure inter-state railway commerce regulations.

Read first and second time.

On motion of Senator McCoid, the rules were suspended and the joint resolution read a third time.

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

The yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Fairall, Fitch, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, and Wood—42.

The nays were—None.

Absent or not voting—

Senators Bemis, Dague, Dashiell, Gault, Howland, Kinne, Young of Cass, and Young of Mahaska—8.

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

Senator Young of Cass, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have examined Senate Files Nos. 50 and 46, An act to

legalize the official acts of George Haw, notary public; An act to authorize a patent to issue to William C. Willey, for certain lands in Benton county; Joint resolution asking our members of Congress to pass a law preventing the granting of any more lands to corporations, and find the same correctly enrolled.

LAFE YOUNG, *Chairman.*

Senator Chambers offered the following:

WHEREAS, The Constitution of the State of Iowa provides that no person holding any lucrative office under the United States or this State or any other power shall be eligible to hold a seat in the General Assembly; and

WHEREAS, It is currently reported and *believed* that J. H. Murphy, now occupying a seat on this floor as Senator from Scott county, being the Twenty-second Senatorial District of the State of Iowa, was at the time of taking his seat in the Senate, and is *now* Mayor of the city of Davenport, Scott county, Iowa; therefore,

Be it resolved by the Senate, That a committee of three be appointed to inquire into and report to this body whether said Senator Murphy is now holding said office of Mayor of the city of Davenport, and whether said office is a lucrative one, within the meaning of section 22, of article 3, of the Constitution of Iowa, and said committee is hereby authorized to send for persons and papers.

Pending which, on motion of Senator Larrabee, the special order (S. F. No. 97,) for this hour (10½, A. M.,) was postponed until the resolution under consideration was disposed of.

The consideration of the resolution was resumed.

Pending which, Senator Rothert moved that the special order, (S. F. No. 97,) A bill for an act to lease the convict labor of the Iowa Penitentiary after the expiration of the present lease, be made the special order for to-morrow at 9:30, A. M.

The motion prevailed.

The consideration of the resolution was resumed.

Senator Rothert moved to amend the resolution offered by Senator Chambers by striking out all after the word "Iowa," and inserting the following: "and

WHEREAS, From reliable information it has been ascertained that the salary of said Hon. J. H. Murphy, as Mayor of the city of Davenport, is one hundred dollars; and

WHEREAS, In the opinion of this Senate said office is not a lucrative one, not one contemplated by the provisions of article 22, section 3, of the Constitution; therefore

Be it resolved, That in the opinion of the Senate the Hon. J. H. Murphy is entitled to his seat as the Senator from Scott county.

On the adoption of this amendment, the yeas and nays were demanded, and the yeas were—

Senators Conaway, Cooley, Crary, Fairall, Fitch, Jessup, Kephart, Larrabee, Lovell, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Newton, Pease, Perkins, Rothert, Rumpfle, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—34.

The nays were—

Senators Boomer, Chambers, Converse, Maxwell, and McCoid—5.

Absent or not voting—

Senators Bailey, Bemis, Campbell, Dague, Dashiell, Gault, Howland, Kinne, Miles, Murphy, and Young of Mahaska—11.

So the amendment was adopted.

The resolution as amended 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. 164, A bill for an act to amend section 4374, of the Code, relating to change of venue.

BENJ. VAN STEINBURG,

First Assistant Clerk.

Senator Campbell was granted leave of absence.

Senator Fitch offered a joint resolution requesting the Secretary of State to withhold a certain joint resolution, in reference to the public lands.

Read 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 were—

Senators Bailey, Boomer, Chambers, Conaway, Converse, Cooley, Crary, Fairall, Fitch, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wood, and Young of Cass—40.

The nays were—None.

Absent or not voting—

Senators Bemis, Campbell, Dague, Dashiell, Gault, Howland, Kinne, Miles, Wonn, and Young of Mahaska—10.

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

The President submitted the report of R. S. Finkbine, overseer of construction of new capitol building, in response to the resolution asking certain facts and figures.

Pending the reading by the Secretary, Senator Fitch moved that the further reading be dispensed with and the report ordered printed.

The motion prevailed.

REPORTS OF COMMITTEES.

Senator Shane, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was

referred H. F. No. 47, A bill for an act to legalize the acts of the independent school district of Strawberry Hill in the county of Jones beg leave to report 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.

Also the following :

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 41, A bill for an act to amend chapter four (4), of the Code, on "Taking private property for works of internal improvement," 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.

Ordered passed on file.

Also the following :

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 113, A bill for an act to legalize the acts of H. H. Taylor, a justice of the peace of Platte township in Taylor 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.

Ordered passed on file.

Also the following :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred a resolution in relation to the authority of the county auditor to take acknowledgment of deeds, beg leave 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 bills, and with the recommendation that said bills do pass.

JOHN SHANE, *Chairman.*

Ordered passed on file.

Senator Jessup, 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. 43, and H. F. No. 113, A bill for an act to provide for the payment of the members, 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 back to the Senate the following substitute for both bills, with the recommendation that it do pass.

ELIAS JESSUP, *Chairman.*

Ordered passed on file.

On motion of Senator Cooley, the hour of adjournment was extended until 12:15 P. M.

Senator Cooley, from the Committee on Agricultural College and Farm, made a verbal report, recommending certain amendments to S. F. No. 118, A bill for an act making an appropriation for the purpose of releasing certain property, in which the State is interested from certain prior liens.

On motion of Senator Cooley, the bill and amendments was taken up and considered.

The amendments were agreed to by the Senate.

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

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Chambers, Conaway, Converse, Cooley, Crary, Fairall, Fitch, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Murphy, Newton, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Stone, Thornburg, West, Willett, Williams, Wonn, and Wood—34.

The nays were—

Senators Boomer, McCormack, Smith, Stuart, and Young of Cass—5.

Absent or not voting—

Senators Bemis, Campbell, Dague, Dashiell, Gault, Howland, Kinne, Miles, Pease, Taylor, and Young of Mahaska—11.

So the bill passed and the title was agreed to.

HOUSE MESSAGES.

H. F. No. 52, A bill for an act to punish carelessness in the use of steam boilers, was taken up, read first and second time, and referred to Committee on Judiciary.

H. F. No. 81, A bill for an act to amend sections 289 and 290 of the Code of 1873, was taken up, read first and second time, and referred to Committee on Ways and Means.

H. F. No. 164, A bill for an act to amend section 4374 of the Code, relating to change of venue, was taken up, read first and second time, and referred to Committee on Judiciary.

All members of the visiting committees were granted leave of absence.

On motion of Senator Kephart, at 12:14 the Senate adjourned.

SENATE CHAMBER,)
DES MOINES, IOWA, February 12, 1874.)

Senate met at 9 A. M., and was called to order by the President.

Prayer by the Rev. L. M. Walters.

Journal of yesterday read and approved.

MESSAGES 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 and joint resolution, in which the concurrence of the Senate is asked :

H. F. No. 7, A bill for an act to legalize the levy of certain taxes in the county of Hamilton, in the State of Iowa.

Also, H. F. No. 13, A bill for an act relinquishing an escheat in Bremer county, to Ernst G. Brandt, and Frederick Fosse.

Also, H. F. No. 63, A bill for an act to amend section 4069, chapter 12, part 4 of the Code.

Also, H. F. No. 65, A bill for an act to amend section No. 165 of the Code.

Also, H. F. No. 94 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.

Also, H. F. No. 111, A bill for an act to legalize the incorporation of the town of Grand Junction, Iowa, and legalizing certain acts of the council of said town.

Also, H. F. No. 123, A bill for an act to amend section 2626 of the Code.

Also, A joint resolution in reference to the improvement of the Mississippi river and its tributaries.

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:

S. F. No. 46, A bill for an act to authorize a patent to issue to William C. Willey, for the S. E. $\frac{1}{4}$ of the N. E. $\frac{1}{4}$ of section 36, township 86, north of range 10 west of 5th P. M., and to correct a mistake in a deed.

Also, S. F. No. 50, A bill for an act to legalize the official acts of George Haw, Notary Public.

Also, A joint resolution asking our members of Congress to pass a law preventing the granting of any more lands to corporations for pecuniary profit, or railroad companies.

JAMES M. WEART, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Perkins: S. F. No. 123, A bill for an act to provide for a loan to relieve the destitute in certain counties of northwestern Iowa, and for securing and collecting the same.

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

By Senator Rumble: S. F. No. 124, A bill for an act to amend section 3173, chapter 2, title 19 of the Code of 1873, in relation to appeals from the District and Circuit courts.

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

By Senator Boomer: S. F. 125, a bill for an act to amend section 509 of the Code.

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

Also, S. F. 126, a bill for an act to legalize the acts of the town council of the town of Chariton.

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

By Senator Mitchell: S. F. No. 127, a bill for an act to amend chapter 2, title 23 of the Code of 1873.

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

By Senator Fitch: S. F. No. 128, a bill for an act to audit the unpaid claims of the River Land Commissioners, and making an appropriation for the payment of the same.

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

By Senator Rothert: S. F. No. 129, a bill for an act to authorize cities and towns to provide for the improvement of alleys.

Read first and second time, ordered printed and referred to Committee on County and Township Organization.

By Senator Young of Cass: S. F. No. 130, a bill for an act to legalize the sub-districting of the district township of Massena, Cass county, Iowa.

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

By Senator McCoid: S. F. No. 131, a bill for an act to authorize the re-incorporation and change of name of incorporations other than those for pecuniary profit.

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

By Senator Campbell: S. F. No. 132, a bill for an act to legalize the acts of H. S. Winslow, a Notary Public in and for Jasper county, Iowa.

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

By leave, Senator Howland submitted a petition from citizens of Iowa, asking that the Soldiers' Orphans' Homes be opened to the reception of all orphans.

Referred to Committee on Orphans' Homes.

By leave, Senator Kephart presented a petition from the Central Iowa Bee-Keepers Association, asking that bees be exempt from taxation and execution until the year 1880.

Referred to Committee on Agriculture.

REPORT OF COMMITTEE.

Senator John Shane, from the Committee on Judiciary, submitted the following report.

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 24, A bill for an act to legalize the ordinances of the town of Sidney, Fremont 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.

Ordered 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 provide for the permanent survey of 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 it do pass.

Ordered 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 1194 of the Code of Iowa of 1873, beg leave to report that they have had the same under consideration, and that section 2 be stricken out, and so amended have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred S. F. No. 108, A bill to repeal section 3641, of chapter 1, of title 22, of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the unanimous recommendation that it do 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. 101, A bill for an act to authorize municipal corporations to levy and collect a road tax 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 do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 100, A bill for an act providing for the oath of property in certain cases, for delinquent taxes by municipal corporations having special charters, beg leave to report 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.

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 sections 865 and 866 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Ways and Means to whom was referred S. F. No. 63, A bill for an act to amend section 3818 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 71, A bill for an act to amend title 6, chapter 2, of the Code beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass with the following

amendment: Strike out the words "or more" in the second line, and also the word "or" in same line after the word "taxes," and insert "and" in place thereof.

LARRABEE, *Chairman.*

Ordered passed on file.

Senator Merrell of Clinton, from the Committee on Public Lands submitted the following report:

MR. PRESIDENT:—Your Committee on Public Lands to whom was referred joint resolution, requesting the Secretary of the Interior, and the Commissioner of the General Land Office to disregard any application for certification of lands to the State unless made by an agent duly commissioned by 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 it do not pass.

N. A. MERRELL, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred S. F. No. 18, A bill for an act to legalize the tax levy of Bloomfield Village school-district, Davis 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. No legislation needed according to the decision of Attorney-General.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Schools to whom was referred S. F. No. 99, A bill for an act to amend section 1751, chapter 9, title 12, of the Code of 1873, in relation to the system 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 the accompanying substitute be adopted, and when so adopted, that it do pass.

E. B. KEPHART, *Chairman.*

Ordered passed on file.

Senator Boomer, from the 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. 102, A bill for an act to amend section 1555, of the Code of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass

A. BOOMER, *Chairman.*

On motion of Senator Boomer, the bill was made the special order for February 18, at 10 A. M.

Senator Fitch, from the Committee on Agriculture, submitted the following report :

MR. PRESIDENT:—Your Committee on Agriculture, to whom was referred S. F. No. 20, A bill for an act amendatory to chapter 3, sections 1616, 1617, and 1618, in relation to Agricultural College 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 it be referred to the Committee on Agricultural College.

The report of committee adopted.

Also the following :

MR. PRESIDENT:—Your Committee on Agriculture, to whom was referred S. F. No. 47, A bill for an act to repeal sections 1457, 1458, 1459, 1460, 1461, and 1462, of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

W. H. FITCH, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Agriculture, to whom was referred S. F. No. 80, A bill for an act to amend section 4058 of the Code, in relation to Texas cattle, beg leave to report 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.

The report of committee was adopted.

Also, the following:

MR. PRESIDENT:—Your Committee on Agriculture, to whom was referred S. F. No. 84, A bill for an act to amend section 3896 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Agriculture, to whom was referred S. F. No. 54, A bill for an act to amend sections 4058 and 4059 of the code, in relation to Texas cattle, beg leave to report 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.

RESOLUTION.

Senator Merrill of Wapello, offered the following :

Resolved, That the Judiciary Committee be requested to examine section 3641 Code of 1873, with a view to the repeal of the same and the introduction of a substitute which will at least be susceptible of some interpretation.

The resolution was adopted.

REPORTS OF COMMITTEES.

Senator Young of Cass, from the Committee on Enrolled Bills, submitted the following report :

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have examined the preamble and joint resolution relating to relief for homesteaders in case of conflict of title to lands with railroad corporations, and find the same correctly enrolled.

Also, 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, viz :

Joint resolution asking members of Congress to grant no more lands to railroads or other corporations.

S. F. No. 50, An act to legalize the acts of George Haw, Notary Public.

S. F. No. 46, An act to authorize a patent to issue to William C. Willey, to certain lands in Benton county.

LAFE YOUNG, *Chairman.*

The hour for the special order having arrived, it being S F. No. 97, A bill for an act to provide for the leasing of the convict labor of the Iowa Penitentiary, after the expiration of the present lease, it was taken up and considered.

Senator Cooley moved to postpone further consideration of the bill for two weeks.

The motion prevailed.

HOUSE MESSAGES.

H. F. No. 7, A bill for an act to legalize the levy of certain taxes in the county of Hamilton, State of Iowa, was taken up, read first and second time and referred to Committee on Judiciary.

H. F. No. 13, A bill for an act to relinquish an escheat in Bremer county, was taken up, 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 Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Fairall, Fitch, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Newton, Pease, Perkins, Rothert, Rumple, Russell, Selby, Shane, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wood, and Young of Cass—40.

The nays were—None.

Absent or not voting—

Senators Bemis, Dague, Dashiell, Gault, Kinne, Miles, Murphy, Smith, Wonn, and Young of Mahaska—10.

So the bill passed and the title was agreed to.

PETITION AND BILLS.

By leave Senator Cooley introduced S. F. No. 133, A bill for an act to authorize a contract for a public highway across certain bridges on the Missouri and Mississippi rivers.

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

By leave Senator McIntyre presented a petition from citizens of Iowa asking the enactment of a law making blasphemy and profane swearing a criminal offense.

Referred to Committee on Suppression of Intemperance.

On motion of Senator Smith, S. F. No. 35, A bill for an act to amend section 303 of chapter 2, title 4 of the Code, was taken up and made the special order for Monday next at 10 A. M.

The hour for the special order having arrived, it being S. F. No. 37, A bill for an act to amend chapter 2, title 4 of the Code it was taken up and considered.

Senator Howland moved to amend by striking out all after the word "thereof" in seventh line of section 1, down to and including the word "supervisors" in the eighth line.

Senator Merrell of Clinton moved that the bill be referred to a Select Committee of three with instructions to report at an early day, which motion prevailed and the President appointed Senators Merrell of Clinton, Willett, and Perkins such committee.

JOINT RESOLUTION.

By leave, Senator West introduced a joint resolution relative to Homesteads for Soldiers and Sailors of the late war.

Read first and second time.

Senator West moved to suspend the rule and read the bill a third time now.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Bailey, Boomer, Conaway, Converse, Cooley, Crary, Fitch, Howland, Kephart, Larrabee, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Mitchell, Pease, Rothert, Ruple, Selby, Smith, Stone, Stuart, Taylor, Thornburg, West, Williams, Wonn, and Wood—30.

The nays were—

Senators Campbell, Chambers, Fairall, Jessup, Lovell, Miller, and Perkins—7.

Absent or not voting—

Senators Bemis, Dague, Dashiell, Gault, Kinne, Miles, Murphy, Newton, Russell, Shane, Willett, Young of Cass, and Young of Mahaska—13.

So the motion to suspend the rules prevailed.

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

The yeas were—

Senators Bailey, Boomer, Campbell, Conaway, Converse, Cooley, Crary, Fitch, Howland, Kephart, Larrabee, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Mitchell,

Pease, Rothert, Rumble, Selby, Smith, Stone, Stuart, Taylor, Thornburg, West, Williams, Wonn, and Wood—31.

The nays were—

Senators Jessup, Lovell, Miller, and Perkins—4.

Absent or not voting—

Senators Bemis, Chambers, Dague, Dashiell, Fairall, Gault, Kinne, Miles, Murphy, Newton, Russell, Shane, Willett, Young of Cass, and Young of Mahaska—15.

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

RESOLUTION.

Senator Fairall offered the following resolution:

Resolved, That no Senator shall speak more than twice and not longer than five minutes at any one time, on any resolution or memorial, or any question as to the disposition thereof.

The resolution was adopted.

HOUSE MESSAGES.

H. F. No. 63, A bill for an act to amend section 4009, chapter 12, part 4 of the Code, was taken up, read first and second time, and referred to Committee on Suppression of Intemperance.

H. F. No. 65, A bill for an act to amend section 165 of the Code, was taken up, read first and second time, and referred to the Committee on Suppression of Intemperance.

H. F. No. 94, 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 Claims.

H. F. No. 111, A bill for an act to legalize the incorporation of the town of Grand Junction, Iowa, and to legalize certain acts of the council of said town, was taken up, read first and second time and referred to Committee on Judiciary.

H. F. No. 123, a bill for an act to amend section 2626 of the Code, was taken up, read first and second time and referred to Committee on Judiciary.

Joint resolution in reference to the improvement of the Mississippi river and its tributaries, was taken up, read first and second time, and on motion of Senator Merrell of Clinton, the rules were suspended and the joint resolution read a third time.

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

The yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Fairall, Fitch, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Pease, Rothert, Rumble, Selby, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, and Wood—37.

The nays were—None.

Absent or not voting—

Senators Bemis, Dague, Dashiell, Gault, Kinne, Miles, Murphy, New-son, Perkins, Russell, Shane, Young of Cass, and Young of Ma-haska—13.

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

BILLS ON SECOND READING.

Joint resolution relative to organization of the militia of the United States, with the report of the committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

S. F. No. 5, A bill for an act to authorize a subscription to Wood's Military History of Iowa for the period of the Rebellion, with the report of the committee recommending that it do not pass, was taken up and considered.

On motion of Senator Rothert, the hour of adjournment was extended until 12:15 P. M.

On motion of Senator Rothert, the bill was re-committed to the Committee on Military.

A 12 M., on motion of Senator Boomer, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 13, 1874. }

Senate met at 9 A. M., and was called to order by the President.

Prayer by the Rev. Mr. Gill.

Senator Campbell moved a call of the Senate.

The Senate seconded the call.

The roll was then called, and the following Senators were found absent without leave, viz: Senators Conaway, Cooley, Jessup, Lovell, McIntyre, Merrell of Clinton, Mitchell, Ruple, Russell, Smith, Stone, Willett, Wood, and Young of Cass.

The Sergeant-at-Arms presented Senators Merrell of Clinton, Lovell, Wood, and Jessup, at the bar of the Senate.

On motion, the Senators were excused.

On motion of Senator Miller, further proceedings under the call were dispensed with.

Journal of yesterday read and approved.

PETITION.

Senator Chambers presented a petition from citizens of Iowa, asking that the soldiers' orphans' homes of the State be opened for the reception of all orphans.

Referred to Committee on Orphans' Homes.

On motion of Senator Lovell, S. F. No. 97, A bill for an act to provide for the leasing of the convict labor of the Iowa Penitentiary after the expiration of the present lease, was made the special order for February 27 at 10 o'clock A. M.

BILLS ON SECOND READING.

Joint resolution relative to shipment of grain, with report of committee recommending its passage, was taken up, considered, and on motion of Senator Fairall the rules were suspended and joint resolution read third time.

On the question "Shall the joint resolution pass?"

The yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Fairall, Fitch, Howland, Jessup, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Pease, Rothert, Rumpel, Selby, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, and Wood—34.

The nays were—None.

Absent or not voting—

Senators Bemis, Dague, Dashiell, Gault, Kephart, Kinne, Larrabee, Miles, Murphy, Newton, Perkins, Russell, Shane, Wonn, Young of Cass, and Young of Mahaska—16.

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 resolution, which is returned herewith :

Joint resolution instructing the Secretary of State to withhold a joint resolution, heretofore passed.

Also, that the House has ordered printed the memorial of the State Temperance Committee.

I herewith present for your signature the following resolution, which has passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House :

Preamble and joint resolution relating to relief for homesteaders in case of conflict of title to lands with railroad corporations.

JAMES M. WEART, *Chief Clerk.*

INTRODUCTION OF BILLS.

By leave, Senator Merrell of Clinton introduced S. F. No. 134, A bill for an act to repeal section 431, chapter 10, title 4 of the Code of 1873.

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

REPORTS OF COMMITTEES.

Senator Boomer, from the Committee on Suppression of Interperance, submitted the following report:

MR. PRESIDENT:—Your Committee on the Suppression of Intemperance, to whom was referred S. F. No. 121, A bill for an act to prohibit the encouragement of minors to remain in certain 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 do pass

A. BOOMER, *Chairman.*

On motion of Senator Merrell of Clinton, the bill was read a third time, and laid upon the table.

Senator Boomer submitted the following:

MR. PRESIDENT:—Your Committee on the Suppression of Intemperance, to whom was referred H. F. No. 63, A bill for an act to amend section 4069, chapter 12, part 4, of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. BOOMER, *Chairman.*

Ordered passed on file.

Senator Selby, from the Committee on Fish and Game, submitted the following report:

MR. PRESIDENT:—Your Committee on Fish and Game, to whom was referred S. F. No. 89, A bill for an act for the appointment of fish commissioners, 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 be amended as follows: Strike out all of section 1 after enacting clause; strike out in section 3, in second line, "15th day of August, 1874," and insert "1st day of July, 1875;" in same line word "will" and insert word "shall;" in third line strike out "15th day of August" and insert the "1st day of July, 1875;" strike out in section 4 all after the word "committed" in third line; strike out all of sections "5, and 6." As amended, your committee recommend that it do pass.

LLOYD SELBY, *Chairman.*

Ordered passed on file.

By leave Senator Cooley presented a memorial from Matilda Fletcher in reference to teaching the useful arts in the common schools of the State.

Referred to Committee on Schools.

BILLS ON SECOND READING.

S. F. No. 109, A bill for an act to provide for filing the opinions of the Supreme Court in courts from which the appeal or writs of error

was taken, with report of committee recommending its passage, was 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 Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Fairall, Fitch, Howland, Jessup, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Pease, Perkins, Rothert, Rumble, Selby, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, and Wood—34.

The nays were—None.

Absent or not voting—

Senators Bailey, Bemis, Dague, Dashiell, Gault, Kephart, Kinne, Larrabee, Miles, Murphy, Newton, Russell, Shane, Wonn, Young of Cass, and Young of Mahaska—16.

So the bill passed and the title was agreed to.

S. F. No. 29, A bill for an act to amend section 2092, title 14, chapter 3, of the Code of 1873, defining the time of grace allowed upon negotiable bills or notes payable within this State, was taken up and ordered engrossed for a third reading.

Substitute for H. F. No. 14, A bill for an act to legalize the acts of George W. Howe, notary public, with report of committee recommending that it do pass, was taken up and considered.

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

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Fairall, Fitch, Howland, Jessup, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Pease, Perkins, Rothert, Rumble, Selby, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, and Wood—35.

The nays were—None.

Absent or not voting—

Senators Bemis, Dague, Dashiell, Gault, Kephart, Kinne, Larrabee, Miles, Murphy, Newton, Russell, Shane, Wonn, Young of Cass, and Young of Mahaska—15.

So the bill passed and the title was agreed to.

S. F. No. 93, A bill for an act to amend section 1782 of the Code, in relation to Teachers' Institutes, with report of committee recommending that it do not pass, was taken up, considered, and passed on file.

H. F. No. 47, A bill for an act to legalize the acts of the Independent School District of Strawberry Hill, in the county of Jones, with report of committee recommending its passage, was 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 Bailey, Boomer, Campbell, Chambers, Conaway, Converse,

Cooley, Crary, Fairall, Fitch, Howland, Jessup, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Pease, Perkins, Rothert, Rumble, Selby, Smith, Stone, Stuart, Thornburg, West, Willett, Williams, and Wood—34.

The yeas were—None.

Absent or not voting—

Senators Bemis, Dague, Dashiell, Gault, Kephart, Kinne, Larrabee, Miles, Murphy, Newton, Russell, Shane, Taylor, Wonn, Young of Cass, and Young of Mahaska—16.

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 :

S. F. No. 118, A bill for an act making an appropriation for the purpose of redeeming certain property heretofore conveyed to the trustees of the Agricultural College, from judicial sale under prior liens, with the following amendment: Strike out in the fifth line of section 2, the word "six," and insert "five," in which the concurrence of the Senate is asked.

JAMES M. WEART, *Chief Clerk.*

On motion of Senator Cooley, S. F. No. 118, just reported from the House, was taken up.

The question being, "Shall the Senate concur in the House amendment?"

The yeas were—

Senators Bailey, Boomer, Campbell, Conaway, Chambers, Converse, Cooley, Crary, Fairall, Fitch, Howland, Jessup, Lovell, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Pease, Perkins, Rothert, Rumble, Selby, Stone, Thornburg, West, Willett, Williams, and Wood—31.

The nays were—None.

Absent or not voting—

Senators Bemis, Dague, Dashiell, Gault, Kephart, Kinne, Larrabee, McCormack, Miles, Murphy, Newton, Russell, Shane, Smith, Stuart, Taylor, Wonn, Young of Cass, and Young of Mahaska—19.

So the Senate concurred in the House amendment.

S. F. No. 41, A bill for an act to amend chapter 4 of the Code, on taking private property for works of internal improvement, with report of committee recommending that it do pass, was taken up, considered, and passed on file.

S. F. No. 113, a bill for an act to legalize the acts of H. H. Tyler, a justice of the peace, with report of committee recommending its passage, was taken up and considered.

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

On the question "Shall the bill pass?"

The yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse,

Cooley, Crary, Fairall, Howland, Jessup, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Pease, Perkins, Rothert, Rumble, Selby, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, and Wood—34.

The nays were—None.

Absent or not voting—

Senators Bemis, Dague, Dashiell, Fitch, Gault, Kephart, Kinne, Larrabee, Miles, Murphy, Newton, Russell, Shane, Wonn, Young of Cass, and Young of Mahaska—16.

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

REPORTS OF COMMITTEES.

Senator Shane, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred a resolution in relation to the authority of the county auditor to take acknowledgments of deeds, beg leave 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 bills, and recommendation that said bills do pass.

JOHN SHANE, *Chairman.*

S. F. No. 135, A bill for an act to legalize the acts of deputy clerks of District and Circuit courts, county Auditors and deputy county Auditors in relation to acknowledgments of instruments affecting real estate, just reported by Judiciary Committee was read first and second time.

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 Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Fairall, Fitch, Howland, Jessup, Lovell, Maxwell, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Pease, Perkins, Rothert, Rumble, Selby, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, and Wood—34.

The yeas were—

Senator McCoid—1.

Absent or not voting—

Senators Bemis, Dague, Dashiell, Gault, Kephart, Kinne, Larrabee, Miles, Murphy, Newton, Russell, Shane, Wonn, Young of Cass, and Young of Mahaska—15.

So the bill passed and the title was agreed to.

S. F. No. 136, A bill for an act to amend section 1955 of the Code of 1873, just reported by Judiciary Committee, was read first and second time.

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 Bailey, Boomer, Campbell Chambers, Conaway, Converse,

Cooley, Crary, Fairall, Fitch, Howland, Jessup, Lovell, Maxwell, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Pease, Perkins, Rothert, Rumpel, Selby, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, and Wood—34.

The nays were—

Senator McCoid—1.

Absent or not voting—

Senators Bemis, Dague, Dashiell, Gault, Kephart, Kinne, Larrabee, Miles, Murphy, Newton, Russell, Shane, Wonn, Young of Cass, and Young of Mahaska—15.

So the bill passed and the title was agreed to.

S. F. No. 43, and H. F. No. 113, A bill for an act to provide for the partial payment of the salaries of members and *per diem* of officers and employees of the General Assembly, with report of committee recommending the adoption of a substitute, was taken up and considered.

The substitute reported by the committee 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 Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Fairall, Fitch, Howland, Jessup, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Pease, Perkins, Rothert, Rumpel, Selby, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, and Wood—34.

The nays were—

Senator Crary—1.

Absent or not voting—

Senators Bemis, Dague, Dashiell, Gault, Kephart, Kinne, Larrabee, Miles, Murphy, Newton, Russell, Shane, Wonn, Young of Cass, and Young of Mahaska—15.

So the bill passed and the title was agreed to.

Senators Jessup, Wood, Merrill of Wapello, and McIntyre were granted leave of absence until Tuesday next.

Senator Stuart was excused until Monday next.

On motion of Senator Campbell, the special order, S. F. No. 70, A bill for an act to amend chapter 4, title 10 of the Code of Iowa, was postponed until Tuesday next at 9:30 A. M.

REPORTS OF COMMITTEES.

By leave, Senator Campbell, from the committee on Railroads, submitted the following report:

MR. PRESIDENT:—Your committee on Railroads, to whom was referred Senate Files numbers 12, 13, 25, 26, 49, 66, 73, and 104, bills in relation to the regulation of the rates of freight and passenger tariffs on the railroads of this State, beg leave to report that they have had the same under consideration, and have instructed me to report back to the Senate the accompanying substitute, with the recommendation that it do pass.

F. T. CAMPBELL, *Chairman.*

The substitute reported by the committee was ordered printed and made the special order for Wednesday next at 10 A. M.

Senator Boomer moved that when the Senate adjourn it be until Monday next at 9 A. M.

The motion was adopted.

INTRODUCTION OF BILLS.

By leave, Senator West introduced S. F. No. 137, A bill for an act authorizing incorporations other than those for pecuniary profit to amend their articles of incorporation, and to amend chapter 2, title 9 of the Code of 1873.

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

REPORT OF COMMITTEE.

Senator Perkins, 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, a preamble and joint resolution, relating to relief of homesteaders in case of conflict of title to lands with railroad corporations.

Also the following:

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have examined joint resolution instructing the Secretary of State to withhold a joint resolution heretofore passed relative to granting lands to corporations, etc., and find the same correctly enrolled.

GEO. D. PERKINS, *Chairman, pro tem.*

BILLS ON SECOND READING.

H. F. No. 24, A bill for an act to legalize the ordinances of the town of Sidney, Fremont county, Iowa, with report of Committee recommending its passage, was taken up and considered.

Senator Boomer moved a call of the Senate.

The Senate seconded the call.

The roll call found Senators Russell and Smith absent without leave.

On motion of Senator McIntyre, further proceedings under the call were dispensed with.

Senator Miller was granted leave of absence until Wednesday next.

Senator Rothert was granted leave of absence for several days after Wednesday next.

The consideration of H. F. No. 24 was resumed.

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

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Fairall, Jessup, Lovell, Maxwell, McCoid, McCormack,

McIntyre, Merrell of Clinton, Mitchell, Pease, Perkins, Rothert, Ruple, Selby, Stone, Stuart, Taylor, Thornburg, West, Williams, Wood—29.

The nays were—

Senators Fitch, and Merrill of Wapello—2.

Absent or not voting—

Senators Bemis, Dague, Dashiell, Gault, Howland, Kephart, Kim Larrabee, Miles, Miller, Murphy, Newton, Russell, Shane, Smith, Willett, Wonn, Young of Cass, and Young of Mahaska—19.

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

Senator Mitchell moved to reconsider the vote by which the Senate decided to adjourn until 9 A. M. Monday next.

The motion prevailed.

Senator Mitchell moved to amend by striking out "Monday" and inserting "Tuesday."

On this question the yeas and nays were demanded, and the yeas were—

Senators Campbell, Cooley, Fairall, Howland, Maxwell, McCormack, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Mitchell, Pease, Perkins, Rothert, Ruple, Selby, Smith, Stone, Stuart, Thornburg, West, and Wood—23.

The nays were—

Senators Bailey, Boomer, Conaway, Converse, Crary, Fitch, Jess Lovell, Taylor, Willett, and Williams—11.

Absent or not voting—

Senators Bemis, Chambers, Dague, Dashiell, Gault, Kephart, Kim Larrabee, Miles, Murphy, Newton, Russell, Shane, Wonn, Young of Cass, and Young of Mahaska—16.

So the amendment prevailed.

The motion as amended was then agreed to.

On motion of Senator Taylor the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 17, 1874.

Senate met at 9 A. M., and was called to order by the President.
Prayer by the Rev. Mr. Doran.
Journal of Friday last read and approved.

MESSAGES 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 and joint resolution, in which the concurrence of the Senate is asked :

H. F. No. 9, A bill for an act to amend chapter 7 of title 24 of the Code.

H. F. No. 179, A bill for an act to empower cities and towns to make contracts with railroad and bridge companies for the use of bridges across rivers.
 Joint resolution memorializing Congress for an increase of currency.
 Also the House has passed without amendment S. F. No. 1, A bill for an act to repeal section 1105 of the Code.
 Also the House has concurred in Senate substitute for H. F. No. 113, an act providing for the payment of members, officers, and employees of the General Assembly.
 Also Senate's resolution relative to printed documents, with the following amendment: strike out "500," and insert "900," in which the concurrence of the Senate is asked.

BENJ. VAN STEINBURG,
First Assistant Clerk.

REPORT OF COMMITTEE.

Senator Young of Cass, from the Committee on Enrolled Bills, submitted the following report;
 [A. PRESIDENT:—Your Committee on Enrolled Bills, respectfully report that they have examined H. F. No. 113, An act to amend section chapter 2, of the Code, and to provide for the payment of members, officers, and employees of the General Assembly, and find the same correctly enrolled.

LAFE YOUNG, *Chairman.*

On motion of Senator Cooley, H. F. No. 179, A bill for an act to empower cities and towns to make contracts with railroads and bridge companies for the use of bridges across rivers, was taken up, read first second time, and considered.

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

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Diverse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jesse, Kinne, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Mill of Wapello, Mitchell, Murphy, Newton, Pease, Perkins, Russell, Smith, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—38.

The nays were—None.

Absent or not voting—

Senators Dashiell, Kephart, Larrabee, McIntyre, Miles, Miller, Roth, Ruple, Selby, Shane, Stone, and Stuart—12.

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

On motion of Senator Fairall, S. F. No. 123, A bill for an act to provide for a loan to relieve the destitute in certain counties of northwest Iowa, and for securing and collecting the same, was taken up and considered by sections.

On motion of Senator Fitch, further consideration of the bill was postponed until Thursday next at 10 A. M., and made the special order of that hour.

Second Assistant Secretary Baird was granted leave of absence.

On motion of Senator Campbell, the special order for this hour (9:30 A. M.) was taken up, it being S. F. No. 70, a bill for an act to amend chapter 4, of title 10 of the Code of Iowa.

Senator McCoid offered the following amendment:

Add to section 1260 the words, "in favor of any other corporation as may enter upon such right of way as provided in section 1261."

The amendment was adopted.

On motion of Senator Fairall, the bill was referred to a special committee, consisting of Senators Merrell of Clinton, West, Campbell, and Gault.

By leave, Senator Cooley presented petitions from citizens of Clayton and Dubuque counties, asking that Buena Vista township, Clayton county, be annexed to Dubuque county.

Referred to Committee on County and Township Organization.

By leave, Senator Cooley presented remonstrances from attorneys of Buchanan county, and of the ninth judicial district, against the repeal of the law authorizing the employment of short-hand reporters in courts.

Referred to Committee on Judiciary.

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:

S. F. No. 118, A bill for an act making appropriations for the purpose of redeeming certain property heretofore conveyed to the trustees of the Agricultural College from judicial sale under prior liens.

BENJ. VAN STEINBURG,
First Assistant Clerk.

REPORT OF COMMITTEE.

Senator Young of Cass, 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. 118, An act making an appropriation for the purpose of redeeming certain property heretofore conveyed to the trustees of the Agricultural College from judicial sale under prior liens, and find the same correctly enrolled.

LAFE YOUNG, *Chairman.*

JOINT RESOLUTION.

By leave Senator Fairall introduced a joint resolution in relation to an increase of the currency of the country.

Read first and second time.

Senator Cooley moved to suspend the rule and read the joint resolution a third time.

Senator Campbell offered the following substitute for the first resolution:

Resolved, That our Senators in Congress be instructed, and our representatives requested to look to secure such proper distribution of the currency as shall give to the west her proper proportion, and increase the amount of currency in the west to suit present necessities.

Senator Dague moved to refer to Committee on Banks, with instructions to report on Friday morning next.

The motion to refer was disagreed to.

In the adoption of Senator Campbell's amendment, the yeas and nays were demanded, and

The yeas were—

Senators Bemis, Boomer, Campbell, Lovell, McCoid, McCormack, Perkins, and Russell—8.

The nays were—

Senators Bailey, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Maxwell, Merrell of Clinton, Merrill of Wapello, Mitchell, Murphy, Newton, Pease, Smith, Stone, Thorne, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Iowa, and Young of Mahaska—30.

Absent or not voting—

Senators Dashiell, Kephart, Kinne, Larrabee, McIntyre, Miles, Miller, Rumpke, Selby, Shane and Stuart—12.

So the Senate refused to adopt the amendment.

Senator Bailey offered the following amendment:

To add at the end of resolution "and make such a distribution of the currency as will give the west and south their proper proportion."

The Senate agreed to the amendment.

Senator McCoid moved to amend the resolution by adding thereto the following: "if such legislation is deemed expedient."

In the adoption of this amendment the yeas and nays were demanded, and the yeas were—

Senators Bemis, Campbell, Chambers, Crary, Lovell, McCoid, McCormack, and Perkins—8.

The nays were—

Senators Bailey, Boomer, Conaway, Converse, Cooley, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Maxwell, Merrell of Clinton, Merrill of Wapello, Mitchell, Murphy, Newton, Pease, Russell, Smith, Stone, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—30.

Absent or not voting—

Senators Dashiell, Kephart, Larrabee, McIntyre, Miles, Miller, Rumpke, Selby, Shane, Stuart, and Young of Mahaska—12.

So the amendment was lost.

Senator Campbell moved to amend by adding to first resolution the following: "*Provided*, no depreciation of the national currency is to be made from such legislation."

The Senate refused to adopt the amendment.

The question recurring on Senator Cooley's motion to suspend the debate and read the joint resolution a third time, it was agreed to by the Senate.

In the question "Shall the joint resolution pass?"

The yeas were—

Senators Bailey, Boomer, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Maxwell, Merrell of Clinton, Merrill of Wapello, Mitchell, Murphy, Newton, Pease, Smith, Stone, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—32.

The nays were—

Senators Bemis, Campbell, Lovell, McCoid, McCormack, Perkins, and Russell—7.

Absent or not voting—

Senators Dashiell, Kephart, Larrabee, McIntyre, Miles, Miller, Rothert, Rumble, Selby, Shane, and Stuart—11.

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

REPORT OF COMMITTEE.

Senator Young of Cass, 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:

H. F. No. 113, An act to amend section 12 of chapter 2 of the Code, and to provide for the payment of the members, officers, and employees of the General Assembly.

Joint resolution ordering the withholding of joint resolution heretofore passed requesting Congress to "pass a law," &c., from members of Congress.

S. F. No. 118, An act making an appropriation for the purpose of redeeming certain property heretofore conveyed to the trustees of the Agricultural College from judicial sale under prior liens.

LAFE YOUNG, *Chairman.*

PETITIONS AND REMONSTRANCE.

By leave, Senator Young of Cass presented a petition from citizens of Cass county protesting against the repeal of the present herd law.

Also, remonstrance from citizens of Cass county against the repeal of the herd law.

Also, petition from citizens of Cass county asking the repeal of the present herd law.

All referred to Committee on Agriculture.

Senator Dague offered a joint resolution proposing an amendment to the Constitution of the State of Iowa.

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

Senator Perkins presented a petition from citizens of Cherokee county asking for the enactment of a law to permit all counties to fund their indebtedness.

Also, a remonstrance from citizens of same county against the enactment of such a law.

Also, a petition from citizens of Woodbury county asking for the passage of such a law.

Also, a petition from citizens of O'Brien county asking for an extension of time in the payment of taxes.

All referred to Committee on Ways and Means.

Senator Merrell of Clinton presented remonstrances from citizens of Carroll county against the enactment of a law to permit all counties to fund their indebtedness.

Referred to Committee on Ways and Means.

Senator Mitchell presented a communication from "many citizens" in reference to the new capitol building.

Referred to Committee on Public Buildings.

INTRODUCTION OF BILLS.

By Senator Wonn: S. F. No. 138, A bill for an act to amend sections 3181, and 3182, of the Code of 1873.

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

By Senator Crary: S. F. No. 139, A bill for an act to resume the lands and rights conferred upon the McGregor & Sioux City Railroad Company, by and under an act of the Iowa legislature, approved April 2, 1868.

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

By Senator Murphy: S. F. No. 140, A bill for an act to enlarge the powers of the trustees of the soldiers' orphans' homes.

Read first and second time, ordered printed, and referred to Committee on Soldiers' Orphans' Homes.

By Senator Bailey: S. F. No. 141, A bill for an act in relation to supplying books for the common schools of the State.

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

By Senator Boomer: S. F. No. 142, A bill for an act to repeal section 3818, of chapter 3, title 23, of the Code of 1873.

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

By Senator Newton: S. F. No. 143, A bill for an act to protect agricultural fairs and exhibitions.

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

By Senator Crary: S. F. No. 144, A bill for an act in relation to riparian owners on the Mississippi and Missouri rivers.

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

REPORT OF COMMITTEE.

Senator Howland, from the Committee on County and Township Organization, submitted the following report:

MR. PRESIDENT:—Your committee on County and Township Organization, to whom was referred S. F. No. 81, A bill for an act prescribing certain duties to be performed by the board of supervisors, beg leave to report that they have had the same under consideration,

and have instructed me to report the same back to the Senate without recommendation.

E. A. HOWLAND, *Chairman.*

Ordered passed on file.

Senator Willett, from the Committee on Judiciary, reported back H. F. No. 111, A bill for an act to legalize the incorporation of the town of Grand Junction, and to legalize the ordinances of said town, with the recommendation that it do pass.

On motion of Senator Russell, the bill was taken up and considered.

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

On the question "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Mitchell, Newton, Pease, Perkins, Russell, Smith, Stone, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—38.

The nays were—None.

Absent or not voting—

Senators Dashiell, Kephart, Larrabee, McIntyre, Miles, Miller, Murphy, Rothert, Rumpel, Selby, Shane, and Stuart—12.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Young of Cass, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have examined H. F. No. 13, An act to relinquish an escheat in Bremer county; joint resolution in reference to the improvement of the Mississippi river and its tributaries, and find the same correctly enrolled.

LAFE YOUNG, *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 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. 13, A bill for an act relinquishing an escheat in Bremer county to Ernst G. Brandt and Frederick Fasse.

H. F. No. 113, A bill for an act to amend section 12, chapter 2, of the Code, and to provide for the payment of the members, officers, and employees of the General Assembly.

Joint resolution asking Congress to enact a law preventing the granting of lands to corporations or railroad companies.

Joint resolution in reference to the improvement of the Mississippi river and its tributaries.

BENJ. VAN STEINBURG,
First Assistant Clerk.

BILLS ON THIRD READING.

S. F. No. 29, A bill for an act to amend section 2092, title 14, chapter 3 of the Code of 1873, defining the time of grace allowed upon negotiable bills, or notes, payable within this State, was taken up and read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Boomer, Chambers, Cooley, Crary, Dague, Fairall, Kinne, Lovell, Merrell of Clinton, Murphy, Russell, West, and Williams—14.

The nays were—

Senators Campbell, Conaway, Converse, Fitch, Gault, Howland, Jessup, Maxwell, McCoid, McCormack, Merrill of Wapello, Mitchell, Newton, Pease, Perkins, Stone, Taylor, Thornburg, Willett, Wonn, Wood, Young of Cass, and Young of Mahaska—23.

Absent or not voting—

Senators Bemis, Dashiell, Kephart, Larrabee, McIntyre, Miles, Miller, Rothert, Rumble, Selby, Shane, Smith, and Stuart—13.

So the bill having failed to receive a constitutional majority, was lost.

Senator Willett filed a motion to reconsider the vote by which the bill failed to pass, and moved to make the motion to reconsider the special order for Thursday next at 10:30 A. M.

Senator Campbell moved to lay the motion on the table, to which the Senate refused to agree.

Senator Willett's motion then prevailed.

HOUSE MESSAGES.

Concurrent resolution in relation to printing public documents, was taken up, and the Senate refused to concur in the House amendment thereto.

H. F. No. 9, A bill for an act to amend chapter 7 of title 24 of the Code, was taken up, read first and second time, and referred to Committee on Roads.

Joint resolution memorializing Congress for an increase of currency, was taken up and read first and second time.

Senator Boomer moved to suspend the rules and read the joint resolution a third time.

The motion did not prevail, and the joint resolution was placed on file.

BILLS ON SECOND READING.

S. F. No. 98, A bill for an act to provide for the permanent survey of lands, with report of committee recommending its passage, was taken up and considered.

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

On the question "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Gault, Howland, Jessup, Kinne, Lovell, Maxwell, McCoid, Merrell of Clinton, Merrill of Wapello, Mitchell, Murphy, Newton, Pease, Perkins, Russell, Smith, Stone, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—37.

The nays were—

Senator Fitch—1.

Absent or not voting—

Senators Dashiell, Kephart, Larrabee, McCormack, McIntyre, Miles, Miller, Rothert, Rumble, Selby, Shane, and Stuart—12.

So the bill passed and the title was agreed to.

S. F. No. 111, A bill for an act to amend section 1194 of the Code, with report of committee, recommending amendments, was taken up and considered.

The amendments reported by committee were adopted.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Mitchell, Murphy, Newton, Pease, Perkins, Russell, Smith, Stone, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—39.

The nays were—None.

Absent or not voting—

Senators Dashiell, Kephart, Larrabee, McIntyre, Miles, Miller, Rothert, Rumble, Selby, Shane, and Stuart—11.

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

At 12 m. the Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, February 18, 1874. }

Senate met at 9 A. M., and was called to order by the President.

Prayer by the Rev. Mr. Telleen.

Journal of yesterday read and approved.

Senator Taylor moved to reconsider the vote by which the Senate refused to concur in the House amendment to the concurrent resolution in relation to the printing of public documents.

The motion prevailed.

The Senate then concurred in the House amendment.

PETITIONS, ETC.

Senator Perkins presented a petition from citizens of Carroll county, asking that certain judgment taxes be legalized.

Referred to Committee on Ways and Means.

Senator Merrell of Clinton, presented a remonstrance from citizens of Carroll county against the legalizing said tax.

Same reference.

Senator Fitch presented a remonstrance from citizens of Buena Vista county against the passage of a law permitting all counties to fund their indebtedness.

Referred to Committee on Ways and Means.

Senator Rumble presented a petition from citizens of Steamboat Rock, Hardin county, protesting against the legalization of certain bonds.

Referred to the Committee on Judiciary.

Senator Rumble also presented a petition from citizens of Iowa, asking that the soldiers' orphans' homes be opened to the reception of all orphans.

Referred to the Committee on Orphans' Homes.

Senator McCormack presented a petition from citizens of Marion county, in relation to the herd law.

Referred to Committee on Agriculture.

Senator Converse presented a petition from citizens of Butler county, in relation to certain taxes voted to aid in the construction of the Milwaukee & Nashua Railroad.

Referred to Committee on Railroads.

MESSAGES 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. 129, A bill for an act legalizing the acts of Lars Henryson, an acting justice of the peace of Scott township, Hamilton county, Iowa.

BENJ. VAN STEINBURG,

First Assistant-Clerk.

INTRODUCTION OF BILLS.

By Senator Newton : S. F. No. 145, A bill for an act declaring that it shall be deemed a criminal offense for any person to ask to be called upon a jury.

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

By Senator Mitchell : S. F. No. 146, A bill for an act to amend section 321 of the Code of 1873, in relation to juries.

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

By Senator Merrill of Wapello: S. F. No. 147, A bill for an act to amend title 11 of the Code.

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

By Senator Howland: S. F. No. 148, A bill for an act to appoint a Board of Railroad Commissioners, prescribing their duties, to prevent extortions and unjust discriminations in the rates charged for the transportation of freights and passengers on railroads in this State, and to punish the same, and prescribe a mode of proceeding and rules of evidence in relation thereto.

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

Senator Young of Mahaska moved to take up S. F. No. 35, A bill for an act to amend section 303, of chapter 2, title 4, of the Code.

The motion prevailed.

Senator Bailey moved to amend by inserting "to themselves" before the word "employ."

The amendment did not prevail.

Senator Smith moved to amend by inserting after the word "meetings," in the first section, the words "or at any other time they may deem advisable; *Provided*, that they shall not require the Treasurer to balance his books oftener than once in each month."

The Senate agreed to the amendment.

The hour for the special order having arrived, it being S. F. No. 102, A bill for an act to amend section 1555 of the Code of Iowa, it was, on motion of Senator Boomer, postponed until 10 A. M. to-morrow.

The second special order for this hour (10 A. M.) being Substitute for S. F. Nos. 12, 13, 25, 26, 49, 66, 73, and 104, A bill for an act to establish reasonable maximum rates of charges for the transportation of freight and passengers on the different railroads of this State, it was postponed until the bill under consideration was disposed of.

The consideration of S. F. No. 35 was resumed.

Senator Taylor moved to amend by providing "that the Board may appoint one of their number Accountant.

The amendment was not adopted.

Senator Young of Cass moved to amend by adding after the word "respectively" the words "and also the amount that should be on hands, and that such statement be published in two newspapers of the county so often as the said examination be made."

The amendment was adopted.

Senator Willett moved to reconsider the vote by which Senator Smith's amendment was adopted.

The motion prevailed, and, on motion of Senator Young of Mahaska, the proviso of said amendment was stricken out.

The amendment was then adopted, and the bill was ordered engrossed for a third reading.

On motion of Senator Young of Mahaska the special order, Substitute for S. F. Nos. 12, 13, 25, 26, 49, 66, 73, and 104, was postponed until Thursday, Feb. 26, at 10 A. M., and made the special order for that hour.

Senator Dague, from the special joint committee appointed to visit the soldiers' orphans' home at Glenwood, submitted a report, which was ordered printed and placed on file.

Senator Taylor, from the special joint committee appointed to visit the College for the Blind, submitted a report, which was ordered printed and placed on file.

REPORTS OF COMMITTEES.

Senator Merrell of Clinton, from the special committee on S. F. No. 37, submitted the following report:

MR. PRESIDENT:—Your special committee to whom was referred S. F. No 37, A bill for an act to amend chapter 2, title 4, of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report back to the Senate the accompanying substitute, with the recommendation that it do pass.

N. A. MERRELL, *Chairman.*

Ordered passed on file.

HOUSE MESSAGES.

H. F. No. 129, A bill for an act to legalize the acts of Lars Henryson, an acting Justice of the Peace of Scott Township, Hamilton county, Iowa, was taken up, read first and second time, and referred to Committee on Judiciary.

On motion of Senator Boomer, S. F. No. 121, A bill for an act to prohibit the encouragement of minors to remain in certain buildings, was taken from the table and considered.

Senator Willett moved to add to section 1, the following :

Whenever forbidden in writing so to do by a parent or guardian of any such minor, or if such minor shall be a student in any University, College, or Seminary of learning, then by the person or persons in charge of any such institution ; if the minor shall have neither parent nor guardian, then by any Justice of the Peace, or Mayor of any city where any such minor shall be or reside.

RESOLUTIONS.

Senator Fairall moved to re-commit the bill and proposed amendment to the Committee on Judiciary. Pending the consideration of which, by leave, Senator Larrabee offered the following resolution :

Resolved, That the Committee on the Destitution of Northwestern Iowa, be requested to get information in relation to the amount of relief afforded from all sources, and report details as fully as convenient to the Senate.

The resolution was adopted.

By leave, Senator Cooley offered the following :

Resolved, That the Committee on Ways and Means be instructed to consider the propriety of allowing counties where there may be need of aid, as contemplated in the report of the committee visiting the northwestern sufferers, to issue bonds to sufferers in extreme cases ; also, that said committee ascertain and report in what time aid will reach settlers if furnished as proposed in this resolution. The bonds

to be issued under the direction of the Executive Council, and a tax to be levied by them and provide for payment of the interest and principal. Bonds not to run more than ten years.

On motion of Senator Jessup, the hour of adjournment was postponed until 12:30 P. M.

The resolution offered by Senator Cooley was then adopted.

The consideration of S. F. No. 121 was resumed.

The motion to re-commit to committee was lost.

Senator West moved the previous question.

The motion was seconded and the main question ordered.

On the adoption of Senator Willett's amendment, the yeas and nays were ordered, and the yeas were—

Senators Cooley, Crary, Fairall, Kinne, Lovell, McCormack, Merrell of Clinton, Murphy, Rumples, Taylor, Willett, Wonn, and Wood—13.

The nays were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kephart, Larrabee, Maxwell, McCoid, McIntyre, Merrill of Wapello, Miles, Mitchell, Newton, Pease, Perkins, Selby, Smith, Thornburg, West, Williams, Young of Cass, and Young of Mahaska—31.

Absent or not voting—

Senator Miller, Rothert, Russell, Shane, Stone, and Stuart—6.

So the amendment was lost.

The bill was then ordered engrossed for a third reading to-morrow.

Senator Merrell of Clinton moved to reconsider the vote by which the bill was ordered engrossed.

The motion prevailed.

On motion of Senator Merrell of Clinton, the time of adjournment was extended.

Senator Merrell of Clinton moved to amend by striking out section 2 and inserting the following:

SEC. 2. For a violation of any of the provisions of the foregoing section the offender shall, upon conviction thereof, be punished by a fine not exceeding one hundred dollars or imprisonment in the county jail not exceeding thirty days.

Senator Fairall offered a substitute for the bill.

Senator Fairall moved to adjourn.

The motion did not prevail.

Senator Larrabee moved to recommit the bill to the Committee on Suppression of Intemperance.

On this motion the yeas and nays were demanded and the yeas were—

Senators Cooley, Crary, Fairall, Fitch, Howland, Kinne, Larrabee, Lovell, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Mitchell, Murphy, Newton, Pease, Rumples, Taylor, Willett, Williams, Wonn, Wood, and Young of Cass—23.

The nays were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Dague, Dashiell, Gault, Jessup, Kephart, Maxwell, McCoid, Miles, Perkins, Selby, Smith, Thornburg, West, and Young of Mahaska—21.

Absent or not voting—

Senators Miller, Rothert, Russell, Shane, Stone, and Stuart—6.

So the motion to recommit prevailed.

REPORTS OF COMMITTEES.

Senator Young of Cass, 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. No. 1, An act to repeal section 1105, of the Code; H. F. No. 179, An act to empower cities and towns to make contracts with railroads and bridge companies for the use of wagon bridges across rivers, and find the same correctly enrolled.

Also, 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, viz :

H. F. No. 13, An act relinquishing an escheat in Bremer county to Earnest G. Brandt and Frederick Fasse.

Joint resolution in reference to the improvement of the Mississippi river and its tributaries.

LAFE YOUNG, *Chairman.*

On motion of Senator Fairall, the Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, February 19, 1874. }

Senate met at 10 o'clock A. M., and was called to order by the President.

Prayer by the Rev. Mr. Rider.

Journal of yesterday read and approved.

MESSAGES 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. 102, A bill for an act to amend chapter 6, title 11, of the Code.

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 :

S. F. No. 1, A bill for an act to repeal 1105 of the Code.

H. F. No. 179, A bill for an act to empower cities and towns to make contracts with railroad and bridge companies for the use of wagon bridges across rivers.

JAMES M. WEART, *Chief Clerk.*

PETITIONS AND MEMORIALS.

Senator Shane presented a petition from six hundred citizens of Scott county, asking for the taxation of church property and the property of religious corporations.

Referred to Committee on Ways and Means.

Senator Fairall presented a petition from three citizens of Johnson county, asking that a majority of grand jurors may find indictments in liquor cases.

Referred to Committee on Suppression of Intemperance.

Senator Fairall also presented a petition from citizens of Johnson county, asking a change in the road laws.

Referred to Committee on Roads.

Senator Young of Cass presented three petitions from citizens of Cass county asking the repeal of the herd law.

Referred to Committee on Agriculture.

Also a petition from citizens of Cass county asking the enactment of a law to require chutes to be put in dams so as to allow the passage of fish.

Referred to Committee on Fish and Game.

Senator Willett presented a communication from Mary Ramsey in relation to the painting of a portrait of the late Ex-Governor Lucas.

Senator Merrell of Clinton presented a petition from citizens of Sac county asking that no change be made in the law allowing counties to fund their indebtedness.

Referred to Committee on Ways and Means.

INTRODUCTION OF BILLS.

By Senator Dague: S. F. No. 149, A bill for an act relating to the taxation and exemption from taxation of certain classes of property.

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

By Senator Rumble: S. F. No. 150, A bill for an act to amend section 1717, chapter 9, title 12 of the Code of 1873.

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

By Senator Miller: S. F. No. 151, A bill for an act to change the scale of highway plat-books.

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

By Senator Boomer: S. F. No. 152, A bill for an act to amend section 3775, chapter 2, title 23 of the Code of 1873.

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

By Senator Boomer: S. F. No. 153, A bill for an act to repeal subdivision 6 of section 3793 in relation to compensation of county treasurers.

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

By Senator Shane: S. F. No. 154, A bill for an act to complete the north wing of the College for the Blind, to procure furniture for the same, and to build an engine house, and furnish heating apparatus for the College.

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

By Senator Stone: S. F. No. 155, A bill for an act providing for an investigation of the claims of the contractor for the erection of the Asylum for the Deaf and Dumb.

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

By Senator Larrabee: S. F. No. 156, A bill for an act to amend section 1864 of the Code.

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

Senator Shane was excused from serving on the joint committee to visit the Institution for the Deaf and Dumb, at Council Bluffs.

The President appointed Senator Chambers as said committee on the part of the Senate.

Senator Perkins, from the special committee appointed to visit and report upon the distribution in Northwestern Iowa, submitted the following report in response to the Senate resolution adopted yesterday:

Mr. PRESIDENT:—Your Committee on Destitution in Northwestern Iowa, requested to get information in relation to the amount of relief afforded from all sources, and report details as fully as convenient to the Senate, have the honor to submit the following in response:

We have at hand two available sources of information: 1. The record kept by Gen. Baker. 2. The record kept by the Grange Committee. Through these two agencies, we may say, the great bulk of relief supplies furnished have gone forward.

General Baker, in response to the call of your Committee, makes the following statement:

APPROXIMATE STATEMENT OF SUPPLIES FORWARDED BY GEN. BAKER.

Clothing—3 barrels, 55 boxes, 13 packages.

Miscellaneous—143 barrels, boxes, bags, sacks, and packages.

Food—774 boxes, barrels, bags, sacks and packages of flour, meal, rice, hominy, molasses, meat, groceries, etc.

Grain—11,750 pounds of corn, 52 bags of corn, 2 carloads of corn, 29 bags of oats, 55 bags of wheat; also, one car loaded with corn, flour, beans, pork, etc.

Coal—Not far from 500 tons. I cannot tell with any certainty in relation to the coal, for sometimes, after advising how to send, they sent directly through without my intervention; and then sometimes donations were mixed up in Grange collections and no notice sent to me, and they may have been reported twice, to Grange department and to me.

Wheat—I have \$146 worth of seed wheat, having sold wheat here and converted it into wheat near point of distribution and saved trouble and expense of transportation.

Cash—I have sent cash relief to committees, amounting to \$351.35. I have paid for coal, bags, rice, molasses, yarn, blankets, leather, transportation, drayage, and other expenses \$1,015.35
Sent out as above stated 351.55
Paid for the seed wheat at Sioux City 146.00

Total cash \$1,512.90

An approximate statement of Grange relief is given as follows :

Coal—400 tons.

Pork—(Side meat)—14,000 pounds.

Meal, flour, grain, etc.—125 tons.

Bedding, clothing, etc.—Twenty packages, including 500 yards of flannel.

Cash paid on freights to date, \$500. Much has been shipped under direction of this office, of which, as yet, we have failed to obtain such statement as to be included in this estimate. Considerable donations are now being made up in different parts of the State that will be forwarded soon. Our receipts in cash are \$3,700, half of which is on hand, unappropriated.

(Signed,)

J. D. WHITMAN,
R. R. HARBOUR.

Your Committee is informed that the National Grange has appropriated \$3,000 to the State Grange of Iowa, in view of what it is doing for the relief of the destitute. This money is in the treasury of the State Grange, to be used for whatever purpose the organization may direct, as other funds.

The Grange Committee on Tuesday received telegrams from the destitute district calling for coal and meat, indicating that the stocks on hand at the local relief agencies had been exhausted.

General Baker informs your Committee that he can make no estimate of the real value of the supplies forwarded by him, as the contributions of clothing, provisions, etc., etc., were shipped as received.

Free transportation having been, in a large measure stopped, the relief agencies find themselves embarrassed in their efforts to supply the pressing needs of the people. Of contributions already made, there appears to be no surplus on hand, and the sole dependence for the future, until such time as the people can produce something from their lands, is placed upon a continuance of the contributions.

All of which is respectfully submitted.

GEO. D. PERKINS, *Chairman.*

Dated February 18, 1874.

The President submitted the following communications from the Secretary of State :

OFFICE OF SECRETARY OF STATE, }
DES MOINES, IOWA, February 17, 1874. }

TO HON. JOSEPH DYSART, *President of Senate:*

SIR:—I have the pleasure of informing the honorable Senate that I did, at the proper time, comply with the requirements of joint resolutions numbered respectively eleven and twenty-four, passed by the Fourteenth General Assembly of the State of Iowa, by causing said resolutions to be published, as required by the constitution of this State, in

one newspaper in each of the congressional districts, for three months prior to the general election in 1873.

JOSIAH T. YOUNG.
Secretary of State.

Also the following :

HON. JOSEPH DYSART, *President of Senate:*

DEAR SIR:—In response to a concurrent resolution of the Fifteenth General Assembly, I have corresponded with the Superintendent of the Iowa Hospital for the Insane, at Mt. Pleasant, Iowa, and have received and herewith present to the Senate, reports from the Superintendent and Steward of said hospital.

I am sir, very truly, yours,

JOSIAH T. YOUNG,
Secretary of State.

Also the following :

TO HON. JOSEPH DYSART, *President of Senate:*

Sir:—In response to the provisions of a concurrent resolution of this General Assembly, I have corresponded with the Secretaries of the States of Illinois, Wisconsin and Minnesota, and from them have procured printed copies of laws, bills pending, &c., pertaining to railroad legislation and other matters in which the west is interested, and have handed the same to the Chairman of the Committee on Railroads of the Senate from time to time as received by me, and I now present herewith copies of bills pending on railroad and other legislation as this day received by me from the Secretary of State of Wisconsin.

All of which is respectfully submitted.

JOSIAH T. YOUNG,
Secretary of State.

The communications from the Superintendent and Steward of the Iowa Hospital for the Insane at Mt. Pleasant, were read and placed on file.

REPORTS OF COMMITTEES.

Senator Wonn, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Engrossed Bills respectfully report that they have compared S. F. No. 35, A bill for an act to amend section 303 of chapter 2, title 4 of the Code, and find the same correctly engrossed.

H. A. WONN, *Chairman.*

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred

S. F. No. 16, 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 be amended by striking out in section 1, in second line, the word "seven," and inserting the word "eight," and so amended that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Schools to whom was referred S. F. No. 83, A bill for an act to legalize the acts of the independent school district of Keota, Keokuk 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 referred to the Judiciary Committee.

The bill was so referred.

Also the following:

MR. PRESIDENT—Your Committee on Schools, to whom was referred S. F. No. 110, A bill for an act to establish a State Educational Board of Examiners, and define their duties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. B. KEPHART, *Chairman.*

Ordered passed on file.

Senator Boomer, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT:—Your Committee on the Suppression of Intemperance, to whom was referred S. F. No. 121, A bill for an act to prohibit the encouragement of minors to remain in certain buildings, beg leave to report that they have had the same under consideration, and have adopted a substitute for section 2, and have instructed me to report the same back to the Senate with the recommendation that it do pass as amended.

A. BOOMER, *Chairman.*

Ordered passed on file.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT:—The Committee on Ways and Means, to whom was referred a resolution instructing such committee to inquire into the propriety of raising money on bonds for relief of sufferers in cases of emergency, 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 have authorized a sub-committee to draft a bill for that purpose.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 7, A bill for an act to amend section 814 of the Code, beg leave to report that they have had the same under consider-

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

Ordered 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 to amend section 814 of the Code, beg leave to report that they have had the same under consideration, and on account of the same proposition being provided for in S. F. No. 40, have instructed me to report the same back to the Senate with the recommendation that it be postponed indefinitely.

Ordered 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 814 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 77, A bill for an act to repeal sections 914 and 915 of the Code, and to enact in lieu thereof, and to amend section 3793 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 69, A bill for an act providing for the collection and payment of State revenues, beg leave to report 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 thus amended that it do pass:

In section 2, second line, strike out "1875" and insert "1874."

Add "Section 7. That all laws inconsistent with this act are hereby repealed."

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred H. F. No. 81, A bill for an act to amend sections 289 and 290 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Senator Smith, from the Committee on Claims, submitted the following report:

MR. PRESIDENT:—Your Committee on Claims, to whom was referred H. F. No. 94, 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 recommendation that it do pass.

E. T. SMITH, *Chairman.*

Ordered passed on file.

Senator Shane, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 164, A bill for an act to amend section 4374 of the Code relating to 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.

JOHN SHANE, *Chairman.*

Ordered passed on file.

Senator Young of Cass, 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:

S. F. No. 1, An act to repeal section 1105 of the Code.

H. F. No. 179, An act to empower cities and towns to make contracts with railroad and bridge companies, for the use of wagon bridges across rivers.

LAFE YOUNG, *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 bill and resolution, in which the concurrence of the Senate is asked:

H. F. No. 205, A bill for an act to provide for printing and distributing the Road Laws.

Also the following:

Concurrent resolution requesting the Secretary of State to furnish reports and documents for the use of courts of Des Moines county, Iowa.

BENJ. VAN STEINBURG,
First Assistant Clerk.

On motion of Senator Fairall, H. F. No. 164, which was reported from the Judiciary Committee, with recommendation that it do pass, was taken up and considered.

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 Cooley, Crary, Fairall, Fitch, Gault, Howland, Kephart, Kinne, Maxwell, McCormack, McIntyre, Merrell of Clinton, Merrill of

Wapello, Murphy, Newton, Pease, Rumble, Russell, Shane, Smith, Stone, Taylor, Thornburg, Willett, Williams, Wonn, Wood, and Young of Mahaska—28.

The nays were—

Senators Bailey, Bemis, Boomer, Chambers, Conaway, Converse, Dague, Dashiell, Jessup, Larrabee, Lovell, McCoid, Miles, Miller, Mitchell, Perkins, Selby, West, and Young of Cass—19.

Absent or not voting—

Senators Campbell, Rothert, and Stuart—3.

So the bill passed and the title was agreed to.

Senator Shane moved to reconsider the vote by which the bill passed.

Senator Fairall moved to lay the motion to reconsider on the table.

On this question the yeas and nays were demanded, and the yeas were—

Senators Cooley, Crary, Fairall, Gault, Howland, Kiune, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Murphy, Newton, Rumble, Russell, Shane, Stone, Taylor, Willett, Wonn, Wood, and Young of Mahaska—21.

The nays were—

Senators Bailey, Bemis, Boomer, Chambers, Conaway, Converse, Dague, Dashiell, Fitch, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, Miles, Miller, Mitchell, Pease, Perkins, Selby, Thornburg, West, Williams, and Young of Cass—25.

Absent or not voting—

Senators Campbell, Rothert, Smith, and Stuart—4.

So the motion to lay on the table did not prevail.

Senator McCoid moved to postpone action for ten days on the motion to reconsider.

The motion did not prevail.

On motion of Senator Jessup the special order for this hour (10:30 A. M.) it being S. F. No. 29, A bill for an act to amend section 2092 of the Code, was postponed until Wednesday next.

On motion of Senator Jessup, the second special order for this hour, being S. F. No. 102, A bill for an act to amend section 1555 of the Code of Iowa, was postponed until Thursday next at 10 A. M.

The question recurred on the motion to reconsider the vote by which H. F. No. 164 was passed.

Senator Converse, in addressing the Senate, alluded to the proceedings of the Judiciary Committee.

Senator Fairall raised the point of order that it was unparliamentary to allude to the action of the Committee on Judiciary.

The President decided the point of order well taken.

Senator Dague moved the previous question, which was seconded by the Senate and the main question ordered.

The question being on the motion to reconsider the vote by which the bill was passed, the yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Boomer, Chambers, Conaway, Converse, Dague, Dashiell, Gault, Jessup, Kephart, Larrabee, Maxwell, McCoid, Miles, Miller, Pease, Perkins, Selby, Smith, West, Wood, and Young of Cass—23.

The nays were—

Senators Cooley, Crary, Fairall, Fitch, Howland, Kinne, Lovell, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Mitchell, Murphy, Newton, Rumpel, Russell, Shane, Stone, Taylor, Thornburg, Willett, Williams, Wonn, and Young of Mahaska—24.

Absent or not voting—

Senators Campbell, Rotherb, and Stuart—3.

So the motion to reconsider did not prevail.

Senator Larrabee moved to amend by striking out the title of the bill and inserting the following: "A bill for an act to allow criminals additional facilities to escape from justice."

The President decided the amendment out of order, not being germane to the subject.

The title was then agreed to.

RESOLUTION.

By leave, Senator Perkins offered the following resolution:

Resolved, That when the Senate adjourn it adjourn to 2½ P. M., for the purpose of considering the special order, Senate File No. 123, only.

The Senate refused to adopt the resolution.

On motion of Senator Converse, the special order, S. F. No. 123, A bill for an act to provide for a loan to relieve the destitute in certain counties of Northwestern Iowa, and for securing and collecting the same, was taken up and considered by sections.

Senator Cooley move to amend section one as follows: In third line strike out "105" and insert "50;" in fifth line strike out "8" and insert "4;" in sixth line strike out "18" and insert "9;" in seventh line strike out "24" and insert "12;" in tenth line strike out "30" and insert "15."

Pending the consideration of which amendment, Senator Gault moved to postpone the hour of adjournment until 12:30.

The motion prevailed.

On motion of Senator Perkins, the further consideration of the bill and amendment was postponed until 9:30 A. M. to-morrow.

At 12:30 the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 20, 1874. }

Senate met at 9 A. M., and was called to order by the President.

Prayer by the Rev. Stayt.

Pending the reading of the journal, Senator Shane moved that the further reading be dispensed with.

The motion prevailed.

PETITIONS.

Senator Young of Cass, presented two petitions from citizens of Cass county, asking the repeal of the herd law.

Referred to Committee on Agriculture.

Senator Crary presented a petition from citizens of Iowa in relation to the rights of riparian owners on the Mississippi and Missouri Rivers.

Referred to Committee on Judiciary.

Senator Fitch presented petition from citizens of Ida county, asking that the Code of 1873 be so amended as to permit counties of a less population than 7,000 to fund their indebtedness.

Referred to Committee on Ways and Means.

MESSAGES 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. 77, A bill for an act reducing the compensation of the judges of the supreme court.

H. F. No. 209, A bill for an act to compel railway companies to keep their passenger station houses open from sunset to sunrise, and to furnish the same with lights and fire sufficient for the comfort and convenience of passengers.

JAMES M. WEART, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Young of Cass: S. F. No. 157, A bill for an act to abate suits for damages for trespass prior to December 15, 1873.

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

By Senator Cooley: S. F. No. 158, A bill for an act to repeal a part of section 1784, Code of 1873.

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

By Senator Converse: S. F. No. 159, A bill for an act to amend chapter 24, of title 25, of the Code, by limiting defendants to one change of venue.

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

By Senator Pease: S. F. No. 160, A bill for an act to amend section 1487, of title 11, chapter 3, of the Code of 1873.

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

By Senator Pease: S. F. No. 161, A bill for an act to repeal sections 1461 and 1462, of the Code of 1873.

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

By Senator Pease: S. F. No. 162, A bill for an act to amend section 4254 of the Code of 1873.

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

By Senator Shane: S. F. No. 163, A bill for an act to enable counties to furnish justices of the peace with "Wood's Hand Book for

Justices, Constables, and Coroners," for the use of their respective offices.

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

By Senator Larrabee: S. F. No. 164, A bill for an act to amend section 487 of the Code.

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

By Senator Larrabee: S. F. 165, A bill for an act to amend section 1001 of the Code.

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

By Senator Larrabee: S. F. No. 166, A bill for an act to amend section 525 of the Code.

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

By Senator Cooley: Joint resolution proposing an amendment to the state constitution prohibiting the appropriation of public moneys for the support of sectarian schools.

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

By leave, Senator Cooley, from the Committee on Agricultural College and Farm reported back S. F. No. 87, A bill for an act to pay the board of trustees of the Iowa State Agricultural College and Farm, with the recommendation that it be amended by adding thereto a publication section, and that thus amended it do pass.

On motion of Senator Cooley, the bill and report were taken up and considered.

The amendment reported by the committee was 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 Bailey, Bemis, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rumble, Selby, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—40.

The nays were—

Senators Shane, and Smith—2.

Absent or not voting—

Senators Boomer, Campbell, Chambers, Merrell of Clinton, Rothert, Russell, Stone, and Stuart—8.

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

REPORTS OF COMMITTEES.

Senator Shane, 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 to amend section 2026 of the Code, beg leave to report that they have had the same under consid-

eration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following :

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 133, beg leave to report 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.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 105, A bill for an act to amend chapter 3, of title 15, of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

Ordered 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 legalize the official acts of H. S. Winslow, a notary public in and for Jasper 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.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 52, A bill for an act to punish carelessness in the use of steam boilers, beg leave to report 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.

Also, the following :

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 30, A bill for an act to provide State institutions, justices of the peace, and township clerks with copies of the Code; and H. F. No. 37, A bill for an act to amend sections 8 and 9 of the Appendix to the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the accompanying substitute, and that such substitute do pass.

Ordered passed on file.

Also the following :

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 92, A bill for an act relating to paying of jurors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 96, A bill for an act to amend section 4427 of Code of

1873, 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.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 124, A bill for an act to amend section 3173, chapter 2, title 19, of the Code of 1873, in relation to appeals from the Circuit Court, 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.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 65, A bill for an act to amend section No. 165 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 127, A bill for an act to amend chapter 2, title 23 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 117, A bill for an act to amend section 2093, title 14, chapter 3 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 130, A bill for an act to legalize the sub-districting of the district township of Massena, Cass 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 amended by striking out all after the word "districts," in the 16th line, first page, to the word "therefore," in third line of second page, inclusive; so amended, that it do pass.

JOHN SHANE, *Chairman.*

Ordered passed on file.

Senator Jessup, 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. 156, A bill for an act to amend section 1864 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same

back to the Senate with the recommendation that it be indefinitely postponed.

E. JESSUP, *Chairman.*

Ordered passed on file.

On motion of Senator Fairall, the special order for this hour (9:30, A. M.,) it being S. F. No. 123, A bill for an act to provide for a loan to relieve the destitute in certain counties in northwestern Iowa, and for securing and collecting the same, was taken up and considered.

Senator Cooley withdrew his amendments offered yesterday to section 1.

Senator Cooley moved to strike out all of the bill after the enacting clause.

Senator Larrabee offered the following resolution:

Resolved, That the bill be re-committed to the Special Committee with instructions to report a bill with the following provisions, viz: Appropriating _____ dollars to be donated to the sufferers in the grasshopper sections, to be distributed by a board of commissioners appointed by the Governor and approved by the Senate.

Pending the consideration of the resolution, Senator Perkins presented a communication from General N. B. Baker, which was read by the Secretary, for information.

Senator Young of Mahaska, moved to amend the resolution by inserting after the word "Committee" the words "in conjunction with the Committee on Ways and Means."

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

REPORT OF COMMITTEE.

Senator Shane, 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 to amend section 4380, chapter 24, title 25, of the Code, limiting defendants to one change of venue, 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, and when so adopted that the bill do pass.

JOHN SHANE, *Chairman.*

On motion of Senator Fairall, the bill and report was taken up and considered.

Senator McCoid moved that the bill be recommitted to the Committee on Judiciary, with instructions to report a bill restoring the law as it stood in the Code of 1873.

Pending which, 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. 164, A bill for an act to repeal section 4374, of chapter 24, title 25, of the Code of 1873, and to provide a substitute therefor.

JAMES M. WEART, *Chief Clerk.*

REPORT OF COMMITTEE.

Senator Young of Cass, from the Committee on Enrolled Bills, submitted the following report;

MR. PRESIDENT:—Your Committee on Enrolled Bills, respectfully report that they have examined H. F. No. 164, An act to repeal section 4374 of the Code, relating to change of venue, and find the same correctly enrolled.

LAFE YOUNG, *Chairman.*

The consideration of S. F. No. 59 was resumed, pending which, on motion of Senator Merrell of Clinton, the hour of adjournment was postponed 15 minutes.

Pending the further consideration of the bill on motion of Senator Larrabee the hour of adjournment was postponed until 12:25.

Senator Larrabee moved to postpone the further consideration of the bill until Monday next at 10 A. M.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Bailey, Bemis, Conaway, Dague, Dashiell, Fitch, Howland, Jessup, Kephart, Larrabee, Maxwell, McCoid, Miles, Miller, Mitchell, Pease, Selby, West, Williams, Wood and Young of Cass—21.

The nays were—

Senators Converse, Cooley, Crary, Fairall, Gault, Kinne, Lovell, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Murphy, Newton, Perkins, Rumpel, Russell, Shane, Smith, Stone, Taylor, Thornburg, Willett, Wonn, and Young of Mahaska—24.

Absent or not voting—

Senators Boomer, Campbell, Chambers, Rothert, and Stuart—5.
So the motion to postpone did not prevail.

REPORT OF COMMITTEE.

Senator Young of Cass, 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 :

H. F. No. 164, An act to repeal section 4374, of chapter 24, title 25, of the Code of 1873, and to provide a substitute therefor.

LAFE YOUNG, *Chairman.*

At 12:24 P. M., on motion of Senator Larrabee, the Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, February 21, 1874. }

Senate met at 9 o'clock A. M., and was called to order by the President.

Prayer by the Rev. Mr. Walters.

On motion of Senator Fairall, the reading of the journal of yesterday 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 without amendment:

S. F. No. 74, A bill for an act relinquishing an escheat, and for the relief of William F. Dawson.

I am further directed to inform you that the House has ordered printed the report of the joint committee to visit the Agricultural College and Farm.

JAMES M. WEART, *Chief Clerk.*

REPORT OF COMMITTEE.

Senator Young of Cass, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined H. F. No. 24, An act to legalize the ordinances of the town of Sidney, Fremont county, Iowa; H. F. No. 111, An act to legalize the incorporation of the town of Grand Junction, Iowa, and to legalize the acts of the council of said town; substitute for H. F. No. 14, An act to legalize the acts of Geo. W. Howe, a notary public of Washington county; H. F. No. 47, An act to legalize the acts of the independent school district of Strawberry Hill, in the county of Jones, and find the same correctly enrolled.

LAFE YOUNG, *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 bill, in which the concurrence of the Senate is asked:

Substitute for H. F. No. 90, A bill for an act to amend section 4064 of the Code.

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. 111, A bill for an act to legalize the incorporation of the town of Grand Junction, and to legalize the ordinances of said town.

H. F. No. 24, A bill for an act to legalize the ordinances of the town of Sidney, Fremont Co. Iowa.

H. F. No. 47, A bill for an act to legalize the acts of the independent school district of Strawberry Hill, in the county of Jones.

H. F. No. 14, A bill for an act to legalize the acts of George W. Howe, Notary Public.

JAMES M. WEART, *Chief Clerk.*

By leave, Senator Perkins, from the special joint committee on Destitution in Northwestern Iowa, introduced S. F. No. 167, A bill for an act making an appropriation for the relief of the destitute of Northwestern Iowa.

Read first and second time.

On motion of Senator Fairall, the bill was considered by sections.

Senator Fairall moved to fill the blank in the first section with fifty thousand dollars.

Senator Larrabee moved to fill the blank with \$30,000.

The question being on the motion to fill the blank with \$50,000, the yeas and nays were demanded, and

The yeas were—

Senators Bailey, Boomer, Conaway, Converse, Cooley, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Lovell, Maxwell, McIntyre, Mitchell, Newton, Pease, Perkins, Rumble, Russell, Shane, Stone, Taylor, Thornburg, Willett, Williams, and Wood—27.

The nays were—

Senators Bemis, Crary, Dague, Dashiell, Kinne, Larrabee, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Smith, West, Wonn, Young of Cass and Young of Mahaska—17.

Absent or not voting—

Senators Campbell, Chambers, Murphy, Rothert, Selby, and Stuart—6.

So the blank was filled with \$50,000.

Senator Bailey moved to strike out "five," in section 7, and insert "four."

The amendment did not prevail.

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 Bailey, Bemis, Boomer, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Newton, Pease, Perkins, Rumble, Russell, Shane, Smith, Stone, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—43.

The nays were—None.

Absent or not voting—

Senators Campbell, Chambers, McCormack, Murphy, Rothert, Selby, and Stuart—7.

So the bill passed and the title was agreed to.

Senator Smith, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred memorial and claim of Soule, Keitsenger & Co., for building foundry and blacksmith shop in prison yard of Penitentiary, at Fort Madison, beg leave to report that they have had the same under consideration, and have prepared the accompanying bill providing for payment of same, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. T. SMITH, *Chairman.*

Ordered passed on file.

Senator Gault, from the Joint Committee appointed to visit the Iowa Hospitals for the Insane, submitted a report, which was laid on the table and ordered printed.

INTRODUCTION OF BILLS.

By Senator Larrabee: S. F. No. 168, A bill for an act making an appropriation for the Iowa Hospital for the Insane, at Independence.

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

By Senator Rumble: S. F. No. 169, A bill for an act to repeal chapter 135 of the acts of the Twelfth General Assembly in relation to the appointment of a commissioner to adjust certain land claims with the United States Government.

Read first and second time, and referred to Committee on Public Lands.

By Senator Kephart: S. F. No. 170, A bill for an act to establish and maintain industrial expositions in public schools of the State.

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

By Senator Dague: S. F. No. 171, A bill for an act to amend section 250 of the Code of 1873.

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

PETITIONS AND MEMORIALS.

Senator Smith presented a petition from citizens of Taylor county asking the repeal of the herd law.

Referred to Committee on Agriculture.

Senator McCoid presented a memorial from Emily F. Ives, asking for the creation of the office of State Entomologist.

Referred to Committee on Agriculture.

Senator McCoid presented a memorial from John S. Ragsdale and others in relation to certain taxes.

Referred to Committee on Railroads.

Senator Young of Cass rose to a question of privilege, and explained his position as a member of the Committee on Enrolled Bills.

Senator Fairall moved to take up and consider S. F. No. 159, A bill for an act to amend chapter 24 of title 25 of the Code, by limiting defendants to one change of venue.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Cooley, Crary, Fairall, Fitch, Howland, Kinne, Larrabee, Lovell, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Rumble, Russell, Shane, Stone, Taylor, Willett, Williams, Wonn, and Young of Mahaska—21.

The nays were—

Senators Bailey, Bemis, Boomer, Conaway, Dague, Dashiell, Gault, Jessup, Kephart, Maxwell, McCoid, Miles, Miller, Newton, Pease, Smith, Thornburg, West, Wood, and Young of Cass—20.

Absent or not voting—

Senators Campbell, Chambers, Converse, Mitchell, Murphy, Perkins, Rothert, Selby, and Stuart—9.

So the motion not having received two-thirds vote, did not prevail.

Senator Young of Mahaska moved to take up and consider S. F. No. 35, A bill for an act to amend section 303, of chapter 2, title 4, of the Code.

The motion prevailed.

On account of errors in engrossment, the bill was referred back to the Committee on Engrossed Bills.

On motion of Senator Cooley, H. F. No. 94, A bill for an act to provide for paying the claim of D. E. Lyon for foreclosure of a certain school fund mortgage in behalf of the State, with report of committee recommending its passage, was taken up and considered.

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

On the question, "Shall the bill pass?"

The yeas were—

Senators Bemis, Boomer, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, McCoid, McIntyre, Merrell of Clinton, Miles, Miller, Mitchell, Newton, Pease, Perkins, Rumble, Smith, Stone, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—36.

The nays were—

Senators Maxwell, McCormack, Shane, and Taylor—4.

Absent or not voting—

Senators Bailey, Campbell, Chambers, Merrill of Wapello, Murphy, Rothert, Russell, Selby, Stuart, and Young of Mahaska—10.

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

REPORTS OF COMMITTEES.

Senator Young of Cass, 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:

H. F. No. 24, An act to legalize the ordinances of the town of Sidney, Fremont county, Iowa.

H. F. No. 111, An act to legalize the incorporation of the town of Grand Junction.

Substitute for H. F. No. 14, An act to legalize the acts of Geo. W. Howe, notary public, of Washington county.

H. F. No. 47, An act to legalize the acts of the independent school district of Strawberry Hill in the county of Jones.

LAFE YOUNG, *Chairman.*

Senator Howland, from the Committee on County and Township Organization, submitted the following report:

MR. PRESIDENT:—Your Committee on County and Township Organization, to whom was referred S. F. No. 151, A bill for an act to change the scale of highway plat-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 do not pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on County and Township Organization, to whom was referred S. F. No. 95, A bill for an act providing for the greater efficiency in making surveys by county surveyors in all counties in which the population exceeds in number fifteen thousand, beg leave 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.

E. A. HOWLAND, *Chairman.*

Ordered passed on file.

HOUSE MESSAGES.

Substitute for H. F. No. 90, A bill for an act to amend section 4064 of the Code, was taken up.

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

H. F. No. 102, A bill for an act to amend chapter 6, title 11 of the Code, was taken up.

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

H. F. No. 77, A bill for an act to reduce the compensation of the judges of the supreme court, was taken up.

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

H. F. No. 209, A bill for an act to compel railway companies to keep

their passenger station-houses open from sunset to sunrise, and to furnish the same with lights and fire sufficient for the comfort and convenience of the passengers, was taken up.

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

H. F. No. 205, A bill for an act to provide for printing and distributing the road laws, was taken up.

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

The House concurrent resolution in relation to loss of reports and documents by the burning of the court-house in Des Moines county, was taken up and concurred in.

BILLS ON SECOND READING.

S. F. No. 159, A bill for an act to amend chapter 24, of title 25, of the Code, by limiting defendants to one change of venue, with the report of committee recommending the adoption of a substitute, was taken up and considered.

The question was on the motion of Senator McCoid to recommit with instructions to restore the law as it was in the Code of 1873.

Senators Mitchell, Russell, Murphy, Selby, and Wonn, were granted leave of absence.

Senator Fairall moved a call of the Senate, which was seconded.

The roll call found all present or excused.

The consideration of S. F. No. 159 was resumed.

Senator Shane moved to amend the motion to recommit by striking out the instructions.

On this question the yeas and nays were demanded and the yeas were—

Senators Converse, Cooley, Crary, Fairall, Howland, Kinne, Larrabee, Lovell, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Newton, Pease, Perkins, Rumple, Shane, Smith, Stone, Taylor, Thornburg, Willett, Williams, Wonn, and Young of Mahaska—25.

The nays were—

Senators Bailey, Bemis, Boomer, Conaway, Dague, Dashiell, Gault, Jessup, Kephart, Maxwell, McCoid, Miles, Miller, West, Wood, and Young of Cass—16.

Absent or not voting—

Senators Campbell, Chambers, Fitch, Mitchell, Murphy, Rothert, Russell, Selby, and Stuart—9.

So the motion to strike out the instructions prevailed.

The motion to re-commit was disagreed to by the Senate.

Senator McIntyre moved that the Senate adjourn.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Dague, Howland, McCoid, McIntyre, Miller, and Williams—6.

The nays were—

Senators Bailey, Bemis, Boomer, Conaway, Converse, Cooley, Crary, Dashiell, Fairall, Fitch, Gault, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Newton, Pease, Perkins, Rumple, Shane, Smith, Stone, Taylor, Thornburg, West, Willett, Wonn, Wood, and Young of Cass—35.

Absent or not voting—

Senators Campbell, Chambers, Mitchell, Murphy, Rothert, Russell, Selby, Stuart, and Young of Mahaska—9.

So the motion to adjourn did not prevail.

Senator McCoid offered a substitute for the substitute of the committee.

Senator Fairall raised the point of order that the substitute was the statute as it now stands in the Code.

The chair decided the point of order well taken.

Senator McCoid again offered a substitute for the substitute.

Senator Fairall raised the point of order that there was no such act of the Fifteenth General Assembly as contemplated in the substitute.

The chair decided the point of order not well taken.

MESSAGE FROM THE GOVERNOR.

Pending the discussion of the substitute, the President presented the following message from the Governor:

Gentlemen of the Senate and House of Representatives:

I herewith transmit to you the report of the Board of Immigration. This report has been furnished me by the Secretary of the Board, notwithstanding his duties as an officer had ceased last September, with the expiration of the law creating the Board. Having given an outline of the proceedings of this Board in my Biennial Message, I will not retrace what has already been said.

I call attention to the suggestions of the Secretary in regard to giving authority and affording the means for the distribution of those documents which remained on hand when the Board ceased to exist. The Secretary computes these documents at 4,000 copies in the German, and 8,000 in the English language. Judge Fulton also states that \$85 is due L. W. Hasselman, a citizen of the Netherlands, for postage and expenses in the distribution of our documents in that country. There would seem to me to be a point of honor, as well as a principle of economy, involved in providing for these matters.

Since the Secretary's report was prepared, a bill has been presented to him, on behalf of Mr. Carl Jaacks, of Hamburg, Germany, for services and expenses in distributing documents and otherwise disseminating information concerning Iowa throughout that Empire. The bill is herewith submitted.

The report, owing to its length, has not been re-copied, but goes herewith to the Senate.

C. C. CARPENTER.

February 21, 1874.

On motion of Senator Fairall, the time of adjournment was extended until 12:15 P. M.

The consideration of Senator McCoid's substitute for the substitute was resumed.

Senator Shane raised the point of order that the substitute offered by Senator McCoid for the substitute reported by the committee, was not germane to the subject.

The President decided the point of order not well taken.
At 12:15 the Senate adjourned until 9 A. M. Monday next.

SENATE CHAMBER,
DES MOINES, IOWA, February 23, 1874. }

Senate met at 9 A. M., and was called to order by the President.

Prayer by the Rev. Mr. Murphy.

Pending the reading of the journal, Senator Taylor moved that the further reading be dispensed with.

The motion prevailed.

Senator Maxwell rose to a question of privilege, and characterized a certain letter in the *Ames Intelligencer* as false, so far as it related to him.

Senators Kinne, Murphy, and Russell were granted leave of absence.

Senator Young of Mahaska, moved that S. F. No. 35, A bill for an act to amend section 303 of chapter 2, title 4 of the Code, be taken up. The motion prevailed, and the bill was taken up and read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Newton, Pease, Perkins, Rumble, Shane, Smith, Stone, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—38.

The nays were—

Senator Taylor—1.

Absent or not voting—

Senators Campbell, Chambers, Dashiell, Kinne, Miles, Mitchell, Murphy, Rothert, Russell, Selby and Stuart—11.

So the bill passed and the title was agreed to.

By leave, Senator Dague introduced joint resolution providing for the appointment of five centennial commissioners.

Read first and second time.

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

On the question "Shall the joint resolution pass?"

The yeas were—

Senators Bailey, Boomer, Conaway, Converse, Cooley, Dague, Fairall, Fitch, Gault, Jessup, Kephart, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrill of Wapello, Miles, Miller, Newton, Pease, Perkins, Rumble, Shane, Smith, Stone, Thornburg, West, Willett, Williams, Wood, Young of Cass, and Young of Mahaska—33.

The nays were—

Senators Bemis, Crary, Howland, Merrell of Clinton, Taylor, and Wonn—6.

Absent or not voting—

Senators Campbell, Chambers, Dashiell, Kinne, Larrabee, Mitchell, Murphy, Rothert, Russell, Selby, and Stuart—11.

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

Senator McIntyre presented a petition from citizens of Hamburg, Iowa, asking for the repeal of the present prohibitory liquor law, and the enactment of a judicious license law.

Referred to Committee on Suppression of Intemperance.

Senator Stone presented a petition from citizens of Pottawattamie county, asking the repeal of the herd law.

Referred to Committee on Agriculture.

Senator Bailey presented a petition from citizens of Howard county, asking for the establishment of free home markets in each county in the State.

Referred to Committee on Judiciary.

Senator Perkins presented a petition from citizens of Northwestern Iowa, asking the legalization of certain bonds.

Referred to Committee on Ways and Means.

Senator Merrell of Clinton, presented remonstrances from citizens of Crawford and Carroll counties, against the passage of any bill removing any restrictions existing in the Code of 1873, limiting the powers of counties to issue bonds or levy taxes to pay old debts.

Referred to Committee on Ways and Means.

Senator Bailey presented a petition from citizens of Iowa in relation to stay of executions.

Referred to Committee on Judiciary.

Senator Pease presented a petition from citizens of Van Buren county in relation to certain railroad taxes.

Referred to Committee on Railroads.

Senator Young of Cass, presented a petition from citizens of Cass county, asking the repeal of the herd law.

Referred to Committee on Agriculture.

Senator McCormack presented a petition from citizens of Iowa, asking for the repeal of the present prohibitory liquor law, and the enactment of a judicious license law.

Referred to Committee on Suppression of Intemperance.

Senator McCormack presented a petition of Jacob Reichard, in relation to the erection of the buildings at the Agricultural College and Farm.

Referred to Committee on Judiciary.

REPORTS OF COMMITTEES.

Senator Fitch, from the Committee on Agriculture, submitted the following report :

MR. PRESIDENT :—Your Committee on Agriculture, to whom was referred S. F. No. 160, A bill for an act to amend section of the Code in relation to bounty on the scalps of wild 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 do not pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Agriculture, to whom was referred S. F. No. 143, A bill for an act to protect Agricultural fairs beg leave to report 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 :

Insert after the word "exhibition," in the tenth (10) line, section 1, the words, "with intent to avoid the payment of admission fee."

Strike out the word "five," in the third line of section 2, and insert "one." Strike out the words "twenty-five," in same section, and insert "fifteen," and when so amended it do pass.

W. H. FITCH, *Chairman.*

On motion of Senator Fitch, the report of the committee and the bill was taken up and considered.

The amendments reported by the committee were adopted.

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 Bailey, Bemis, Boomer, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Newton, Pease, Perkins, Rumble, Smith, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—37.

The nays were—

Senator Shane—1.

Absent or not voting—

Senators Campbell, Chambers, Dashiell, Kinne, Larrabee, Mitchell, Murphy, Rotherth, Russell, Selby, Stone, and Stuart—12.

So the bill passed and the title was agreed to.

Senator Fitch, from Committee on Agriculture, submitted the following report:

MR. PRESIDENT:—Your Committee on Agriculture, to whom was referred S. F. No. 161, A bill for an act to repeal sections 1461 and 1462 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Judiciary Committee, and in view of the fact of the difference of opinion in relation to the law restraining stock, &c., that they be requested to report to the Senate the statutes of said law or laws at the present time.

WM. H. FITCH, *Chairman.*

Bill so referred.

Senator Shane, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 145, A bill for an act declaring that it shall be deemed a criminal offense for any person to ask to be called upon a jury, 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.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 142, A bill for an act to repeal section 3818, of chapter 3, title 23 of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 144, A bill for an act in relation to riparian owners on the Mississippi and Missouri Rivers, beg leave to report 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 all after the word “adjunct,” in the ninth line, down to and including the word “and,” in the fourteenth line. Also, strike out the words “main channel of the,” in the twentieth line. So amended a majority recommend that the same do pass.

Ordered passed on file.

Also the following :

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 7, A bill for an act to legalize the levy of certain taxes in the county of Hamilton, 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.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 129, A bill for an act legalizing the acts of Lars Henryson, an acting justice of the peace of Scott township, Hamilton 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.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 2, A bill for an act to amend section 3793, of the Revision of 1873, in relation to compensation of county treasurers, 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 accompanying substitute, with the recommendation that the substitute be adopted, and that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 72, A bill for an act to prevent the destruction of baggage, beg leave to report 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 "causelessly," in the fifth line of section 1, and insert "carelessly" in lieu thereof. Also, striking out the word "fifty," in the 8th line, and insert the word "ten" in lieu thereof; also, strike out the word "and," in the 7th line, and insert "or" in lieu thereof; so amended that it do pass.

Ordered passed on file.

Also, the following :

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 83, A bill for an act to legalize the acts of the independent school district of Keota, Lafayette township, Keokuk 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.

Ordered passed on file.

Also the following :

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 125, A bill for an act to amend section 509 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN SHANE, *Chairman.*

Ordered passed on file.

Senator Merrell of Clinton, from the Special Committee on S. F. No. 70, submitted the following report :

MR. PRESIDENT:—Your Special Committee, to whom was referred S. F. No. 70, A bill for an act to amend section 1260, chapter 4, title 10, of the Code of Iowa, 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 do pass.

N. A. MERRELL, *Chairman.*

Ordered passed on file.

Senator Maxwell, from the Committee on Highways, submitted the following report :

MR. PRESIDENT:—Your Committee on Highways, to whom was referred H. F. No. 9, a bill for an act to amend chapter No. 7, of title 24, of the Code, 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.*

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 resolution which is returned herewith :

Joint resolution relative to shipment of grain.

JAMES M. WEART, *Chief Clerk.*

BILLS ON SECOND READING.

S. F. No. 159, A bill for an act to amend section 4380, chapter 24, title 28 of the Code limiting defendants to one change of venue, was taken up and considered.

The question being on the adoption of the substitute offered by Senator McCoid.

The yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Boomer, Conaway, Dague, Gault, Jessup, Kephart, Larrabee, Maxwell, McCoid, Miles, Miller, Newton, Pease, Thornburg, West, Williams, Wood, and Young of Cass—20.

The nays were—

Senators Converse, Cooley, Crary, Fairall, Fitch, Howland, Lovell, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Perkins, Rumple, Shane, Smith, Stone, Taylor, Willett, Wonn, and Young of Mahaska—20.

Absent or not voting—

Senators Campbell, Chambers, Dashiell, Kinne, Mitchell, Murphy, Rothert, Russell, Selby, and Stuart—10.

The vote being a tie, the President voted yea, and the substitute was adopted.

Senator McCoid moved that the further consideration of the bill be postponed until Wednesday next at 10 o'clock A. M., and made the special order for that hour.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Bailey, Bemis, Boomer, Conaway, Converse, Cooley, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Miles, Miller, Newton, Pease, Perkins, Shane, Smith, Stone, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass and Young of Mahaska—36.

The nays were—

Senators Crary, Merrill of Wapello, Rumple, and Taylor—4.

Absent or not voting—

Senators Campbell, Chambers, Dashiell, Kinne, Mitchell, Murphy, Rothert, Russell, Selby, and Stuart—10.

So the motion prevailed.

By leave Senator Merrill of Wapello introduced S. F. No. 172, A bill for an act to legalize the acts of H. P. Graves.

Read first and second time.

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

On the question "Shall the joint resolution pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Conaway, Converse, Cooley, Crary,

Dague, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Newton, Pease, Perkins, Rumble, Shane, Smith, Stone, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—40.

The yeas were—

None.

Absent or not voting—

Senators Campbell, Chambers, Dashiell, Kinne, Mitchell, Murphy, Rothert, Russell, Selby, and Stuart—10.

So the bill passed and the title was agreed to.

By leave, Senator Converse introduced S. F. No. 173, A bill for an act to amend chapter 7, title 13 of the Code of 1873.

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

By leave, Senator Fairall introduced S. F. No. 174, A bill for an act providing for the payment of the claim of Carl Jaacks.

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

Senator Fairall also presented numerous documents in relation to said claims, and they were referred to Committee on Claims.

Senator Young of Cass, 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. 74, An act relinquishing an escheat, and for the relief of William T. Dawson, and find the same correctly enrolled.

LAFE YOUNG, *Chairman.*

BILLS ON SECOND READING.

S. F. No. 108, A bill for an act to repeal section 3641 of chapter 1 of title 22 of the Code, and to enact a substitute therefor, was taken up and ordered engrossed for a third reading to-morrow.

S. F. No. 101, A bill for an act to authorize municipal corporations to levy and collect a road-tax in certain cases, was taken up and passed on file.

S. F. No. 67, A bill for an act to amend sections 865 and 866 of the Code of 1873, in relation to the time taxes become delinquent, with report of committee recommending that it do not pass, was taken up and considered.

On motion of Senator Larrabee, the bill was indefinitely postponed.

On motion of Senator Merrell of Clinton, S. F. No. 70, A bill for an act to amend section 1260, chapter 4, title 10 of the Code, with the report of committee recommending the adoption of a substitute, was taken up and considered. The substitute was adopted.

On motion of Senator Merrell of Clinton, the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Newton, Rumble, Shane, Smith, Stone, Thorn-

burg, West, Willett, Williams, Wonn, Wood Young of Cass, and Young of Mahaska—36.

The nays were—None.

Absent or not voting—

Senators Campbell, Chambers, Dashiell, Kinne, McIntyre, Mitchell, Murphy, Pease, Perkins, Rothert, Russell, Selby, Stuart, and Taylor—14.

So the bill passed and the title was agreed to.

On motion of Senator Dague, S. F. No. 125, A bill for an act to amend section 509 of the Code, with report of committee recommending that it do pass, 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 Bailey, Bemis, Boomer, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Newton, Pease, Rumble, Shane, Smith, Stone, Taylor, Thornburg, West, Willett, Williams, Wood, Young of Cass, and Young of Mahaska—36.

The nays were—None.

Absent or not voting—

Senators Campbell, Chambers, Dashiell, Kinne, Larrabee, McIntyre, Mitchell, Murphy, Perkins, Rothert, Russell, Selby, Stuart, and Wonn—14.

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

On motion of Senator Rumble, S. F. No. 92, A bill for an act to prevent the destruction of baggage, with report of committee recommending amendments was taken up and considered.

The amendments reported by the committee were adopted.

Senator Rumble moved to suspend the rule and read the bill a third time now.

The motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Newton, Pease, Rumble, Shane, Smith, Stone, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—39.

The nays were—None.

Absent or not voting—

Senators Campbell, Chambers, Dashiell, Kinne, Mitchell, Murphy, Perkins, Rothert, Russell, Selby, and Stuart—11.

So the bill passed and the title was agreed to.

S. F. No. 63, A bill for an act to amend section 3818 of chapter 3, title 23 of the Code, with report of committee recommending that it do pass, was taken up and considered.

Senator Smith moved that the rules be suspended and the bill read a third time.

The motion prevailed.

Senator Larrabee moved to reconsider the vote by which the rule was suspended.

The motion was agreed to, and on motion of Senator Larrabee the bill was referred to the Committee on Ways and Means.

S. F. No. 71, A bill for an act to amend chapter 2, title 4, of the Code, in relation to tax sales in counties having two county-seats, with report of committee recommending that it do not pass, was taken up and passed on file.

Joint resolution requesting the Secretary of the Interior and the Commissioner of the General Land Office to disregard any application for the certification of lands to the State, unless made by an agent duly commissioned by the Governor, together with the report of the committee recommending that it do not pass, was taken up and considered.

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 Bailey, Bemis, Boomer, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrill of Wapello, Miles, Miller, Newton, Pease, Rumble, Smith, Stone, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—36.

The nays were—None.

Absent or not voting—

Senators Campbell, Chambers, Dashiell, Kinne, Larrabee, Merrell of Clinton, Mitchell, Murphy, Perkins, Rothert, Russell, Selby, Shane, and Stuart—14.

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

S. F. No. 18, A bill for an act to legalize the election held on the second Monday of March, 1873, in Bloomfield Village school district, Davis county, Iowa, at which the electors of said school district voted to levy a tax of ten mills on the dollar, for the purpose of building a school house, together with the report of the committee recommending its indefinite postponement, was taken up and considered, and passed on file.

S. F. No. 99, A bill for an act in relation to secretary and treasurer of district townships, with report of committee recommending the adoption of a substitute; was taken up and considered.

The substitute reported by the committee was adopted.

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 Bailey, Bemis, Boomer, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Gault, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Newton, Pease, Rumble, Shane, Smith, Stone, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—39.

The nays were—None.

Absent or not voting—

Senators Campbell, Chambers, Fitch, Kinne, Mitchell, Murphy, Perkins, Rothert, Russell, Selby, and Stuart—11.

So the bill passed and the title was agreed to.

S. F. No. 47, A bill for an act to repeal sections 1457, 1458, 1459, 1460, 1461, and 1462 of chapter 2 of title 11 of the Code of Iowa, with report of committee recommending its indefinite postponement, was taken up and considered.

On motion of Senator Gault, the bill was referred to Committee on Judiciary.

S. F. No. 84, A bill for an act to amend section 3896 of the Code, in relation to driving away stock, with report of committee recommending its passage, was taken up and considered.

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

On the question, "Shall the bill pass?"

The nays were—

Senators Bailey, Bemis, Boomer, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Maxwell, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Newton, Rumble, Shane, Smith, Stone, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—36.

The nays were—

Senators Lovell, and McCoid—2.

Absent or not voting—

Senators Campbell, Chambers, Kinne, Larrabee, Mitchell, Murphy, Pease, Perkins, Rothert, Russell, Selby, and Stuart—12.

So the bill passed and the title was agreed to.

S. F. No. 54, A bill for an act to amend chapter 11, title 24, and section 4058, and 4059 of the Code of 1873, together with report of committee recommending its passage, was taken up, considered, and ordered engrossed.

H. F. No. 63, A bill for an act to amend section 4069 of the Code of 1873, with report of committee recommending its passage, was 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 Bailey, Boomer, Conaway, Converse, Cooley, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Maxwell, McCoid, McIntyre, Merrill of Wapello, Miles, Miller, Newton, Pease, Shane, Smith, Thornburg, West, Wonn, Young of Cass, and Young of Mahaska—28.

The nays were—

Senators Lovell, McCormack, Merrell of Clinton, Rumble, Stone, Taylor, Willett, and Williams—8.

Absent or not voting—

Senators Bemis, Campbell, Chambers, Crary, Kinne, Larrabee, Mitchell, Murphy, Perkins, Rothert, Russell, Selby, Stuart, and Wood—14.

So the bill passed and the title was agreed to.

S. F. No. 89, A bill for an act for appointment of Fish Commissioners and for other purposes, with the report of committee recommending amendments, was taken up and passed on file.

Senator Converse moved to reconsider the vote by which H. F. No. 63 was passed.

Senator Boomer moved to lay the motion on the table.

Senator Fairall moved to extend the hour of adjournment until 12:30 P. M.

The motion did not prevail.

Senator Stone moved a call of the Senate.

The Senate seconded the call.

Upon roll call, all Senators were found present or excused.

On motion of Senator Gault, at 11:58 A. M., the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 24, 1874. }

Senate met at 9 o'clock A. M., and was called to order by the President.

Prayer by the Rev. Mr. Murphy.

On motion of Senator Gault the reading of the journal was dispensed with.

PETITIONS.

Senator Rothert presented a petition from citizens of Iowa, asking the enactment of a judicious license law.

Referred to Committee on Suppression of Intemperance.

Senator Thornburg presented a petition from the Van Meter Literary Society asking for the enactment of a more stringent prohibitory liquor law.

Referred to Committee on Suppression of Intemperance.

Senator Miller presented a petition from citizens of Black Hawk county, asking for relief of Byron Wright.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Perkins: S. F. No. 175, A bill for an act to authorize counties to use swamp lands to aid in the erection of public buildings, etc.

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

By Senator Gault: S. F. No. 176, A bill for an act to repeal section 1300, of chapter 5, of title 10, of the Code of 1873, and enact a substitute therefor.

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

By Committee on Schools: S. F. No. 177, A bill for an act to provide for the creation of boards of directors of district townships, and to abolish sub-districts and the office of sub-director.

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

By Senator Howland: S. F. No. 178, A bill for an act to amend sections 976 and 984, of chapter 2, title 7, of the Code.

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

By Senator Boomer: S. F. No. 179, A bill for an act authorizing the sale of out-lot No. 1 in Delhi, Iowa.

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

By Senator Shane: S. F. No. 180, A bill for an act to define and regulate the jurisdiction of the courts of the State.

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

By leave, Senator Chambers presented a petition from Lawrie Tatem, in relation to the Sac and Fox Indians, located in Tama county.

Referred to special committee, of which Senator Conaway is Chairman.

RESOLUTIONS.

Senator Lovell offered the following:

Resolved, That the Committee on Incorporation, jointly with the Committee on Towns and Counties, be, and are hereby instructed to examine those sections of the Code of 1873 which define the duties of township trustees, for the purpose of ascertaining whether further legislation is necessary to make those powers and duties harmonious and definite, and to report, as soon as may be, by bill or otherwise.

The resolution was adopted.

Senator Smith offered the following:

Resolved, That the Committee on Soldiers' Orphans' Homes and Hospitals for the Insane be requested to inquire into the expediency of consolidating the soldiers' orphans' homes and using one of the buildings now used for such homes for an institution for the care and instruction of imbecile persons and idiots, and report by bill or otherwise.

The resolution was adopted.

The President presented a communication from the bar of Keokuk, in relation to one of the judges of the supreme court of Iowa.

Senator Larrabee moved to lay the communication on the table.

The motion did not prevail.

The communication was passed on file.

REPORT OF COMMITTEE.

Senator Young of Cass, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined joint resolution relative to the shipment of grain, and find the same correctly enrolled.

LAFE YOUNG, *Chairman*.

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

MR. PRESIDENT:—Your Committee on Schools to whom was referred S. F. No. 158, A bill for an act to repeal a part of section 1784, Code of 1873, in relation to the duties of county treasurers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Schools, to whom was referred S. F. No. 141, A bill for an act in relation to supplying books for the common schools 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 without recommendation.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Schools, to whom was referred S. F. No. 150, A bill for an act to amend section 1717, chapter 9, title 12 of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred S. F. No. 119, A bill for act to provide for the election of school commissioners and district superintendents, and to prescribe their duties, and to abolish the office of county superintendent, beg leave to report 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, and when so adopted that it do pass.

E. B. KEPHART, *Chairman.*

Ordered passed on file.

Senator McCoid, from the Committee on Incorporations, submitted the following report:

MR. PRESIDENT:—Your Committee on Incorporations, to whom was referred S. F. No. 134, A bill for an act to repeal section 431, chapter 10, title 4, of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Incorporations, to whom was referred S. F. No. 164, A bill for an act to amend section 487 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Incorporations, to whom

was referred S. F. No. 166, A bill for an act to amend section 525 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

M. A. McCOID, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT:—Your Committee on Railroads, to whom was referred H. F. No. 209, A bill for an act to compel railway companies to keep the passenger station houses open from sunset to sunrise, with fire and lights sufficient for the comfort and convenience of passengers, beg leave to report 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.*

Ordered passed on file.

Senator Boomer, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT:—Your Committee on the Suppression of Intemperance, to whom was referred S. F. No. 82, A bill for an act to amend chapter 6, title 11, of the Code of 1873, beg leave to report that they have had the same under consideration and have recommended the following substitute, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following :

MR. PRESIDENT:—The Committee on the Suppression of Intemperance, to whom was referred S. F. No. 147, A bill for an act to amend title 11 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

A. BOOMER, *Chairman.*

Ordered passed on file.

On motion of Senator Young of Mahaska, S. F. No. 121, A bill for an act to prohibit the encouragement of minors to remain in certain buildings, with report of committee recommending amendments, was taken up and considered.

The amendments reported by the committee were adopted.

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

On the question "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Crary, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kephart, Larrabee, Maxwell, McCoid, McIntyre, Merrill of Wapello, Miles,

Miller, Mitchell, Newton, Pease, Perkins, Rothert, Rumples, Russell, Shane, Smith, Stone, Taylor, Thornburg, West, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—40.

The nays were—

Senators Cooley, Fairall, Lovell, McCormack, Merrell of Clinton, Murphy, and Willett—7.

Absent or not voting—

Senators Kinne, Selby, and Stuart—3.

Senator Jessup moved to amend the title as follows: Strike out the title and insert, "A bill for an act regulating beer and billiard saloons, nine, and ten pin alleys, in relation to minors."

The Senate refused to adopt the amendment.

So the bill passed and the title was agreed to.

The President announced as the Special Committee, to whom was referred the memorial in relation to the Indians in Tama county: Senators Conaway, Pease, and Maxwell.

BILLS ON THIRD READING

S. F. No. 108, A bill for an act to repeal section 3641, of chapter 1, of title 22, of the Code, and to enact a substitute therefor, was read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumples, Russell, Shane, Smith, Stone, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—47.

The nays were—None.

Absent or not voting—

Senators Kinne, Selby, and Stuart—3.

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

S. F. No. 54, A bill for an act to amend chapter 11, title 24, and sections 4058 and 4059, of the Code, was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Perkins, Rothert, Rumples, Shane, Smith, Stone, Taylor, Thornburg, West, Willett, Wonn, Wood, Young of Cass, and Young of Mahaska—43.

The nays were—

Senators Mitchell, and Williams—2.

Absent or not voting—

Senators Dague, Kinne, Russell, Selby, and Stuart—5.

So the bill passed and the title was agreed to.

Senator West moved to reconsider the vote by which the bill passed. The motion 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 bills, in which the concurrence of the Senate is asked:

H. F. No. 8, A bill for an act to perfect the organization of the board of trustees of Grundy Center, Iowa, and to legalize the acts of said board.

H. F. No. 36, A bill for an act to legalize the assessment and tax sales of property in the city of Fort Madison.

H. F. No. 279, A bill for an act to repeal a part of section 2747 of Revision of 1873.

I am further directed to inform your honorable body that the House of Representatives has passed the following bill:

S. F. No. 167, A bill for an act making an appropriation for the relief of the destitute of Northwestern Iowa, with the following amendments, in which the concurrence of the Senate is asked:

1st. Section 4, line 12, strike out the word "swear," and insert the words "administer oaths to."

2d. Add to section 5, the words "*Provided*, the amount of such warrants shall not exceed the amount herein appropriated."

3d. Section 6, lines 2 and 9, strike out the word "duplicate," and insert "triplicate." And add to the section the words "and one copy with the auditor of the county in which said distribution is made."

4th. Section 7, line 3, strike out the word "five," and insert the word "three."

5th. Strike out all after the word "expended," in the 8th line of section 8.

I herewith present for your signature the following bill and resolution, which have passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House:

S. F. No. 74, A bill for an act relinquishing an escheat and for the relief of William F. Dawson.

Joint resolution relating to the shipment of grain.

JAMES M. WEART, *Chief Clerk*.

S. F. No. 167, with the amendments made by the House, was taken up and considered.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were—

Senators Bailey, Boomer, Chambers, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble Russell, Shane, Smith, Stone, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—42.

The nays were—

Senators Campbell, Conaway, and McCormack—3.

Absent or not voting—

Senators Bemis, Kinne, Selby, Stuart, and Young of Mahaska—5.

So the Senate concurred in the House amendments.

H. F. No. 63, A bill for an act to amend section 4069, chapter 12, part 4 of the Code, was taken up.

The question being on the motion to lay the motion to reconsider on the table, it did not prevail.

On the motion to reconsider, the yeas and nays were demanded, and the yeas were—

Senators Converse, Cooley, Crary, Dague, Fairall, Gault, Howland, Larrabee, Lovell, McCormack, Merrell of Clinton, Mitchell, Murphy, Perkins, Rothert, Rumpel, Russell, Shane, Stone, Taylor, Willett, Wonn, Wood, and Young of Cass—24.

The nays were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Dashiell, Fitch, Jessup, Kephart, Maxwell, McCoid, McIntyre, Merrill of Wapello, Miles, Miller, Newton, Pease, Smith, Thornburg, West, and Williams—20.

Absent or not voting—

Senators Bemis, Kinne, McIntyre, Selby, Stuart, and Young of Mahaska—6.

So the motion to reconsider prevailed.

Senator Converse moved to reconsider the vote by which the bill was ordered to a third reading.

The motion prevailed.

The question being, "Shall the bill be engrossed for a third reading to-morrow," it was lost.

On motion of Senator West, substitute for S. F. Nos. 12, 13, 25, 26, 49, 66, 73, and 104, A bill for an act to establish reasonable maximum rates of charges for the transportation of freight and passengers, on the different railroads of this State," was taken up.

Senator West moved to make the bill a special order for 9:30 A. M., to-morrow.

Senator Howland moved to amend by striking out "9:30 A. M. to-morrow," and inserting "Thursday next at 10 A. M."

The Senate refused to adopt the amendment.

Senator West's motion was then agreed to.

BILLS ON SECOND READING.

S. F. No. 41, A bill for an act to amend Chapter 4 of the Code, on taking private property for works of internal improvement, with report of committee recommending its passage, was then 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 Bailey, Bemis, Conaway, Converse, Cooley, Crary, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell,

Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease-Rothert, Rumpel, Russell, Shane, Stone, Taylor, Thornburg, West, Willett, Williams, Young of Cass, and Young of Mahaska—34.

The nays were—

Senators Boomer, Campbell, Dague, Dashiell, McCoid, McCormack, Merrell of Clinton, Wonn, and Wood—9.

Absent or not voting—

Senators Chambers, Kinne, McIntyre, Perkins, Selby, Smith, and Stuart—7.

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

S. F. No. 93: A bill for an act to amend section 1762 of the Code, in relation to Teachers' Institutes, with report of committee recommending that it do not pass, was taken up, considered, and passed on file.

S. F. No. 81: A bill for an act prescribing certain duties to be performed by Boards of Supervisors, was taken up.

On motion of Senator Young of Cass, the bill was indefinitely postponed.

House joint resolution memorializing Congress for an increase of currency, was taken from the files and considered.

On motion of Senator Fairall, 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 Bailey, Boomer, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Maxwell, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Murphy, Newton, Pease, Smith, Stone, Taylor, Thornburg, West, Willet, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—33.

The nays were—

Senators Bemis, Campbell, Chambers, Lovell, McCoid, McCormack, Miles, Perkins, Rothert, Rumpel, and Shane—11.

Absent or not voting—

Senators Kinne, Larrabee, McIntyre, Russell, Selby, and Sturt—6.

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

S. F. No. 37: A bill for an act to divide counties into Supervisor Districts, with report of committee recommending the adoption of a substitute, was taken up and passed on file.

S. F. No. 16: A bill for an act to enlarge the power of school directors and increase the efficiency of the public schools, with report of committee recommending amendments, was taken up, considered, and the amendments adopted, and the bill ordered engrossed for a third reading to-morrow.

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 this day received from the Governor a communication in writing stating his reasons for withholding his signature from H. F. No. 164, A bill for an act to repeal section 4374 of chapter 24, title 25 of the Code of 1873, and to provide a substitute

therefor, whereupon the House proceeded to reconsider said bill, and upon the question, "shall the bill pass notwithstanding the objections of the Governor?" the bill failed to receive the requisite constitutional majority, and was lost.

JAMES M. WEART, *Chief Clerk.*

Senator Kephart moved to reconsider the vote by which S. F. No. 16 was ordered engrossed.

The motion prevailed.

Senator Kephart moved to suspend the rule and read the bill a third time now.

Senator Maxwell moved to amend the third line of section 3, by striking out "7," and inserting "8."

The amendment was adopted.

The rule was then suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Chambers, Conaway, Converse, Crary, Dague, Howland, Jessup, Kephart, Lovell, Maxwell, Miles, Miller, Mitchell, Newton, Rothert, Rumble, Smith, Thornburg, West, Young of Cass, and Young of Mahaska—24.

The nays were—

Senators Campbell, Cooley, Dashiell, Fairall, Fitch, Gault, McCoid, McCormack, McIntyre, Merrell of Clinton, Murphy, Pease, Shane, Taylor, Willett, Williams, Wonn, and Wood—18.

Absent or not voting—

Senators Kinne, Larrabee, Merrill of Wapello, Perkins, Russell, Selby, Stone, and Stuart—8.

So the bill, having failed to receive a constitutional majority, was lost.

Senator Campbell moved to reconsider the vote by which the bill was lost.

Senator West moved to postpone the further consideration of the motion until Friday next at 10 A. M.

The motion was agreed to.

S. F. No. 110, A bill for an act to establish a State Educational Board of Examiners, and to define their duties, with report of committee recommending its passage, was taken up.

On motion of Senator Shane the proviso in section 5 was stricken out.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Dashiell, Fitch, Howland, Jessup, Kephart, Lovell, McIntyre, Merrell of Clinton, Miles, Miller, Mitchell, Newton, Pease, Rumble, Shane, Smith, Taylor, Willett, Williams, Young of Cass, and Young of Mahaska—29.

The nays were—

Senators Crary, Dague, Fairall, Gault, Maxwell, McCoid, McCor-

mack, Merrill of Wapello, Perkins, Rothert, Stone, Thornburg, West, and Wonn—14.

Absent or not voting—

Senators Kinne, Larrabee, Murphy, Russell, Selby, Stuart, and Wood—7.

So the bill passed and the title was agreed to.

S. F. No. 7, A bill for an act to amend section 814, of chapter 1, title 6, of Code of 1873, with report of committee recommending that it do not pass, was taken up.

Senator Merrell of Clinton, moved to suspend the rule and read the bill a third time.

The motion did not prevail.

Senator Willett moved to amend the first section by striking out in the last line the words "and where the exemption is claimed on account of United States bonds."

Senator Perkins moved to re-commit to the Committee on Ways and Means, with instructions to report a substitute.

On motion of Senator Cooley the whole subject was referred to the Committee on Judiciary

S. F. No. 68, A bill for an act to amend section 814, of the Code of 1873, with report of committee recommending its indefinite postponement, was taken up.

On motion of Senator Shane the report of committee was adopted.

S. F. No. 40, A bill for an act to amend chapter 1, of title 6, of the Code, with the report of committee recommending its passage, was taken up and considered.

On motion of Senator Converse, the hour of adjournment was extended until 12:15 P. M.

Senator Fairall moved to reconsider the vote by which substitute for S. F. Nos. 12, 13, 25, 26, 49, 66, 73, and 104, was made the special order for to-morrow morning.

On this question the yeas and nays were demanded, and the yeas were—

Senators Bailey, Cooley, Fairall, Fitch, Gault, Howland, Larrabee, Lovell, McIntyre, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Shane, Smith, Stone, Taylor, West, Willett, Williams, Wonn, Wood, and Young of Mahaska—25.

The nays were—

Senators Bemis, Boomer, Campbell, Chambers, Converse, Crary, Dague, Dashiell, Jessup, Kephart, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Thornburg, and Young of Cass—20.

Absent or not voting—

Senators Conaway, Kinne, Russell, Selby, and Stuart—5.

So the motion to reconsider prevailed.

Senator Fairall moved to amend the motion by striking out "to-morrow morning," and inserting "Thursday next."

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

Senator Pease moved that when the Senate adjourn it be until 9 A. M., Thursday.

The motion was agreed to.

The consideration of S. F. No. 40 was resumed.

On motion of Senator Converse it was made the special order for Friday next at 10 A. M.

On motion of Senator Ruple the Senate, at 12:14, adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 26, 1874. }

Senate met at 9 A. M., and was called to order by the President.

Prayer by the Rev. Mr. Hill.

On motion of Senator Dague, the reading of the journal was dispensed with.

PETITIONS AND MEMORIALS.

Senator Campbell presented a petition from citizens of Iowa, in relation to the establishment of woolen factories and the taxation of dogs.

Referred to the Committee on Manufactures.

Senator Wood presented a petition from the Muscatine Council of Patrons of Husbandry, asking for certain changes in the laws regulating courts, etc.

Referred to Committee on Judiciary.

Senator Rothert presented a petition from the city council of Keokuk in relation to insurance companies.

Referred to Committee on Insurance.

Senator Rothert also presented a petition from the grand jury of the February term of the district court of Lee county, asking for the repeal of the prohibitory liquor law, and the enactment of a judicious license law.

Referred to Committee on the Suppression of Intemperance.

Senator Rothert also presented a petition from the city council of Keokuk, asking for similar legislation.

Same reference.

Senator Pease presented a petition from citizens of Iowa, asking for the repeal of the prohibitory liquor law, and the enactment of a judicious license law.

Referred to Committee on Suppression of Intemperance.

Senator Murphy presented a petition from five thousand citizens of Scott county, asking for the repeal of the prohibitory liquor law and the enactment of a judicious license law.

Same reference.

Senator Perkins presented three petitions from citizens of Woodbury county asking an amendment to the game laws of the State.

Referred to Committee on Fish and Game.

REPORT OF COMMITTEE.

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

MR. PRESIDENT:—Your Committee on Railroads beg leave to report the following additional amendments to be added to the end of sections B and C, of substitute for Senate Files Nos. 12, 13, 25, 26, 49, 66, 73, and 104, with the recommendation that they be adopted.

F. T. CAMPBELL, *Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS.

By Senator Larrabee: S. F. No. 181, A bill for an act to repeal section 866 of the Code, and enact a substitute therefor.

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

By Senator Maxwell: S. F. No. 182, A bill for an act to amend section 2736, chapter 8, title 17 of the Code of 1873.

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

By Senator Maxwell: S. F. No. 183, A bill for an act to change section 3072, chapter 2, title 18 of the Code of 1873.

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

By Senator Russell: S. F. No. 184, A bill for an act to amend section 2951, chapter 1, title 18, of the Code of 1873.

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

By Senator Smith: S. F. No. 185, A bill for an act to repeal certain sections of the Code, and to amend certain others.

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

By Senator Murphy: S. F. No. 186, A bill for an act to make section 464 of the Code applicable to cities incorporated by special charters.

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

By Senator Converse: S. F. No. 187, A bill for an act to repeal section 1433, of chapter 2, of title 11 of the Code of 1873.

Read first and second time, and referred to Committee on Hospital for the Insane.

REPORT OF COMMITTEE.

Senator Young of Cass, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have examined H. F. No. 94, An act to provide for paying the claim of D. E. Lyon for certain services, and find the same correctly enrolled.

Also, 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, viz:

S. F. No. 74, An act relinquishing an escheat, and for the relief of William T. Dawson.

Joint resolution relative to shipment of grain.

LAFÈ YOUNG, *Chairman.*

The hour for the special order having arrived, it being substitute for S. F. Nos. 12, 13, 25, 28, 49, 66, 73, and 104, A bill for an act to establish reasonable maximum rates of charges for the transportation of freight and passengers on the railroads of this State, it was, on motion of Senator Campbell taken up and considered by sections.

Senator Larrabee moved to amend section 1, by inserting in the second line after "corporation" the words "operating more than forty miles of road."

On this question the yeas and nays were demanded, and

The yeas were—

Senators Bailey, Bemis, Cooley, Crary, Dashiell, Fairall, Fitch, Gault, Howland, Larrabee, Lovell, McCoid, Merrill of Wapello, Miles, Mitchell, Murphy, Perkins, Rother, Smith, Stone, Wonn, and Young of Mahaska—22.

The nays were—

Senators Boomer, Campbell, Chambers, Conway, Converse, Dague, Jessup, Kephart, Kinne, Maxwell, McCormack, Merrell of Clinton, Miller, Newton, Pease, Rumble, Shane, Stuart, Taylor, Thornburg, West, Willett, Williams, Wood, and Young of Cass—25.

Absent or not voting—

Senators McIntyre, Russell, and Selby—3.

So the amendment did not prevail.

Senator Shane moved to amend section 2 by striking out the word "three" and inserting "two and a half."

On this question the yeas and nays were demanded, and the yeas were—

Senators Fairall, and Shane—2.

The nays were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conway, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rother, Rumble, Russell, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—46.

Absent or not voting—

Senators McIntyre, and Selby—2.

So the amendment was lost.

Senator Fitch moved to amend section 3 by inserting after the word "road" in the 4th line the words "or any portion thereof," and add to the section the following: "and not to exceed 80 per cent. of the following rates for any distance of 200 miles or more."

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

H. F. No. 168, A bill for an act providing for the organization of the county of Belknap.

I am further directed to inform you that the House has passed without amendment S. F. No. 85, A bill for an act to legalize the incorporation of the Odd Fellows' Building Association at Keokuk, Lee county, Iowa.

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. 94, 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.

S. F. No. 167, A bill for an act making an appropriation for the relief of the destitute of Northwestern Iowa.

JAMES M. WEART, *Chief Clerk.*

On motion, the second special order, S. F. No. 2, A bill for an act to amend section 1555 of the Code of Iowa, was taken up and made the special order for to-morrow at 10 A. M.

The consideration of the substitute for S. F. Nos. 12, 13, 25, 26, 49, 66, 73, and 104, was resumed.

A discussion of the amendment offered by Senator Fitch was demanded.

On the question of inserting the words "or any portion thereof," the yeas and nays were demanded, and the yeas were—

Senators Bailey, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrill of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rother, Rumble, Russell, Shane, Smith, Stone, Stuart, Thornburg, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—44.

The nays were—

Senators Boomer, Kinne, Taylor, and West—4.

Absent or not voting—

Senators Bemis, and Selby—2.

So the amendment was agreed to.

On the amendment to add to the section "and not to exceed eighty per cent. of the following rates for any distance of two hundred miles or more."

The yeas and nays were demanded, and

The yeas were—

Senators Bemis Conway, Dashiell, Fairall, Fitch, Gault, Howland, Kinne, Larrabee, McCoid, McIntyre, Merrill of Wapello, Miles, Newton, Perkins, Rother, Russell, Shane, Smith, Stone, Wonn, and Wood—22.

The nays were—

Senators Bailey Boomer, Campbell, Chambers, Converse, Cooley, Crary, Dague, Jessup, Kephart, Lovell, Maxwell, McCormack, Merrell of Clinton, Miller, Mitchell, Murphy, Pease, Rumble, Stuart, Taylor, Thornburg, West, Willett, Williams, and Young of Cass—26.

Absent or not voting—

Senators Selby and Young of Mahaska—2.

So the amendment did not prevail.

Senator McCoid offered the following amendment to section 3 :

Strike out in fourth line "ninety" and insert "seventy."

Add to the section, the words:

Provided, That where the roads differ in the cost of operation—the

rate herein provided shall apply to the road of the least cost of operation—and these rates may be increased by a per cent. in proportion to the rate of increase at cost of operation in its application to all other roads of the same class.

On the adoption of this amendment, the yeas and nays were demanded, and

The yeas were—

Senators Lovell, McCoid, Merrell of Clinton, Merrill of Wapello, and Wonn—5.

The nays were—

Senators Bailey, Beemis, Boomer, Campbell, Chambers, Conway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Maxwell, McCormack, McIntyre, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Shane, Smith, Stuart, Taylor, Thornburg, West, Willett, Williams, Wood, and Young of Cass—41.

Absent or not voting—

Senators Larrabee, Selby, Stone, and Young of Mahaska—4.

So the amendment did not prevail.

The question being on the adoption of the amendment to section 3, reported by the committee, Senator McCoid moved that the amendment be printed.

The motion did not prevail.

On motion of Senator Taylor, the consideration of section 3 was deferred until the balance of the bill was considered.

The committee amendment to section 5 was adopted.

Senator Perkins moved to amend section 5, by striking out of the second line the words, "less than."

Senator Taylor moved that when the Senate adjourn, it be until 2 p. m. to-day.

The motion prevailed.

On the adoption of Senator Perkins' amendment the yeas and nays were demanded, and

The yeas were—

Senators Bemis, Crary, Howland, McIntyre, and Perkins—5.

The nays were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Dague, Dashiell, Fairall, Fitch, Gault, Jessup, Kephart, Kinne, Maxwell, McCoid, McCormick, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Rothert, Rumble, Russell, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—41.

Absent or not voting—

Senators Larrabee, Lovell, Selby, and Young of Mahaska—4.

So the motion did not prevail.

Senator Kephart moved to strike out section 5.

Senator Cooley moved to reconsider the vote by which the Senate decided that when it adjourn it would be to 2 p. m. to-day.

The motion to reconsider did not prevail.

Senator Mitchell was granted leave of absence.

On motion of Senator Gault, the Senate adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

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

REPORTS OF COMMITTEES.

Senator Young of Cass, 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. 167, An act making an appropriation for the relief of the destitute of northwestern Iowa, and find the same correctly enrolled.

LAFE YOUNG, *Chairman.*

By leave, Senator Kinne, from the Joint Committee appointed to visit the Soldiers' Orphans' Homes at Davenport and Cedar Falls, submitted a report, which was ordered printed and placed on file.

The consideration of substitute for S. F. Nos. 12, 13, 25, 26, 49, 66, 73, and 104, was resumed.

The question being on the motion of Senator Kephart to strike out section 5, the yeas and nays were demanded, and the yeas were—

Senators Bemis, Crary, Fairall, Fitch, Gault, Howland, Kephart, Larabee, Lovell, McCoid, Merrill of Wapello, Miles, Perkins, Russell, Stone, Taylor, Williams, Wonn, and Young of Mahaska—19.

The nays were—

Senators Bailey, Boomer, Campbell, Chambers, Converse, Cooley, Dague, Dashiell, Jessup, Kinne, Maxwell, McCormack, McIntyre, Merrill of Clinton, Miller, Murphy, Newton, Pease, Rothert, Rumble, Shane, Smith, Stuart, Thornburg, West, Willett, Wood, and Young of Cass—28.

Absent or not voting—

Senators Conaway, Mitchell and Selby—3.

So the motion to strike out did not prevail.

Senator Cooley moved to add to section eight the following :

The Executive Council of the State shall be charged with the general supervision of matters embraced in this act; and they shall select and instruct a discreet and competent person as a traveling and consulting State agent, and also employ an office clerk. The State agent shall, under the direction of the Council, meet with the officers of the different railroads and obtain such facts, and make such explanations as shall be ordered by the Council, and use all possible efforts to promote the equal and just rights and interests of all the people pertaining to transportation, and perform such other duties as directed by the Council bearing upon the provisions of this act.

The State agent shall be entitled to a free ticket upon all railroads in the State, when on official business, and shall receive from the State his other necessary traveling expenses.

The salary of the State agent shall be two thousand dollars per annum; that of the office clerk, one thousand dollars, to be paid, together with office expenses, one-half by the State, and the balance to be assessed upon the railroad companies in the same manner and proportion that other taxes are levied upon said companies.

The amendment did not prevail.

Senator Shane moved to amend section 10 by adding thereto the following:

And it shall be the duty of the clerk of the court in which final judgment is rendered, to certify forthwith to the Governor of the State the amount so allowed by the court or courts, and included in the judgment as attorney's fees.

The amendment was adopted.

Senator Howland moved to strike out section 10.

The motion did not prevail.

By unanimous consent Senator Cooley had leave to offer his amendments to section 8, and offer it as an additional section to the bill.

On the adoption of this amendment as an additional section the yeas and nays were demanded, and the yeas were—

Senators Bemis, Cooley, Howland, Larrabee, Lovell, McCoid, Merrell of Clinton, Wonn, and Young of Mahaska—9.

The nays were—

Senators Boomer, Campbell, Chambers, Conaway, Converse, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Jessup, Kephart, Kinne, Maxwell, McCormack, McIntyre, Merrill of Wapello, Miles, Miller, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wood, and Young of Cass—38.

Absent or not voting—

Senators Bailey, Mitchell, and Selby—3.

So the motion did not prevail.

Senator Russell offered the following as section 6:

SECTION 6. There shall be a class of railroads, known as class 1, which shall include all railroads in the State, the gross annual earnings of which exceed four thousand and five hundred dollars per mile.

It shall be unlawful for any railroad company whose line runs from the western borders of this State to its eastern borders, and which is included in class 1 of this act, to charge a greater percentage of the rates of the schedule fixed by this act for class "A," than is prescribed below, to-wit:

On all through shipments to or from any point within one hundred miles of the Missouri river, 80 per cent. of said schedule "A."

On all through shipments to or from any point within one hundred miles, and one hundred and fifty miles from the Missouri river, 85 per cent of said schedule "A."

On all through shipments to or from any point within one hundred and fifty miles, and two hundred miles from the Missouri river, the same rates as charged per schedule "A."

On all through shipments to or from any point within two hundred miles, and two hundred and fifty miles from the Missouri river, 5 per cent. more than the rates fixed in said schedule "A."

On all through shipments to or from any point within two hundred

and fifty miles, and three hundred miles from the Missouri river, 10 per cent. more than the rates fixed in said schedule "A."

On all through shipments to or from any point within three hundred miles, and three hundred and fifty miles from the Missouri river, 15 per cent. more than the rates fixed in said schedule "A."

The words through shipments, as used in this section, shall be understood and construed to mean shipments made from another State to a point in this State, or from a point in this State to another State.

The schedule of rates in class "A," as referred to in this section, shall be understood and construed to mean the full schedule rates as fixed in said class "A."

On the adoption of this amendment the yeas and nays were demanded, and the yeas were—

Senators Fitch, Howland, McCoid, McIntyre, Perkins, Russell, Stone, Wonn, and Young of Mahaska—9.

The nays were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Gault, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Rother, Rumble, Shane, Stuart, Taylor, Thornburg, West, Willett, Williams, Wood, and Young of Cass—38.

Absent or not voting—

Senators Mitchell, Selby, and Smith—3.

So the Senate refused to adopt the amendment.

On motion of Senator Willett, the 13th line of section 9 was amended by inserting after "judgment" the words "as part of the costs."

Senator Larrabee offered a substitute for the bill, as follows:*

A bill for an act to protect the people against the abuses and unjust discriminations of railroad, express and telegraph companies.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That no railroad, express or telegraph company doing business in this State, shall be allowed to charge an unreasonable rate of compensation for services, nor make undue or unreasonable discrimination between persons or localities in charges or in facilities for business within the State, or coming from or going to any other State; and business shall be done to any station at charges not exceeding the charges of the same class of business in the same direction to any more distant station; but excursion and commutation tickets may be issued at special rates by railroad companies.

SEC. 2. The following rates shall be deemed and taken as *prima facie* evidence of being unreasonable and be so held in all the courts of this State:

1. Any rate for a given distance on any portion of the line of a railroad or express company greater than its minimum charge for a like distance upon any portion of its line and in the same direction.
2. Any rate charged one person greater than the minimum rate

*NOTE.—On account of the importance of the subject, the various substitutes offered for the bill under consideration are inserted in the printed copy of the journal.—[Secretary.

charged another person, either directly or indirectly, for the same class of business, and under similar circumstances.

3. Any rate charged by a telegraph company, exceeding the rate of twenty-five cents per message of ten words or less from any station in this State to any other station in the State.

4. Any rate charged by an express company greater than its minimum rate charged for similar service at any time since January 1, 1870, from or to any station within or out of the State.

5. Any rate charged by a railroad company operating more than forty miles of road, exceeding the following schedule of rates:

1. For the transportation of wheat, in quantities not less than a car load of ten tons, according to custom, the same to be loaded and unloaded at the expense of the shipper, ten dollars per car for any distance under twenty miles; for any distance of twenty miles and under thirty miles, five cents per ton per mile; for any distance of thirty miles and under fifty miles, four cents per ton per mile; for any distance of fifty miles and under seventy-five miles, three cents per ton per mile; for any distance of seventy-five miles and under one hundred miles, two and three-quarter cents per ton per mile; for any distance of one hundred miles and under one hundred and fifty miles, two and one-half cents per ton per mile; for any distance of one hundred and fifty miles and under two hundred miles, two and one-quarter cents per ton per mile; for any distance of two hundred miles and over, one-half cent per ton per mile. For the transportation of all other grain in bulk, and feed, ten per cent. less per car and per ton per mile than for the transportation of wheat.

2. For the transportation of cattle and hogs, and other live stock, except horses, mules, and sheep, in customary car loads of ten tons, loaded and unloaded at the expense of the shipper, the same price per car and per ton per mile for the different distances as for the transportation of wheat.

3. For the transportation of horses and mules per car load, loaded and unloaded at the expense of the shipper, ten per cent. more than for the transportation of cattle and hogs the same distance. And for the transportation of sheep by the usual car load, only eighty per cent. of the price prescribed for cattle and hogs.

4. For the transportation of wagons and other agricultural implements by the usual car load, the same price per car and per ton per mile as for the transportation of horses and mules.

5. For the transportation of flour by the usual car load of ten tons, allowing two hundred and twenty pounds to the barrel, and for the transportation of salt, allowing seventy barrels to the car load, the same price per car and per ton per mile, for different distances as for the transportation of wheat.

6. For the transportation of coal and soft lumber, including lath and shingles, by the usual car load of ten tons, loaded and unloaded at the expense of the shipper, one-fifth less per car and per ton per mile for different distances than for the transportation of wheat—shingles being reckoned at one-tenth and lath at one-sixth the rate of lumber per thousand.

7. For the transportation of different classes of merchandise according to the usual classification in the northwest by railroad and

steamboat companies, per hundred pounds, as follows: For fourth class freight, double the price for the transportation of wheat; for third class freight, fifteen per cent. more than fourth class; for second class freight, thirty per cent. more than for fourth class; for first class freight, fifty per cent. more than for fourth class; for once and a half first class freight, fifty per cent. more, and for double first class, one hundred per cent. more than for first class freight—reference being had to the price per car load and per ton per mile for different distances as provided in schedule one, and one hundred pounds being reckoned as one two hundredth part of a car load; *provided*, that any entire single shipment, however small, may be reckoned as one hundred pounds, and charge made accordingly.

SEC. 3. Any of the above named companies making a charge for services not in accordance with the provisions of the foregoing sections, shall be liable to the person injured for the amount wrongfully charged, and damages; and any person making a claim under this act, and presents it in writing, verified by his affidavit as to its correctness, to any officer, station or ticket agent employed in the management of the business of the company in the county where the injury complained of was committed, and if the amount wrongfully charged is not paid or satisfactorily adjusted within sixty days from the time of presentation to said officer or agent, shall be entitled to recover double the amount of said claim and damages; and the party prosecuting the case, the expense of collection, with reasonable attorney's fees, to be fixed by the court trying the case.

SEC. 4. The Board of Supervisors of any county may employ attorneys at the expense of the county to prosecute claims under this act, whenever the person making the claim presents to them his petition, signed by twenty resident tax-payers of the county, asking such action by said board, providing that said board shall not in any one year expend for this purpose a sum to exceed an amount equal to the rate of \$200 for each one thousand inhabitants of the county, according to the returns of the last preceding census.

SEC. 5. Any claim under this act shall be made within three months from the time of the occurrence of the cause of the action.

SEC. 6. All acts or parts of acts inconsistent with this act, are hereby repealed.

Pending the consideration of this substitute, Senator Merrell of Clinton, moved that the Senate adjourn.

On this question the yeas and nays were demanded, and the yeas were—

Senators Baily, Bemis, Conaway, Crary, Dashiell, Fairall, Fitch, Howland, Kinne, Larrabee, Lovell, Merrell of Clinton, Merrell of Wapello, Miles, Murphy, Newton, Pease, Perkins, Rothert, Russell, Shane, Smith, Stone, Stuart, Taylor, Williams, Wonn, and Young of Mahaska—28.

The nays were—

Senators Boomer, Campbell, Chambers, Converse, Cooley, Dague, Gault, Jessup, Kephart, Maxwell, McCoid, McCormack, McIntyre, Miller, Rumble, Thornburg, West, Willett, Wood, and Young of Cass—20.

Absent or not voting—
Senators Mitchell, and Selby—2.
So the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 27, 1874. }

Senate met at 9 A. M., and was called to order by the President.
Prayer by the Rev. Mr. Ingalls.
Senator Maxwell moved that the reading of the journal be dispensed with.
The motion did not prevail.
The journal of yesterday was then 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. 143, A bill for an act to legalize the independent district of Burr Oak, Winneshiek county.

H. F. No. 175, A bill for an act to legalize the official acts of T. C. Ransom, a notary public of Winnēbago county.

H. F. No. 243, A bill for an act to legalize the acts of A. Armentrout, Secretary of the Union Agricultural Society of Cedar county.

H. F. No. 288, A bill for an act to appropriate \$714.30 to Thos. M. Monroe and A. B. Smedley for certain services rendered to the State of Iowa, and certain necessary expenses while performing the same.

Also, that the House has passed, without amendment, S. F. No. 60, A bill for an act to legalize the sale of certain school lands in Wright county, Iowa.

I am further directed to inform you that the House has ordered printed the report of the joint committee to visit the Reform Schools.

JAMES M. WEART, *Chief Clerk.*

PETITIONS AND MEMORIALS.

By Senator Maxwell: from citizens of Story county, in relation to the affairs of the Iowa State Agricultural College and Farm.

Referred to Investigating Committee on that subject.

By Senator Stone: from citizens of Mills county, asking that the Soldiers' Orphans' Homes of the State be opened for the reception of all orphans.

Referred to Committee on Orphans' Homes.

By Senator Stone: from citizens of Iowa, asking for the repeal of the herd law.

Referred to Committee on Agriculture.

By Senator Merrell of Clinton: from citizens of Clinton county, asking for the repeal of the prohibitory liquor law, and the enactment of a judicious license law.

Referred to Committee on Suppression of Intemperance.

By Senator Shane: three petitions from Citizens of Iowa, asking for the repeal of the law exempting church property and the property of religious corporations from taxation.

Referred to the Committee on Ways and Means.

By Senator McCoid: an editorial from the *Burlington Hawk-Eye* in reference to the temperance question.

Referred to Committee on Suppression of Intemperance.

By Senator Fitch: petition from citizens of Buena Vista county asking for an amendment so as to permit all counties to fund their indebtedness.

Referred to Committee on Ways and Means.

By Senator Converse: from the board of directors of the independent school district of Parkersburg, Butler county, asking that certain of their acts be legalized.

Referred to Committee on Schools.

By Senator Murphy: from citizens of Iowa, asking that the Soldiers' Orphans' Homes be opened for the reception of all orphans.

Referred to Committee on Orphans' Homes.

By Senator Cooley: from citizens of Dubuque, asking for the enactment of a law to compel railroad companies to put in "Ys" at certain places.

Referred to Committee on Railroads.

By Senator Young of Cass: from citizens of Cass county, asking for the repeal of the herd law.

Referred to Committee on Agriculture.

INTRODUCTION OF BILLS.

By Senator Williams: S. F. No. 188, A bill for an act to amend section 1286 of the Code of 1873, and to authorize railway companies to issue preferred stock in certain cases in addition to that already authorized by law.

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

By Senator Crary: S. F. No. 189, A bill for an act for the protection of inn-ke pers.

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

By Senator Russell, S. F. No. 190, A bill for an act to amend section 1732 of the Code of 1873.

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

By Senator Shane: S. F. No. 191, A bill for an act to authorize the survey and platting of town plats or additions thereto, in cases where the original plats have been lost and not acknowledged or recorded.

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

By Senator Young of Cass: S. F. No. 192, a bill for an act to amend section 2080 of the Code.

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

REPORT OF COMMITTEE.

Senator Maxwell, from the Committee on Highways, submitted the following report:

MR. PRESIDENT:—Your Committee on Highways, to whom was referred S. F. No. 165, a bill for an act to amend section 1001, of the Code, 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.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Highways, to whom was referred H. F. No. 205, A bill for an act to provide for printing and distributing the road laws, 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.*

Ordered passed on file.

Senator Miller, from the Special Committee on Printing, submitted a report which was ordered printed and laid on the the table.

RESOLUTIONS.

Senator Larrabee offered the following resolution:

Resolved, That the Secretary of State be requested to inform the Senate why the last census returns have not been published and distributed.

The resolution was adopted.

REPORTS OF COMMITTEES.

Senator Young of Cass, 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. No. 85, An act to legalize the incorporation of the Odd Fellows Building Association, at Keokuk, Lee county, Iowa.

Joint resolution memorializing Congress for an increase of the currency of the country, and find the same correctly enrolled.

Also 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, viz.:

H. F. No. 94, An act to provide for paying the claim of D. E. Lyon for foreclosing a certain school fund mortgage in behalf of the State.

LAFE YOUNG, *Chairman.*

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:

S. F. No. 85, A bill for an act to legalize the incorporation of the Odd Fellows' Building Association at Keokuk, Lee county, Iowa.

Joint resolution memorializing Congress for an increase of currency.

W. A. FULMER,
Second Assistant-Secretary.

On motion of Senator Campbell, substitute for S. F. No. 12, 13, 25, 26, 49, 66, 73, and 104, A bill for an act to establish reasonable maximum rates of charges for the transportation of freight and passengers on the different railroads, was taken up and considered.

SPECIAL ORDERS.

The hour for the consideration of certain other special orders having arrived, they were taken up and assigned as follows:

S. F. No. 97, A bill for an act to provide for leasing the convict labor in the Iowa Penitentiary after the expiration of the lease now in force; Tuesday next at 10 A. M.

S. F. No. 102, A bill for an act to amend section 1555 of the Code of Iowa; Thursday next at 10 A. M.

S. F. No. 40, A bill for an act to amend chapter 1 of title 6 of the Code; Wednesday next at 10 A. M.

S. F. No. 16, A bill for an act to enlarge the powers of school directors, and increase the efficiency of the public schools; Monday next.

The consideration of substitute for S. F. Nos. 12, 13, 25, 26, 49, 66, 73, and 104, was resumed.

Senator Campbell offered an amendment to section 4, continuing the schedule of rates to 35½ miles.

The amendment was adopted.

Senator Merrell of Clinton, moved to amend section 1 as follows:

(1.) Insert after the word "limited" in the third line of section 1, the following words: "as to all commerce exclusively within this State."

(2.) Strike out "the" in the third line and insert "just and reasonable."

(3.) Strike out "which are herein prescribed," in the fourth line and insert "and in all actions for a violation of any of the provisions of this act, the rates of compensation hereinafter prescribed, shall be deemed just and reasonable until proven to the contrary, (4) and rates charged in excess of such as are herein prescribed, shall be presumed to be unjust and reasonable until the contrary shall be proven."

Senator Shane moved that when the Senate adjourns it shall be until 2 o'clock P. M.

The motion was agreed to.

At 12 M., the Senate adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

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

The consideration of the amendments offered by Senator Merrell of Clinton, was resumed.

Senator Campbell moved the previous question.

On the question "Shall the Senate second the call for the previous question?" the yeas and nays were demanded, and the yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Converse, Cooley, Dague, Jessup, Kephart, Maxwell, McCormack, Miller, Newton, Pease, Rothert, Shane, Taylor, Thornburg, West, Willett, Wood, and Young of Cass—22.

The nays were—

Senators Bemis, Conaway, Crary, Dashiell, Fairall, Fitch, Gault, Howland, Kinne, Larrabee, Lovell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Mitchell, Murphy, Perkins, Ruple, Russell, Smith, Stone, Stuart, Williams, Wonn, and Young of Mahaska—27.

Absent or not voting—

Senator Selby—1.

So the Senate refused to second the motion.

The question being on the amendments of Senator Merrell of Clinton, Senator McCoid demanded a division of the question.

On the adoption of the first amendment the yeas and nays were demanded, and the yeas were—

Senators Bailey, Campbell, Conaway, Cooley, Crary, Dague, Fairall, Gault, Howland, Jessup, Kephart, Kinne, Lovell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Perkins, Rothert, Ruple, Smith, Stone, Willett, Williams, and Wood—29.

The nays were—

Senators Bemis, Boomer, Chambers, Converse, Dashiell, Fitch, Larrabee, Maxwell, Murphy, Newton, Pease, Russell, Shane, Taylor, Thornburg, West, Wonn, and Young of Cass—18.

Absent or not voting—

Senators Selby, Stuart, and Young of Mahaska—3.

So the first amendment was adopted.

On the adoption of the second amendment, the yeas and nays were demanded, and the yeas were—

Senators Bailey, Fairall, Fitch, Howland, Larrabee, Lovell, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Mitchell, Perkins, Russell, Smith, Wonn, and Young of Mahaska—16.

The nays were—

Senators Boomer, Campbell, Chambers, Conaway, Converse, Crary, Dague, Dashiell, Gault, Jessup, Kephart, Kinne, Maxwell, McCoid, McCormack, Miller, Murphy, Newton, Pease, Rothert, Ruple, Shane, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wood, and Young of Cass—31.

Absent or not voting—

Senators Bemis, Cooley, and Selby—3.

So the Senate refused to adopt the second amendment.

On the adoption of the third amendment, the yeas and nays were demanded, and the yeas were—

Senators Bemis, Fairall, Howland, Kinne, Lovell, Merrell of Clinton, Perkins, Smith, Wonn, and Young of Mahaska—10.

The nays were—

Senators Boomer, Campbell, Chambers, Conaway, Converse, Crary, Dague, Dashiell, Fitch, Gault, Jessup, Kephart, Larrabee, Maxwell, McCoid, McCormack, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Rothert, Rumble, Russell, Shane, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wood, and Young of Cass—36.

Absent or not voting—

Senators Bailey, Cooley, McIntyre, and Selby—4.

So the Senate refused to adopt the third amendment.

On the adoption of the fourth amendment, the yeas and nays were demanded, and the yeas were—

Senators Bemis, Boomer, Conaway, Cooley, Fairall, Fitch, Gault, Howland, Larrabee, Lovell, McCoid, Merrell of Clinton, Merrill of Wapello, Miles, Mitchell, Rothert, Russell, Smith, Stone, and Wonn—20.

The nays were—

Senators Bailey, Campbell, Chambers, Converse, Crary, Dague, Dashiell, Jessup, Kephart, Kinne, Maxwell, McCormack, McIntyre, Miller, Murphy, Newton, Pease, Perkins, Rumble, Shane, Stuart, Taylor, Thornburg, West, Willett, Williams, Wood, Young of Cass, and Young of Mahaska—29.

Absent or not voting—

Senator Selby—1.

So the Senate refused to adopt the fourth amendment.

The question being on the adoption of the substitute offered by Senator Larrabee, the yeas and nays were demanded, and the yeas were—

Senators Howland, Larrabee, Lovell, Merrell of Clinton, Merrill of Wapello, Miles, Mitchell, Perkins, Smith, Stuart, Wonn, and Young of Mahaska—12.

The nays were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Jessup, Kephart, Kinne, Maxwell, McCoid, McCormack, McIntyre, Miller, Murphy, Newton, Pease, Rothert, Rumble, Russell, Shane, Stone, Taylor, Thornburg, West, Willet, Williams, Wood, and Young of Cass—37.

Absent or not voting—

Senator Selby—1.

So the substitute did not prevail.

Senator Stone offered the following substitute for the substitute reported by the committed.

[NOTE.—Inserted in printed journal for same reason as given for Senator Larrabee's.—SECRETARY.]

A bill for an act to limit the charges of railroad companies, for the transportation of passengers and freight within this State, and to prevent and punish extortion committed by railroad companies.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That upon the taking effect of this act there shall be appointed by the Governor of this State, a board of railroad commissioners, whose successors shall be elected at the next general election, to consist of three disinterested citizens, whose duties shall be as hereinafter provided; who shall hold their office for two years and until their successors are elected and qualified, and who shall receive in full compensation for their services the sum of three thousand dollars per annum, to be paid out of the treasury in the same manner as the salaries of other State officers.

SEC. 2. No railroad corporation, company, or person now engaged or hereafter to be engaged in the business of carrying freight or passengers, or both, by railroad within this State, shall collect or receive more than a fair and reasonable rate of toll or compensation for the transportation of any such freight or passenger, or for the use and transportation of any railroad car upon its track within this State; such reasonable rate of toll or compensation shall be ascertained and fixed in the manner hereinafter provided, and for each and every violation of this act by charging, collecting, demanding, or receiving more than such reasonable rate, the company, corporation, or person so offending, shall be liable for extortion as hereinafter provided, and where more than one corporation, company, or person are concerned in such extortion, they shall be liable both jointly and severally.

SEC. 3. For the purpose of ascertaining and fixing a reasonable rate of toll or compensation for the transportation of freight and passengers over railroads within this State as aforesaid, the said board of railroad commissioners shall make for each of the lines of railroads which may be operated within this State, a schedule of the maximum rates of charges for such transportation; such schedule shall be signed by said commissioners, shall show the rates that may be charged to and from each railroad station in the State, shall be published in at least one newspaper at the capital of the State, and shall also be printed and kept posted up in each of the depots and offices of the company, corporation, or person operating the line to which it applies. For the purpose of determining and fixing such reasonable maximum rates of charges, the said board shall at all times have power to send for persons and papers, to administer oaths, to compel the attendance before them of witnesses, and the production of books and papers in the same manner and to the same extent as the courts of this State may do, and for any of these purposes they may issue process, which shall be served by any sheriff or deputy sheriff in this State, and may punish for contempt persons willfully refusing to obey such process or answer proper questions. The schedules shall in all suits instituted under this act in the courts of this State, be deemed and taken as *prima facie* evidence that the rates therein fixed are reasonable maximum rates of charges for the transportation of freight, passengers, and cars upon or over the lines of railroads for which said schedule may have been respectively provided. Said commissioners may from time to time, and so often as circumstances may require, change and revise said schedules, and shall

give notice of such changes or revisions in the same manner as hereinbefore provided. The schedule aforesaid shall not be deemed invalid on account of any failure of the commissioners preparing the same to include therein all and every article of freights, but shall be held to be good and valid as to all articles or clauses which are included or embraced therein, but it shall be the duty of the commissioners whenever it comes to their knowledge that any article or class of freight has been omitted from any such schedule to amend the same as soon as practicable by adding such omitted article or clause.

SEC. 4. Any corporation, company or person being engaged in the operation of any line of railroad, who shall be guilty of extortion by charging, collecting, demanding or receiving more than a reasonable rate of toll or compensation for the transportation of freight, passengers or cars over or upon any such line of railroad within this State, shall forfeit and pay for the first offense a sum of not less than one thousand nor more than five thousand dollars, and for the second and each subsequent offense, not less than five nor more than ten thousand dollars, to be recovered by action to be brought in the name of the State of Iowa, for the benefit of the school fund of the State, in any district or circuit court of this State, and in any county through which or through any part of which the road owned or operated by the party sued may extend; such action may be in the form of any ordinary proceeding for the recovery of money due on contract, and it shall be the duty of the district attorney of the proper district to institute and prosecute all suits for the recovery of the penalty aforesaid, and the corporation, company or person being guilty of such extortion shall also forfeit and pay to the party injured thereby a sum equal to three times his actual damages caused by such extortion, including a reasonable sum for attorneys fees to be fixed by the court trying the case, which such injured party may recover by action in his own name in either of the courts aforesaid, and the form and place of the action may be the same as in case of a suit to recover the penalty as hereinbefore provided.

SEC. 5. In any action instituted under the provisions of this act, whether it be a suit to recover the penalty aforesaid or a suit by the party injured to recover damages as aforesaid, any number of separate and distinct violations of the provisions of this act, may be stated separately in separate counts or divisions of the petition, and a recovery may be had upon each.

SEC. 6. Each of the schedules herein provided for shall take effect and become *prima facie* evidence as aforesaid from and after thirty (30) days from the date of the first publication in a newspaper as herein provided. That it shall be the duty of said railroad commissioners to prepare such schedules for all the lines of railroads within the State and publish the same as nearly as practicable at one and the same time. All such schedules purporting to be printed and published as aforesaid, shall be received and held in all suits brought under the provisions of this act as *prima facie*. The schedules of said commissioners, without further proof than the production of the paper in which they were published together with the affidavit of one or more of the publishers or business managers of such paper that the schedule therein contained is a true copy of the schedule furnished for publication by said commissioners.

SEC. 7. In all cases when two or more corporations, companies or persons unite together for the purpose of transporting freight or passengers over several lines of railroads by consolidating or connecting such lines, the several lines which are thus operated together shall, for all the purposes of this act, be treated as one line, and each and every such corporation, company or persons shall be bound by the provisions of this act and liable for violation thereof.

SEC. 8. It shall be the duty of said railroad commissioners to personally investigate and ascertain whether the provisions of this act are violated, and for the purpose of making such investigation they shall have all the power conferred upon them by section three of this act, and whenever the facts in any manner ascertained shall in their judgment warrant a prosecution, it shall be the duty of said commissioners to cause suits to be commenced and prosecuted against the offending party or parties to recover the penalty provided by this act in such cases.

SEC. 9. The provisions of this act shall apply to all persons, firms, corporations or associations, whether incorporated or not, who are or may be engaged as common carriers of freight and passengers, or of both, or of freight only, or of passengers only, by railroad within this State.

SEC. 10. Each member of said board of railroad commissioners shall, before entering upon the discharge of his duties, take and subscribe an oath honestly, impartially and faithfully to discharge all the duties of said office. In case of any disagreement among the members of said board, the decision of two members thereof shall be the decision of the board. The said board shall once a year or oftener report all their doings to the Governor, who shall lay the same before the General Assembly at its regular sessions.

SEC. 11. In fixing or changing rates under this act, it shall be the duty of said commissioners to allow for carrying freights a reasonable compensation, and no more, to and from each railroad station in the State, and to duly observe the principle that long hauls on railroad lines can be made at a cheaper rate per ton per mile than short hauls. And in fixing or changing rates for such long hauls said commissioners shall take into consideration shipments from points in this State to points in another State, and from points in another State to points in this State—when such shipments are over railroads having continuous lines in another State.

SEC. 12. The extortion named in this act is hereby defined to be the demanding and receiving for services rendered a greater sum than is reasonable and just.

SEC. 13. Any commissioner appointed or elected under this act who shall be guilty of being bribed or of corruption in office, shall, on conviction be punished by fine not exceeding ten thousand dollars and by imprisonment in the penitentiary not exceeding ten years.

SEC. 14. This act being deemed by the General Assembly of immediate importance, shall take effect and be in force from and after its publication in the Daily State Register and Daily State Journal, newspapers published at Des Moines, Iowa.

On the adoption of this substitute, the yeas and nays were demanded, and the yeas were—

Senators Bemis, Fairall, Fitch, Howland, Larrabee, Merrell of Clin-

ton, Merrill of Wapello, Murphy, Perkins, Rothert, Russell, Stone, Wonn, and Young of Mahaska—14.

The nays were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Gault, Jessup, Kephart, Kinne, Lovell, Maxwell, McCoid, McCormack, McIntyre, Miles, Miller, Newton, Pease, Rumble, Shane, Smith, Stuart, Taylor, Thornburg, West, Willett, Williams, Wood, and Young of Cass—34.

Absent or not voting—

Senators Mitchell and Selby —2.

So the Senate refused to adopt the substitute.

Senator McCoid offered the following substitute for the one reported by the committee.

A bill for an act to regulate transportation by railways within this State:

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That each and every corporation, company, or person owning or operating any line of railroad within this State, shall be subject to control in their operation of the same in rates of freight and passenger tariff exclusively within this State and in all matters affecting such companies and the public, all stipulations, agreements, laws, or rights in any manner by them secured, created, or assigned to the contrary notwithstanding, and every such railway, corporation, company, or person shall be liable for any violation of the provisions of this act.

SEC. 2. That no such corporation, company, or person shall consolidate their line of railway, stock franchises, property, or effects with any other corporation, company, or person of like character, whether organized under the laws of this or any other State, when such consolidation would in any manner hinder or prevent competition, or when by such consolidation two lines of railway, having a common terminus, or having two common stations or points of junction, shall become the property or under the control of one such consolidated corporation, and wherever such consolidation shall be unlawful, as herein provided, it shall be unlawful for any such corporations, companies, or persons to lease or in any manner procure control of such lines.

SEC. 3. All articles of consolidation heretofore made of corporations, companies, or persons, as are made unlawful in the preceding section, shall expire, and all rights thereunder shall revert to the several corporations which originally existed previous to such consolidation on the first day of January, A. D. 1876.

SEC. 4. Every corporation, company, or person operating a line of railway in this State, whether organized under the laws of this State or under the laws of another State, whether consolidated from two companies, one in this and one in another State, or existing solely under the laws of this State, shall keep and maintain general offices and headquarters of such corporation, company, or person, in this State, with full and complete records, inventories, schedules of all property and all stock issued, all dividends made by said road, which said records shall be open to inspection by any citizen of the State, at all reasonable hours and times, and shall be produced in evidence upon subpoena therefor from any court of record of the State, and all general officers of such companies shall be residents of the State of Iowa.

SEC. 5. It shall be unlawful for any such corporation, company, or person to combine, or agree, or conspire together with any other such corporation owning or operating a line of railway in or through this State to form a joint tariff, or pool, or by any other conspiracy or pretense to defeat, hinder, or prevent competition between independent roads through or into this State, and every such act, agreement, or pretense shall be deemed a conspiracy under section 4087 of the Code of 1873, and every such rate so agreed upon, demanded, charged, collected, or received, shall be deemed as an extortion as hereinafter provided.

SEC. 6. That no such corporation, company or person shall charge, demand, collect, or receive more than a fair and reasonable rate of toll or compensation for carriage of freight or passengers or for the use or transportation of any car between any two points or stations within this State; such reasonable rate of toll or compensation shall be ascertained and fixed as hereinafter provided.

SEC. 7. Every corporation, company, or individual operating a line of railway within or through this State shall make out as now required by law a schedule of rates of freight and passenger tariff of their whole line of railway, any part of which may be in this State, and shall report a copy thereof to the Governor of the State six (6) months previous to the regular session of each General Assembly, and the Governor shall submit the same to the General Assembly with his biennial message, with such suggestions as he may see proper to make, and the General Assembly shall review, revise, correct, or approve such schedule of rates and shall by act establish such schedule so approved as the reasonable rate to be charged, demanded, collected or received, and such schedule of rates so ascertained and fixed shall be and continue the maximum rates of freight and passenger tariff for such road for and during the two succeeding years and until changed by any succeeding General Assembly: *Provided*, That the Governor of the State may extend or relieve from any manifest wrong thereby suffered, under the same restrictions and under like circumstances so far as applicable as he may pardon, commute, or remit, fines, penalties, and forfeitures.

SEC. 8. Any corporation, company or person, whether such person be acting for himself or others, or as agents of any such corporation, demanding, charging, collecting or receiving more than a reasonable rate of toll or compensation for the transportation of freight, passengers or cars over or upon any line of railway as hereinbefore provided, shall be deemed guilty of extortion under section 3950 of the Code of 1873, and shall forfeit and pay for each offense a sum not less than five hundred nor more than five thousand dollars, to be recovered by action in the name of the State of Iowa, in any district or circuit court of this State in the form of an ordinary action at law for money due on contracts; and it shall be the duty of the district attorney for the proper district to institute and prosecute all suits for the recovery of the penalty aforesaid. And the corporation, company or person being guilty of such extortion, shall also be liable to the party injured thereby for the damages caused by such extortion, including a reasonable sum for attorney's fees to be fixed by the court trying the case, which such injured party may recover by action in his own name in either of the courts aforesaid, and by the same form of action as provided to recover the penalty; and in said action any number of distinct and separate

violations of this act may be stated in separate counts, and recovery be had upon each. If upon trial of any such suit brought either to recover said penalty or to recover damages as aforesaid, it shall be made to appear that the defendant has charged, collected, demanded or received for the transportation of freight, passengers or cars, a rate of toll or compensation greater than that fixed by the schedule aforesaid, then, and in that case, such defendant shall be deemed and held guilty of extortion, unless such defendant shall show affirmatively that the rate charged, demanded, collected or received for such transportation was nevertheless fair and reasonable.

SEC. 9. That in all cases where two or more persons, companies or corporations unite together for the purpose of transporting freight or passengers over more than one line of road, any part of which may be in this State, the several lines thus operated together, shall be treated for all purposes of this act as one line, and each and every such persons, companies and corporations shall be bound by the provisions of this act, and liable for any violation thereof.

SEC. 10. Any person or corporation owning or operating a railway in this State or any branch or branches thereof, or operating any railway which such person or corporation has a right, license or permission to use, who shall be guilty of making any unjust and excessive discrimination in its rates of charges for toll or compensation for the transportation of any passengers or freight over any railway or branch thereof or over any railway which such person or corporation has a right, license or permission to use, operated by such person or corporation; or who shall demand or receive either directly or indirectly, or by rebate or otherwise a greater amount of toll or compensation from any person or persons whatsoever, than that received or demanded for the transportation of any passenger or passengers for the same distance in the same direction, over the same line of road; or who shall demand or receive either directly or indirectly, or by rebate or otherwise, a greater toll or compensation for the transportation of any freight of the same kind and of the same quantity and for the same distance in the same direction, over the same line of road, than that received or demanded of any person or persons, corporations or companies whatsoever, shall, upon conviction thereof for the first offense, be liable to a fine of not less than \$1,000, and not more than \$3,000; and for a second offense, and conviction thereof, shall be liable to a fine of not less than \$3,000, and not more than \$10,000; and for a third offense and conviction thereof, shall be liable to a fine of \$25,000, or a forfeiture to the State of all its railway property within the State, of whatsoever kind or description, and of all franchises pertaining to such corporation exercised by authority of the State.

SEC. 11. That it shall be the duty of the grand juries in the several counties of this State to investigate and ascertain whether the provisions of this act are violated by any corporations, companies, or persons engaged in the business of transportation aforesaid, and for the purpose of making such investigation shall have power to require by subpoena the officers of such companies with records or any other evidence in their control, and whenever the said juries shall find a cause of action to have occurred, it shall be the duty of the district attorney to institute the same forthwith; and the several district attorneys shall,

whenever informed in any way that this act has been violated, institute the necessary proceedings for enforcing the necessary penalties herein provided

Senator West moved the previous question.

On the question "Shall the Senate second the call for the previous question?" the yeas and nays were demanded, and the yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Dague, Dashiell, Jessup, Kephart, Kinne, Maxwell, McCormack, Miller, Newton, Pease, Rothert, Taylor, Thornburg, West Willett, Williams, Wood, and Young of Cass—25.

The nays were—

Senators Crary, Fairall, Fitch, Gault, Howland, Larrabee, Lovell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Mitchell, Murphy, Perkins, Russell, Smith, Stone, Stuart, Wonn, and Young of Mahaska—21.

Absent or not voting—

Senators Bemis, Rumble, Selby, and Shane—4.

So the Senate seconded the call for the previous question.

On the question, "Shall the main question be now put?" the yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Dague, Dashiell, Jessup, Kephart, Kinne, Maxwell, McCormack, Miller, Newton, Pease, Rothert, Taylor, Thornburg, West, Willett, Wood, and Young of Cass—25.

The nays were—

Senators Crary, Fairall, Fitch, Gault, Howland, Larrabee, Lovell, McCoid, McIntyre, Merrell of Clinton, Merrell of Wapello, Miles, Mitchell, Murphy, Perkins, Russell, Smith, Stone, Stuart, Williams, Wonn, and Young of Mahaska—22.

Absent or not voting—

Senators Rumble, Selby, and Shane—3.

So the main question was ordered.

The question recurring on the adoption of the substitute offered by Senator McCoid he demanded that it be voted on by sections.

The President decided that the demand came too late, the main question having been ordered.

On the adoption of the substitute offered by Senator McCoid the yeas and nays were demanded, and

The yeas were—

Senators Fairall, Howland, McCoid, Merrell of Clinton, Merrill of Wapello, Mitchell, Wonn, and Young of Mahaska—8.

The nays were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCormick, McIntyre, Miles, Miller, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willet, Williams, Wood, and Young of Cass—39.

Absent or not voting—

Senators Bemis, Russell, and Selby—3.

So the substitute did not prevail.

On the adoption of the substitute reported by the Committee on Railroads, the yeas and nays were demanded, and

The yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Gault, Jessup, Kephart, Kinne, Lovell, Maxwell, McCormack, McIntyre, Merrell of Clinton, Miles, Miller, Mitchell, Murphy, Newton, Pease, Rothert, Rumpel, Shane, Smith, Stuart, Taylor, Thornburg, West, Willet, Williams, Wood, and Young of Cass—37.

The nays were—

Senators Bemis, Fairall, Fitch, Howland, Larrabee, McCoid, Merrill of Wapello, Perkins, Russell, Stone, Wonn, and Young of Mahaska—12.

Absent or not voting—

Senator Selby—1.

So the substitute was adopted.

The bill was then ordered engrossed for a third reading to-morrow.

Senator West moved to reconsider the vote by which the bill was ordered engrossed.

The motion prevailed.

Senator West moved to suspend the rules and read the bill a third time now, which was agreed to and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Gault, Howland, Jessup, Kephart, Kinne, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Miles, Miller, Mitchell, Murphy, Newton, Pease, Rothert, Rumpel, Shane, Smith, Stuart, Taylor, Thornburg, West, Willett, Williams, Wood, and Young of Cass—40.

The nays were—

Senators Bemis, Fitch, Larrabee, Merrill of Wapello, Perkins, Russell, Stone, Wonn, and Young of Mahaska—8.

Absent or not voting—

Senator Selby—1.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Young of Cass, 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:

S. F. No. 85, An act to legalize the incorporation of the Odd Fellows' Building Association, at Keokuk, Lee county, Iowa.

Joint resolution memorializing Congress for an increase of the currency of the country.

LAFE YOUNG, *Chairman.*

Senator Rothert was excused from attendance to-morrow.

Leave of absence was granted Senators Merrell of Clinton, and Merrill of Wapello, until Tuesday next.

On motion of Senator Kephart the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 28, 1874. }

Senate met at 9 A. M., and was called to order by the President.
Prayer by the Rev. Mr. Hay.
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 and joint resolution, in which the concurrence of the Senate is asked:

Substitute for S. F. No. 53, A bill for an act to amend section 1498, of chapter 4, title 11, of the Code, in reference to partition fences.

Substitute for H. F. No. 220, A bill for an act for the punishment of persons having in their possession burglars' tools or implements, with intent to commit burglary.

Joint resolution in relation to the Onawa branch of the Cedar Rapids and Missouri River Railroad.

Also, without amendment:

S. F. No. 59, A bill for an act to amend section 464 of the Code of 1873.

JAMES M. WEART, *Chief Clerk.*

PETITIONS AND MEMORIALS.

By Senator Taylor: From citizens of Iowa, asking for the repeal of the prohibitory liquor law, and the enactment of a judicious license law.

Referred to Committee on Suppression of Intemperance.

By Senator Howland: From citizens of Kossuth county, in relation to the destitution in that county.

Ordered passed on file.

By Senator Pease: From citizens of Van Buren county, asking for a law in relation to working roads.

Senator Taylor moved to refer the petition to the Committee on Highways, with instructions to report a bill in accordance with the prayer of the petitioners.

Senator Murphy offered the following as an amendment:

Resolved, That any female showing to the satisfaction of the judges

of election that she pays a road or poll tax that she shall also be allowed to vote.

On motion of Senator Maxwell the instructions were stricken out. The petition was then referred to Committee on Highways.

REPORT OF COMMITTEE.

Senator Young of Cass, 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, An act to legalize the sale of certain school lands in Wright county, Iowa, and find the same correctly enrolled.

LAFE YOUNG, *Chairman.*

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:

S. F. No. 60, A bill for an act to legalize the sale of certain school lands in Wright county, Iowa.

W. A. FULMER,
Second Assistant Clerk.

INTRODUCTION OF BILLS.

By Senator Jessup: S. F. No. 193, A bill for an act to make an appropriation for the State Reform School at Eldora, Iowa.

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

By Senator Miller: S. F. No. 194, A bill for an act to prevent county superintendents from changing text books in public schools of Iowa.

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

RESOLUTIONS.

Senator Kephart offered the following resolution:

Resolved by the Senate, the House concurring, That the Fifteenth General Assembly will adjourn *sine die* on Thursday, the twelfth day of March next at 11 o'clock, A. M.

On the adoption of the resolution, the yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Lovell, Larrabee, Maxwell, McCormack, McIntyre, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rumple, Russell, Shane, Smith, Stone, Stuart, Taylor, Thornburg,

Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—44.

The nays were—

Senator McCoid—1.

Absent or not voting—

Senators Merrell of Clinton, Merrill of Wapello, Rothert, Selby, and West—5.

So the resolution was adopted.

REPORTS OF COMMITTEES.

Senator Kephart, from 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 establish and maintain Industrial Expositions in the public schools 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 do pass.

E. B. KEPHART, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT:—Your Committee on Railroads, to whom was referred S. F. No. 8, A bill for an act relating to taxes voted in aid of the construction of railroads, beg leave to report that they have had the same under consideration, and have instructed me to report back to the Senate the following substitute, with the recommendation that it do pass.

F. T. CAMPBELL, *Chairman.*

Ordered passed on file.

On motion of Senator Stuart, S. F. No. 37, A bill for an act to amend chapter 2, title 2 of the Code, was taken up and considered.

Senator Campbell moved to amend by adding to section 2, the following: "to be elected by the electors of the county at large."

On this question the yeas and nays were demanded, and the yeas were—

Senators Bemis, Campbell, Crary, Dague, Fitch, McCoid, Rumble, West, and Williams—9.

The nays were—

Senators Bailey, Boomer, Chambers, Conaway, Converse, Cooley, Dashiell, Gault, Howland, Jessup, Kephart, Lovell, Maxwell, McCormack, McLuttre, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Russell, Shane, Smith, Stone, Stuart, Taylor, Thornburg, Willett, Wonn, Wood, and Young of Cass—33.

Absent or not voting—

Senators Fairall, Kinne, Larrabee, Merrell of Clinton, Merrill of Wapello, Rothert, Selby, and Young of Mahaska—8.

So the Senate refused to adopt the amendment.

Senator Taylor moved to amend by adding to section 1 the following: "elected by the electors of said district."

The amendment was adopted.

Senator Rumble moved to amend by striking out "shall" in the second line and inserting "may."

On this question the yeas and nays were demanded, and the yeas were.

Senators Campbell, Chambers, Crary, Dague, Fitch, Gault, Kephart, Larrabee, McCoid, McCormack, McIntyre, Miller, Mitchell, Newton, Pease, Rumble, Shane, Stone, Thornburg, West, Williams, Wood, and Young of Mahaska—23.

The nays were—

Senators Bailey, Boomer, Conaway, Converse, Cooley, Dashiell, Fairall, Howland, Jessup, Lovell, Maxwell, Miles, Murphy, Perkins, Russell, Smith, Stuart, Taylor, Willett, Wonn, and Young of Cass—21.

Absent or not voting—

Senators Bemis, Kinne, Merrell of Clinton, Merrill of Wapello, Rotherth, and Selby—6.

So the amendment was agreed to.

On the adoption of the substitute as amended the yeas and nays were demanded, and the yeas were—

Senators Bailey, Boomer, Conaway, Converse, Cooley, Crary, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Lovell, Maxwell, McCoid, McCormack, McIntyre, Miles, Miller, Mitchell, Murphy, Perkins, Rumble, Russell, Shane, Smith, Stone, Stuart, Taylor, Thornburg, Willett, Wonn, Wood, Young of Cass, and Young of Mahaska—35.

The nays were—

Senators Bemis, Campbell, Dague, Kephart, Newton, Pease, West, and Williams—8.

Absent or not voting—

Senators Chambers, Kinne, Larrabee, Merrell of Clinton, Merrill of Wapello, Rotherth, and Selby—7.

So the substitute as amended was adopted.

Senator Stuart moved to suspend the rules, and read the bill a third time now.

The motion prevailed.

On the question "Shall the bill pass?"

The yeas were—

Senators Bailey, Boomer, Conaway, Converse, Cooley, Dashiell, Fairall, Howland, Jessup, Lovell, Maxwell, McIntyre, Miles, Murphy, Perkins, Russell, Smith, Taylor, Thornburg, Williams, Wonn, and Young of Cass—22.

The nays were—

Senators Campbell, Chambers, Crary, Dague, Fitch, Gault, Kephart, Larrabee, McCoid, McCormack, Miller, Mitchell, Newton, Pease, Rumble, Shane, Stone, West, Willett, Wood, and Young of Mahaska—22.

Absent or not voting—

Senators Bemis, Merrell of Clinton, Merrill of Wapello, Rotherth, and Selby—6.

So the bill having failed to receive a constitutional majority was lost.

REPORTS OF COMMITTEES.

Senator Fairall, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—I am instructed by a majority of the Committee on Judiciary, to whom was referred S. F. No. 4, A bill for an act requiring the recorder of deeds and mortgages of the several counties of Iowa to procure and keep on file in their respective offices a certified transcript of the decrees and judgments rendered in the district and circuit court of the United States for the district of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report back to the Senate with the recommendation that it do pass a substitute therefor.

S. H. FAIRALL, *for Committee.*

Ordered passed on file.

Senator Chambers, from the Joint Committee appointed to visit and report upon the Institution for the Education of Deaf and Dumb, submitted a report which was ordered passed on file, and printed.

COMMUNICATION.

The President submitted the following communication from the Secretary of State.

STATE OF IOWA,
OFFICE OF SECRETAY OF STATE, }
Des Moines, Feb. 27, 1874. }

To HON. JOSEPH DYSART, *President of the Senate:*

In response to the resolution of the Honorable Senate of this date as to "why the last census returns have not been published and distributed" will say, that said census was delayed in order to incorporate in all the information of a statistical character possible, and the returns of county officers not reaching this office in time compelled us to wait for same, until a little after the first of January last, and by that time other reports of officers and State Institutions got in ahead of the census in the office of State Printer, and compelled it to be delayed. It is now ready, however, and its distribution commenced.

All of which is most respectfully submitted.

Most respectfully yours,

JOSIAH T. YOUNG, *Secretary of State.*

REPORT OF COMMITTEE.

Senator Young of Cass, 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, viz: S. F. No. 60, An act to legalize the sale of certain school lands in Wright county, Iowa.

LAFE YOUNG, *Chairman.*

Senator Stewart moved to reconsider the vote by which substitute for S. F. No. 37, failed to pass, and that the consideration of that motion be postponed until Monday next, which was agreed to.

On motion of Senator Miller the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 2, 1874. }

Senate met at 9 o'clock A. M., and was called to order by the President.

Prayer by the Rev. Mr. Murphy.

Pending the reading of the journal of Saturday, on motion of Senator Shane, 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. 45, A bill for an act to amend section 812, chapter 1, title 6, of the Code of 1873.

Also, S. F. No. 31, A bill for an act to repeal sections 3903, and 3904, of the Code of 1873, and the following amendment to the title: Add thereto the words "and to provide a substitute therefor," in which the concurrence of the Senate is asked.

JAMES M. WEART, *Chief Clerk.*

PETITIONS AND MEMORIALS.

By Senator Maxwell: A petition from citizens of Story county asking for the repeal of the Herd Law.

Referred to the Committee on Agriculture.

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

H. F. No. 168, A bill for an act providing for the organization of the county of Belknap, 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 appropriate \$714.30 to Thos. M. Monroe, and A. B. Smedley for certain services rendered to the State of Iowa, and certain necessary expenses while performing the same, was taken up.

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

H. F. No. 36, A bill for an act to legalize the assessments and tax sales of property in the city of Fort Madison, Iowa, was taken up.

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

H. F. No. 8, A bill for an act to perfect the organization of the Board of Trustees of Grundy Centre, Iowa, and to legalize the acts of said Board, was taken up.

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

H. F. No. 279, A bill for an act to repeal a part of section 2747 of the Code of 1873, was taken up,

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

H. F. No. 143, A bill for an act to legalize the Independent District of Burr Oak, Winneshiek county, was taken up.

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

H. F. No. 175, A bill for an act to legalize the official acts of T. C. Ransom, a notary public of Winnebago county, was taken up.

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

H. F. No. 243, A bill for an act to legalize the acts of A. Armetrout, secretary of the Union Agricultural Society of Cedar county was taken up.

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

Joint resolution in relation to the Onawa Branch of the Cedar Rapids & Missouri River Railroad, was taken up.

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

Substitute for H. F. No. 220, A bill for an act for the punishment of persons having in their possession burglar tools or implements with intention to commit the crime of burglary, was taken up.

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

Substitute for H. F. No. 53, A bill for an act to amend section 1498 of chapter 4, title 11, of the Code, in reference to partition fences, was taken up.

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

H. F. No. 45, A bill for an act to amend section 812, chapter 1, title 6 of the Code of 1873, was taken up.

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

INTRODUCTION OF BILLS.

By Senator Cooley: S. F. No. 195, A bill for an act to amend section 797, title 6, chapter 1, Code of Iowa, in relation to exemptions from taxation.

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

By Senator Rumble: S. F. No. 196, A bill for an act to amend section 2578, chapter 4, Code of 1873.

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

By Senator Converse: S. F. No. 197, A bill for an act to legalize the acts of the Board of Directors, of the Independent District of Parkersburg, Butler County, Iowa.

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

By Senator West: S. F. No. 198, A bill for an act to amend section 303, sub-division 24, chapter 2, title 4, of the Code of 1873.

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

By Senator Shane: S. F. No. 199, A bill for an act to provide for the creation and enforcement of liens in certain cases where corporations have issued bonds in excess of the amount allowed by law.

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

By Senator Murphy: S. F. No. 200, A bill for an act to amend section 1144, of chapter 4, title 9; of the Code.

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

By Senator Cooley: S. F. No. 201, A bill for an act to repeal sections 1292 and 1293, of the Code, and to enact new sections in lieu thereof.

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

By Senator Smith: Joint Resolution to elect Trustees for the Agricultural College and Farm.

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

By Senator Smith: Joint Resolution to provide for the publication of the Secretary's Report of the Board of Immigration.

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

RESOLUTION.

Senator Murphy offered the following resolution:

Resolved, That the Committee on Appropriations be instructed to report the appropriation bills for State institutions together, and that they also present therewith a tabulated statement showing the amount asked by each and the amount allowed each, and the totals of the same, together with the total amount of money that may be drawn from the Treasury for the purpose.

The resolution was adopted.

REPORT OF COMMITTEE.

Senator Young of Cass, 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. 59, An act to amend section 464 of the Code of 1873, and find the same correctly enrolled.

LAFE YOUNG, *Chairman*.

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:

S. F. No. 59, A bill for an act to amend section 464 of the Code of 1873.

BENJ. VAN STEINBURG,
First Assistant-Clerk.

A message from the Governor, by the hands of his private secretary, W. H. Fleming, was received and laid on the President's table.

At 10 A. M., on motion of Senator Campbell, the Senate went into executive session.

At 10:30 A. M., the doors were opened and the Senate resumed business.

REPORT OF COMMITTEE.

Senator Bemis, from the Committee on State University, submitted the following report:

MR. PRESIDENT:—Your Committee on State University, to whom was referred a joint resolution for the establishment of a chair of Military Science at the State University, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding the following proviso to the third resolution: “*Provided*, That nothing herein shall be construed to interfere with any detail heretofore made for any other institution in this State.” And, when so amended, that it do pass.

GEO. W. BEMIS, *Chairman.*

Ordered passed on file.

Senator Shane, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred the petition of John Mills and others, asking that the law in relation to stay of execution be repealed and that the law of the Revision of 1860, on that subject be re-enacted, 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 no change be made in existing laws on the subject of stay of execution.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred the memorial of the Muscatine county Council of Patrons, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, that in the opinion of a majority of the committee, no legislation is needed upon the subjects presented by the memorialists.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 183, A bill for an act to change section 3072, chapter 2, title 18 of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same

back to the Senate with the recommendation that the accompanying substitute be adopted, and that so adopted the bill do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary to whom was referred S. F. No. 180, A bill for an act to define and regulate the jurisdiction of the courts of the State, 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 indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary to whom was referred S. F. No. 58, A bill for an act to authorize cities to provide for the construction of sewers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended in the second line after the word first by inserting the words "and second," and that so amended the bill do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary to whom was referred S. F. No. 3, A bill for an act to repeal section No. 850 of the Code, 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 by adding the letter "s" to the word "section" in the first line, and by inserting after the word "section" in the first line "848 and 849," and by striking out of the second line the words "Revision of 1873," and that so amended the bill do pass.

JOHN SHANE, *Chairman.*

Ordered passed on file.

Senator Miles, from the committee on Hospital for Insane submitted the following report:

MR. PRESIDENT:—Your committee on Hospital for Insane to whom was referred S. F. No. 114, 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 referred to Committee on Appropriations.

The bill was so referred.

Also, the following:

MR. PRESIDENT:—Your Committee on Hospitals for Insane to whom was referred S. F. No. 187, A bill for act to repeal section 1433, of chapter 2, of title 11 of the Code of 1873, 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.

J. D. MILES, *Chairman.*

Ordered passed on file.

Senator Howland, 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 substitute for H. F. No. 90, A bill for an act to amend section 4064 of the Code, beg leave to report that they have had the same under consideration and have instructed met to report the same back to the Senate, with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on County and Township Organizations, to whom was referred S. F. No. 129, A bill for an act to authorize cities and towns to provide for the improvement of alleys, beg leave report 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.

E. A. HOWLAND, *Chairman.*

Ordered passed on file.

BILLS ON THIRD READING.

S. F. No. 31, A bill for an act to repeal section 3903 and 3904, of the Code of 1873, together with House amendment to the title, was taken up and considered.

On the question, "Shall the Senate concur in the House amendment?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Fitch, Gault, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Russell, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—40.

The nays were—None.

Absent or not voting—

Senators Dague, Dashiell, Fairall, Howland, Kephart, McIntyre, Merrell of Clinton, Merril of Wapello, Rumble, and Selby—10.

So the Senate concurred in the House amendment.

On motion of Senator Campbell, the consideration of S. F. No. 16, A bill for an act to enlarge the powers of School Directors, and increase the efficiency of the Public Schools, was postponed until Wednesday, next.

On motion of Senator Murphy, H. F. No. 205, A bill for an act to provide for the compilation and publication of the Road Laws, and the distribution of the same, with the recommendation of committee that it do pass, was taken up and considered.

Senator Maxwell moved to strike out all relative to the Attorney-General.

The motion was agreed to.

Senator Larabee moved to add to the end of the third section, "And distributed within twenty days after the adjournment of the Fifteenth General Assembly.

The motion was adopted.

Senator Larrabee moved to strike out section five and insert the following:

SECTION 5. The distribution shall be made at the expense of the State.

The motion was agreed to.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cray, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—41.

The nays were—None.

Absent or not voting—

Senators Cooley, Dague, Dashiell, Fairall, Kephart, Merrell of Clinton, Merrill of Wapello, Selby, and Shane—9.

So the bill passed and the title was agreed to.

By leave, Senator Converse introduced S. F. No. 202, A bill for an act to legalize the levy of taxes in the county of Floyd and State of Iowa.

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

BILLS ON SECOND READING.

S. F. No. 77, A bill for an act to repeal sections 914 and 915 of the Code, and to enact certain sections in lieu thereof; and to amend section 3793, of chapter 2, title 23, was taken up and made the special order for Wednesday next at 10:30 A. M.

Senator Stuart moved that when the senate adjourn it be until 2 P. M.

The motion did not prevail.

Senator Campbell moved to take up and consider S. F. No. 132, A bill for an act to legalize the acts of H. S. Winslow, a Notary Public in and for Jasper county, Iowa.

She motion prevailed.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormick, McIntyre, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Shane, Smith, Stuart, Taylor, Thornburg, West, Willet, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—40.

The nays were—None.

Absent or not voting—

Senators Crary, Dague, Dashiell, Fairall, Kephart, Merrell of Clinton, Merrill of Wapello, Russell, Selby, and Stone—10.

So the bill passed and the title was agreed to.

S. F. No. 69, A bill for an act providing for the collection and payment of State revenue and amending certain sections of the Code, with report of committee recommending amendments was taken up, considered, and passed on file.

On motion of Senator Stuart, the consideration of the motion to reconsider the vote by which substitute for S. F. No. 37, A bill for an act to divide counties into supervisor districts failed to pass, was postponed until to-morrow.

H. F. No. 81, A bill for an act to amend section 289, and section 290, of the Code of 1873, with the report of committee recommending its passage, was taken up, considered, and on motion of Senator Perkins made the special order for 9:30 o'clock, A. M., to-morrow.

On motion of Senator Fitch, the time of adjournment was postponed until 12:10, P. M.

On motion of Senator Larrabee, S. F. No. 71, A bill for an act to amend chapter 25, title 6, of the Code, in relation to tax sales, and redemption of property in counties having two county seats, with report of committee recommending amendments, was taken up and considered.

The amendments reported by the committee were concurred in.

On motion of Senator Rotherth, the rules was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dashiell, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Miles, Mitchell, Murphy, Newton, Pease, Perkins, Rotherth, Rumble, Russell, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willet, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—44.

The nays were—None.

Absent or not voting—

Senators Dague, Fairall, Merrell of Clinton, Merrilof Wapello, Miller, and Selby—6.

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

REPORT OF COMMITTEE.

Senator Young of Cass, 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:

S. F. No. 59, An act to amend 464 of the Code of 1878.

LAFE YOUNG, *Chairman.*

At 12:30, on motion of Senator Young of Mahaska, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 3, 1874. }

Senate met at 9 A. M., and was called to order by the President.
Prayer by the Rev. Mr. Kooker.

On motion of Senator Young of Mahaska, 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. 99, A bill for an act to provide that all lands to be laid out into town or city lots shall be free from incumbrance, and that the same when thus laid out shall be accurately described relative to some established corner of the congressional division of which they are a part.

Also, without amendment:

S. F. No. 98, A bill for an act to provide for the permanent survey of lands.

Joint resolution relative to homesteads for soldiers and sailors of the late war.

JAMES M. WEART, *Chief Clerk.*

PETITIONS AND MEMORIALS.

By Senator Jessup: Petition from citizens of Tama county, asking that the prohibitory liquor law be made more stringent by including wine and beer.

Referred to Committee on Suppression of Intemperance.

By Senator Fitch: From citizens of Buena Vista county, remonstrating against the passage of H. F. No. 81.

Referred to the Committee on Ways and Means.

INTRODUCTION OF BILLS.

By Senator Maxwell: S. F. No. 203, A bill for an act to legalize a survey of the town plat of Cambridge, Story county, Iowa, heretofore made by M. C. Allen, county surveyor of Story county, Iowa.

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

By Senator Rothert: S. F. No. 204, A bill for an act to authorize the sale of real estate by municipal corporations in certain cases.

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

By Senator McCormack: S. F. No. 205, A bill for an act to legalize the acts of the city council of Knoxville, Marion county, Iowa.

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

By Committee on Judiciary: S. F. No. 206, A bill for an act to quiet and confirm the title to certain lands in Webster and Hamilton counties, and adjust the matters connected therewith.

Read first and second time, and passed on file.

By Senator Miller: S. F. No. 207, A bill for an act to establish a State Normal School.

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

By Senator Rothert: S. F. No. 208, A bill for an act to legalize the edition of the Code of 1873, published by Mills & Co. .

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

Senator Shane moved that the Senate proceed to the election of a President *pro tem*.

The motion prevailed.

Senator Campbell nominated Senator Willett, of Winneshiek county.

Senator Gault nominated Senator McCormack, of Marion county.

Those voting for Senator Willett were:

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Converse, Cooley, Crary, Dagne, Dashiell, Fitch, Howland, Jessup, Kephart, Larrabee, Maxwell, McCoid, McCormack, McIntyre, Miles, Miller, Perkins, Rothert, Rumble, Russell, Shane, Smith, Stone, Taylor, West, Williams, Young of Cass, and Young of Mahaska—33.

Those voting for Senator McCormack were:

Senators Conaway, Gault, Kinne, Lovell, Mitchell, Murphy, Newton, Pease, Stuart, Thornburg, Willett, Wonn, and Wood—13.

Absent or not voting—

Senators Fairall, Merrell of Clinton, Merrill of Wapello, and Selby—4.

Senator Willett having received a majority of all the votes cast, was declared duly elected President *pro tem*. of the Senate.

REPORTS OF COMMITTEES.

Senator Perkins, from the Committee on Printing, submitted the following report:

MR. PRESIDENT:—Your Committee on Printing, to whom was referred S. F. No. 17, A bill for an act to provide for the Public Printing and Binding, 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.

GEO. D. PERKINS, *Chairman*.

Ordered passed on file.

Senator John Shane, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 182, A bill for an act to change section 2736, chapter 8, title 17, of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same

back to the Senate, with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 184, A bill for an act to amend section 2951, chapter 1, title 18, of Code of 1873, 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.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 152, a bill for an act to amend section 3775, of chapter 2, title 23, of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 162, A bill for an act to amend section 4254, of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 161, A bill for an act to repeal sections 1461, and 1462, of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the opinion that no legislation is needed upon the subject embraced in said sections.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 279, A bill for an act to repeal a part of section 2747 of the Revision of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary to whom was referred S. F. No. 112, A bill for an act to authorize the board of supervisors of Polk county, Iowa, to extend time, etc., 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.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary to whom was referred H. F. No. 175, A bill for an act to legalize the official acts of T. C.

Rawson, a notary public of Winnebago 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.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary to whom was referred S. F. No. 186, A bill for an act to make section 464 of the Cope applicable to cities incorporated by special charters, beg leave to report 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.*

Ordered passed on file.

Senator Jessup, 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. 77, A bill for an act reducing the salaries of the Judges of the Supreme Court, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out three thousand dollars and insert in lieu thereof "thirty-five hundred," and strike out five and insert "ten," and that when so amended it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Compensation of Public Officers, to whom was referred S. F. No. 107, A bill for an act to amend section 3788 of the Code, in relation to sheriffs' 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 the following substitute be adopted.

ELIAS JESSUP, *Chairman.*

Ordered passed on file.

Senator Smith, from the Committee on Claims, submitted the following report:

MR. PRESIDENT:—Your Committee on Claims, to whom was referred H. F. No. 174, A bill for an act providing for the payment of the claim of Carl Jaacks, beg leave 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 "nine," in the fifth line of section 1, and insert, in lieu thereof, "four," and so amended that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Claims, to whom was referred S. F. No 155, A bill for an act providing for an investigation of the claim of the contractor for the erection of the asylum for the deaf and dumb, beg leave to report that they have had the same under consider-

ation and have instructed me to report the same back to the Senate without recommendation.

E. F. SMITH, *Chairman.*

Ordered passed on file.

Senator Pease, from the Committee on Reform School, submitted the following report:

MR. PRESIDENT:—Your Committee on Reform School, to whom was referred S. F. No. 88, A bill for an act for the support of the reform school, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Appropriations, and recommend it to their favorable consideration.

J. B. PEASE, *Chairman.*

The bill was so referred.

Senator Dashiell, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT:—Your Committee on Public Buildings, to whom was referred the anonymous communication in regard to the "State-House," dated February 6, 1874, beg leave 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 it does not in any proper or authentic manner show necessity for action thereon.

M. A. DASHIELL, *Chairman.*

Ordered passed on file.

Senator McCoid from the Committee on Incorporations submitted the following report:

MR. PRESIDENT:—Your Committee on Incorporations to whom was referred S. F. No. 179, A bill for an act to authorize the sale of out lot No. one in Delhi, 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 title be amended by adding thereto "to which does or can be made to apply."

Strike out of the third line after the word treasurer and insert "auditor."

Insert in the seventh line after the words per cent., the words "under the direction of the board of supervisors of said county," and when so amended that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Incorporations to whom was referred S. F. Nos. 131 and 137, A bill for an act authorizing corporations to amend articles of incorporations and change names, beg leave to report 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 and that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Incorporations to whom was

referred the accompanying resolution—to examine the Code defining powers of incorporate towns and that portion defining the duties of trustees, and ascertain whether legislation is necessary, beg leave to report 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 is not apparent that any legislation is necessary, the resolution covers a considerable portion of the Code, and your committee recommend that bills be introduced by any Senator directing attention to the amendment thought necessary as much preferable to this general way.

M. A. McCOID, *Chairman.*

Ordered passed on file.

Senator Kephart from the Committee on Schools submitted the following report:

MR. PRESIDENT:—Your Committee on Schools to whom was referred S. F. No. 190, A bill for an act to amend section 1732 of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

E. B. KEPHART, *Chairman.*

Ordered passed on file.

Senator Conaway, from the Special Committee on petition in relation to the Sac and Fox Indians, submitted the following report:

MR. PRESIDENT:—Your Special Committee to whom was referred, petition asking for a special act to treat as vagrants the Sac and Fox Indians, of Tama 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, saying they are not justifiable in recommending the passage of an act of that character. Think the 5th, 6th and 7th lines, of section 4130, page 646, of the Code, is all that is asked for in said petition, where it says: "All persons wandering about and having no visible calling or business to maintain themselves; all persons begging in public places, or from house to house, can be treated as vagrants." All that is necessary is to put the present law in execution when violated.

JOHN CONAWAY, *Chairman.*

Ordered passed on file.

Senator West, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT:—Your Committee on appropriations, to whom was referred S. F. No. 88, A bill for an act for the support of the Reform School, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended, by inserting in the third line after the word "Month," the following: "Or so much thereof as may be necessary;" and so amended that it do pass.

JOHN P. WEST, *Chairman.*

Ordered passed on file.

RESOLUTIONS.

Senator McCoid offered the following:

Resolved, That the committee on incorporation be authorized to employ a clerk for the remaining portion of the session.

The resolution was adopted.

The hour for the special order having arrived, it being, H. F. No. 81, A bill for an act to amend section 289, and section 290, of the Code, of 1873, it was on motion of Senator Stuart, taken up and considered.

The bill was ordered engrossed for a third reading to-morrow.

Senator Rothert offered the following:

Resolved, That the Judiciary Committee be instructed to investigate and compare the provisions of sections 479 and 551, chapter 10, title 4 of the Code, as far as they relate to cities acting under special charter, and report by bill or otherwise, as to the apparent contradiction of said sections.

The resolution was adopted.

Senator McCoid moved to take up and consider Senate Files Nos. 131 and 137, with report of committee recommending a substitute.

The motion prevailed and the substitute was adopted.

On motion of Senator McCoid, the rules were suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Cooley, Crary, Fitch, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Miles, Miller, Mitchell, Newton, Pease, Perkins, Rothert, Rumble, Russell, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—41.

The nays were—

Senators Converse, Dashiell, and Gault—3.

Absent or not voting—

Senators Dague, Fairall, Merrell of Clinton, Merrill of Wapello, Murphy, and Selby—6.

So the bill passed and the title was agreed to.

Senator Stuart moved to reconsider the vote by which H. F. No. 81 was ordered engrossed for a third reading to-morrow.

The motion prevailed.

The hour for the special order having arrived, it being S. F. No. 97, A bill for an act to provide for leasing the convict labor in the Iowa Penitentiary after the expiration of the lease now in force, it was, on motion of Senator Rothert, postponed until H. F. No. 81 was disposed of.

The consideration of H. F. No. 81 was resumed.

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 Bailey, Boomer, Chambers, Conaway, Converse, Crary, Dague, Dashiell, Fitch, Howland, Jessup, Kephart, Larrabee, Maxwell, McCormack, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Smith, Stone, Stuart, Taylor, Thornburg, West, Williams, Wonn, Wood, and Young of Cass—35.

The nays were—

Senators Bemis, Campbell, Cooley, Gault, Kinne, Lovell, McCoid, McIntyre, Shane, and Willett—10.

Absent or not voting—

Senators Fairall, Merrell of Clinton, Merrill of Wapello, Selby, and Young of Mahaska—5.

So the bill passed and the title was agreed to.

Senator West moved to postpone the consideration of the special order, (S. F. No. 97) for thirty minutes.

The motion did not prevail.

The special order, was, on motion of Senator Rothert, taken up.

Senator Campbell moved to amend section 1 by striking out "two" in the second line, and inserting "three." Also, to strike out all after "who," in the same line, down to and including "penitentiary," in the third line.

The amendment was adopted.

Senator Miller moved to amend the first section by striking out "ten" in the sixth line and inserting "five."

The amendment was adopted.

Senator Larrabee moved to amend section 1 by striking out "said" in the fifth line, and inserting, "at Fort Madison" after "penitentiary" in the sixth line, which was agreed to.

Senator Willett moved to amend section 1 by inserting after the word "years" in the sixth line, the following: "reserving to the State the right to remove convicts to any other penitentiary; *provided*, that the number shall not be reduced below two hundred, if there are that number of convicts."

Pending the consideration of this amendment, Senator Stuart moved that when the Senate adjourned it be until 2 o'clock P. M.

The motion prevailed.

At 12 M., the Senate adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

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

Senator Boomer, from the Special Joint Committee appointed to visit the State University, submitted a report, which was ordered placed on file.

The consideration of the amendment offered by Senator Willett to S. F. No. 97, was resumed.

Senator McCoid moved to amend the amendment by striking out "200" and inserting "300."

Senator McIntyre moved the previous question.

The motion was seconded by the Senate and the main question ordered.

On the adoption of the amendment to the amendment the yeas and nays were demanded, and the yeas were—

Senators Campbell, Conaway, Dague, Dashiell, Fitch, Gault, Jessup, McCoid, McCormack, McIntyre, Miles, Miller, Mitchell, Newton, Pease, Perkins, Rothert, Smith, Taylor, Thornburg, West, Williams, Wonn, Wood, and Young of Cass—25.

The nays were—

Senators Bailey, Bemis, Boomer, Chambers, Converse, Cooley, Crary, Howland, Kephart, Kinne, Larrabee, Lovell, Maxwell, Murphy, Rumble, Russell, Shane, Stuart, Willett, and Young of Mahaska—20.

Absent or not voting—

Senators Fairall, Merrell of Clinton, Merrill of Wapello, Selby, and Stone—5.

So the amendment to the amendment was adopted.

On the adoption of the amendment as amended the yeas and nays were demanded and the yeas were—

Senators Bailey, Boomer, Campbell, Conaway, Dague, Dashiell, Fitch, Gault, Jessup, McCoid, McCormack, McIntyre, Miles, Miller, Mitchell, Newton, Pease, Perkins, Rothert, Smith, Taylor, Thornburg, West, Williams, Wonn, Wood, and Young of Cass—27.

The nays were—

Senators Bemis, Chambers, Converse, Cooley, Crary, Howland, Kephart, Kinne, Larrabee, Lovell, Maxwell, Murphy, Rumble, Russell, Shane, Stuart, Willett, and Young of Mahaska—18.

Absent or not voting—

Senators Fairall, Merrell of Clinton, Merrill of Wapello, Selby, and Stone—5.

So the amendment as amended was adopted.

On the question, "Shall the bill be engrossed for a third reading to-morrow?" the yeas and nays were demanded and the yeas were—

Senators Boomer, Campbell, Chambers, Conaway, Converse, Dague, Dashiell, Fitch, Gault, Jessup, McCoid, McCormack, McIntyre, Miles, Miller, Mitchell, Newton, Pease, Perkins, Rothert, Shane, Smith, Stuart, Taylor, Thornburg, West, Williams, Wonn, Wood, and Young of Cass—30.

The nays were—

Senators Bailey, Bemis, Cooley, Crary, Howland, Kephart, Kinne, Larrabee, Lovell, Maxwell, Murphy, Rumble, Russell, Willett, and Young of Mahaska—15.

Absent or not voting—

Senators Fairall, Merrell of Clinton, Merrill of Wapello, Selby, and Stone—5.

So the bill was ordered engrossed.

Senator McCoid moved to reconsider the vote by which the bill was ordered engrossed.

The motion prevailed.

Senator McCoid moved to suspend the rule and read the bill a third time.

Senator Cooley moved to amend the third line of section 3 by striking out forty-one and inserting "sixty."

Senator Larrabee moved to amend the amendment by striking out sixty and inserting "sixty-six and two-thirds."

On the adoption of the amendment to the amendment, the yeas and nays were demanded and the yeas were—

Senators Bailey, Bemis, Converse, Cooley, Crary, Dague, Howland, Kephart, Kinne, Larrabee, Lovell, Maxwell, Murphy, Rumble, Shane, Stuart, Thornburg, West, and Willett—19.

The nays were—

Senators Boomer, Campbell, Conaway, Fitch, Gault, Jessup, McCoid, McCormack, McIntyre, Miles, Miller, Mitchell, Newton, Pease, Perkins, Rothert, Russell, Smith, Taylor, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—24.

Absent or not voting—

Senators Chambers, Dashiell, Fairall, Merrell of Clinton, Merrell of Wapello, Selby, and Stone—7.

So the Senate refused to adopt the amendment to the amendment.

Senator Cooley's amendment was then adopted.

Senator McCoid's motion to suspend the rules and read the bill a third time was then agreed to.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Conaway, Converse, Cooley, Dague, Fitch, Gault, Howland, Jessup, Kephart, Larrabee, McCoid, McCormack, McIntyre, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Shane, Smith, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—39.

The nays were—

Senators Kinne, Lovell, and Maxwell—3.

Absent or not voting—

Senators Chambers, Crary, Dashiell, Fairall, Merrell of Clinton, Merrill of Wapello, Selby, and Stone—8.

So the bill passed and the title was agreed to.

On motion of Senator Stuart, the consideration of the motion to reconsider the vote by which S. F. No. 37 failed to pass yesterday, was postponed until to-morrow.

HOUSE MESSAGES.

H. F. No. 99, A bill for an act to provide that all lands to be laid out into town or city lots shall be free from incumbrance, and that the same, when thus laid out, shall be accurately described relative to some established corner of the congressional division of which they are a part, was then taken up, read first and second time, and referred to Committee on Incorporations.

By leave, Senator J. S. McIntyre, from the Committee on Banks submitted the following report:

MR. PRESIDENT:—Your Committee on Banks, to whom was referred S. F. No. 48, A bill for an act to provide for the organization and management of savings banks, beg leave to report that they have had the same under consideration and have instructed me to report the following as a substitute back to the Senate with the recommendation that it do pass.

J. S. McINTYRE, *Chairman.*

Ordered passed on file, and the bill ordered printed.

BILLS ON SECOND READING.

H. F. No. 123, A bill for an act to amend section 2626 of the Code, was taken up and considered.

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 Bailey, Boomer, Campbell, Conaway, Converse, Cooley, Crary, Dague, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Lovell, Maxwell, McCormack, McIntyre, Miles, Miller, Mitchell, Newton, Perkins, Rothert, Rumble, Shane, Smith, Stuart, Taylor, Thornburg, West, Williams, Wood, and Young of Mahaska—34.

The nays were—

Senators Larrabee, McCoid, Pease, Willett, and Wonn—5.

Absent or not voting—

Senators Bemis, Chambers, Dashiell, Fairall, Merrell of Clinton, Merrill of Wapello, Murphy, Russell, Selby, Stone, and Young of Cass—11.

So the bill passed and the title was agreed to.

On motion of Senator Kephart the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 4, 1874. }

Senate met at 9 A. M., and was called to order by the President.

Prayer by the Rev. Mr. _____.

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. 188, A bill for an act to amend section 866 of the Code of 1873.

H. F. No. 197, A bill for an act to amend title 7, chapter 1, section 949 of the Code.

H. F. No. 326, A bill for an act requiring the executive council to perform all duties imposed by law on the census board.

Also, without amendment, S. F. No. 87, A bill for an act to pay the trustees of the Iowa State Agricultural College and Farm.

JAMES M. WEART, *Chief Clerk.*

PETITIONS AND MEMORIALS.

Senator Cooley presented a petition from citizens of Keokuk county, Iowa, asking the passage of a school law to embody the views embraced in the memorial of Matilda Fletcher.

Referred to Committee on Schools.

Senator Newton presented a similar petition, which was referred to same committee.

Senator Campbell presented a petition from citizens of Jasper county, asking the repeal of the herd law.

Referred to Committee on Agriculture.

INTRODUCTION OF BILLS.

By Senator Converse: S. F. No. 209, A bill for an act to legalize certain judgment taxes levied by counties and other municipal corporations in the State of Iowa.

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

By Senator Shane: S. F. No. 210, A bill for an act to amend chapter 9, title 17 of the Code.

Read first and second time, and passed on file.

By Senator McCormack: S. F. No. 211, A bill for an act to amend chapter 71 of the laws of 1854-5, entitled An act to incorporate the city of Knoxville.

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

REPORTS OF COMMITTEES.

Senator Shane from the Committee on Judiciary submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary to whom was referred S. F. No. 163, A bill for an act to enable counties to furnish Justices of the Peace with "Wood's Hand Book for Justices, Constables and Coroners" for the use of their respective offices beg leave to report 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.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 146, A bill for an act to amend section 231, Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when so adopted, that the bill do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary to whom was referred S. F. No. 191, A bill for an act to authorize the re-survey and replatting of city or town plats, or additions thereto in cases where the original plats have been lost and not acknowledged or recorded, beg

leave to report 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 sixth line of the first section by striking out the word "hereafter" and inserting in lieu thereof the word "heretofore," and by inserting in the sixth line of section 4 immediately after the word "addition" the following words: "or that he intended to dedicate to the public the streets, alleys, or public squares of such city, town, village or addition," and that so amended it do pass.

JOHN SHANE, *Chairman.*

Ordered passed on file.

Senator Howland, 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. 198, A bill for an act to amend section 303, sub division 24, chapter 2, title 4, of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the following substitute, and recommend that the substitute do pass.

Ordered, passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 168, A bill for an act providing for the organization of the county of Belknap, beg leave 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, and recommend that the bill, so amended, do pass.

SEC. 5. Ninth line, after the word district, add, "and circuit."

SEC. 10. Fifth line, after the word Belknap, add, "as soon as practicable, and pay over to each township clerk and to each district township treasurer all of the several funds to which each are entitled, for the year 1874, and previous years that have been collected and not paid over, on the real and personal property in the territory comprising said Belknap county, and taking their receipts therefor;" and strike out "taking his receipt therefor," then as before, after first word in 6th line, in 5th and 6th line.

NEW SEC. 12. Upon the taking effect of this act as hereinbefore specified, said county of Belknap shall be in, and constitute a part of the same congressional, judicial, senatorial and representative districts, of which it is now a part; and it shall be the duty of the judges of the said judicial district, on the first Monday of January, 1875, to fix the times of holding the district and circuit courts, in said county of Belknap, in the manner made and provided for by statute; and make such changes in the times of holding the courts in other counties of said district as may become necessary to carry out the provisions of this section.

NEW SEC. 13. The county seat of said Belknap county shall be, and remain, at such place in the territory now embraced in the township of Center, in said Pottawattamie county, as shall be designated by a majority of the board of supervisors of the said Belknap county,

until such county seat shall be re-located, as made and provided by statute. And said board of supervisors shall hold their first regular meeting at school house designated as No. 1, in said Center township, and designate said place in said Center township as aforesaid.

E. A. HOWLAND, *Chairman.*

Ordered passed on file.

Senator Stone, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT:—Your Committee on Insurance, to whom was referred S. F. No. 200, A bill for an act to amend section 1144, of chapter 4, title 9, of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and that when so amended that the bill do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Insurance, to whom was referred S. F. No. 106, A bill for an act to amend section 807, chapter 1, title 6, of the Code, empowering municipal corporations to license 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 the accompanying substitute be adopted, and that when so amended the bill do pass.

JNO. Y. STONE, *Chairman.*

Ordered passed on file.

Senator Smith, from the Committee on Claims, submitted the following report:

MR. PRESIDENT:—Your Committee on Claims, to whom was referred H. F. No. 288, A bill for an act to appropriate seven hundred and fourteen 30-100 dollars to Thomas M Monroe and A. B. Smedley, for certain services rendered to the State of Iowa, and certain necessary expenses while performing 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 without recommendation.

E. T. SMITH, *Chairman.*

Ordered passed on file.

Senator Miller, from the Committee on Military, submitted the following report:

MR. PRESIDENT:—Your Committee on Military, to whom was re-committed S. F. No. 5, A bill for an act to authorize a subscription to Wood's Military History of Iowa, for the period of the rebellion, 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, and when so amended that it do pass:

Fill the blank in 6th line, section 1, with "50," also, blank in 1st line, section 3, with "50."

Add to section 3, the words, "in amount not to exceed \$400. The Secretary of State shall place all the copies in the hands of the State Librarian for the benefit of the State Library."

Strike out section 4.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Military, to whom was referred S. F. No. 122, A bill for an act relating to the duties of Adjutant General of this State, when performing the duties of Paymaster General, 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.

E. G. MILLER, *Chairman.*

Ordered passed on file.

Senator Shane, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred the petition of sundry citizens of Black Hawk county for the relief of Byron Wright, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the opinion that this General Assembl. has no constitutional power to grant the relief demanded

JOHN SHANE, *Chairman.*

Ordered passed on file.

Senator Young of Cass, 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. No. 31, An act to repeal sections 3903 and 3904 of the Code of 1873, and to provide a substitute therefor.

S. F. No. 98, An act to provide for the permanent survey of lands.

Joint resolution in reference to homesteads for soldiers, and find the same correctly enrolled.

LAFE YOUNG, *Chairman.*

On motion of Senator Converse, S. F. No. 17, A bill for an act to provide for the public printing and binding, with report of committee reporting it back without recommendation, was taken up and made the special order for March 6, at 10 A. M.

On motion of Senator Kephart, S. F. No. 170, A bill for an act to establish and maintain industrial expositions in public schools of the State, with report of committee recommending its passage, was taken up and considered.

On motion of Senator Cooley the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Conaway, Converse,

Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Lovell, McCoid, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Newton, Pease, Perkins, Rothert, Rumble, Selby, Shane, Smith, Thornburg, West, Willett, Williams, Wood, and Young of Cass—36.

The nays were—

Senators Maxwell, McCormack, Stuart, Taylor, Wonn, and Young of Mahaska—6.

Absent or not voting—

Senators Chambers, Dashiell, Larrabee, McIntyre, Miles, Murphy, Russell, and Stone—8.

So the bill passed and the title was agreed to.

Senator Cooley moved to take up and consider S. F. No. 4, A bill for an act requiring the recorder of deeds and mortgages of the several counties of Iowa, to procure and keep on file in their offices a certified transcript of the decrees and judgments rendered in the district and circuit courts of the United States for the district of Iowa, with report of committee recommending the adoption of a substitute.

The motion prevailed.

Senator Campbell moved to amend section 1, by adding after the word "Iowa," the words, "when ordered by the board of supervisors of said county."

On motion of Senator Smith, the special order for this hour, (10:30,) was postponed until the bill under consideration is disposed of.

The consideration of S. F. No. 4 was resumed.

Senator Maxwell moved the previous question, which was seconded, and the main question ordered.

On the adoption of the amendment offered by Senator Campbell, the yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Conaway, Crary, Dague, Fitch, McCoid, Miles, Mitchell, Newton, Perkins, Rothert, Selby, Thornburg, West, Wonn, Wood, and Young of Cass—20.

The nays were—

Senators Converse, Cooley, Fairall, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Murphy, Rumble, Russell, Shane, Stuart, Taylor, Willett, Williams, and Young of Mahaska—25.

Absent or not voting—

Senators Chambers, Dashiell, Pease, Smith and Stone—5.

So the amendment was lost.

The substitute reported by the committee was adopted, and the bill was ordered engrossed.

Senator Cooley moved to reconsider the vote by which the bill was ordered engrossed.

The motion prevailed.

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

On the question "Shall the bill pass?"

The yeas were—

Senators Converse, Cooley, Dague, Fairall, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Murphy, Pease, Rumble, Russell, Shane, Smith, Stuart, Taylor, Thornburg, West, Willett, Williams, and Young of Mahaska—30.

The nays were—

Senators Bailey, Bemis, Boomer, Campbell, Conaway, Fitch, McCoid, Miles, Mitchell, Newton, Perkins, Rothert, Selby, Wonn, Wood, and Young of Cass—18.

Absent or not voting—

Senators Chambers, Crary, Dashiell, and Stone—4.

So the bill passed and the title was agreed to.

On motion of Senator Stuart, the special order, it being the motion to reconsider the vote by which the substitute for S. F. No. 37, A bill for an act to divide counties into supervisor districts, failed to pass, was taken up and considered.

The question being on the motion to reconsider, the yeas and nays were demanded, and the yeas were—

Senators Bailey, Boomer, Conaway, Converse, Dague, Fairall, Gault, Howland, Jessup, Lovell, Maxwell, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Murphy, Pease, Perkins, Russell, Smith, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—30.

The nays were—

Senators Campbell, Fitch, Kephart, Kinne, Larrabee, McCoid, Miller, Mitchell, Newton, Rothert, Rumble, Selby, and Shane—13.

Absent or not voting—

Senators Bemis, Chambers, Cooley, Crary, Dashiell, McIntyre, and Stone—7.

So the motion to reconsider prevailed.

The question recurring on the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Conaway, Converse, Fairall, Gault, Howland, Jessup, Lovell, Maxwell, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Mitchell, Murphy, Pease, Perkins, Russell, Smith, Stuart, Taylor, Thornburg, Willett, Wonn, Wood, and Young of Cass—29.

The nays were—

Senators Campbell, Fitch, Kephart, Kinne, Larrabee, McCoid, Miller, Newton, Rumble, Selby, Shane, West, Williams, and Young of Mahaska—14.

Absent or not voting—

Senators Chambers, Cooley, Crary, Dague, Dashiell, Rothert, and Stone—7.

So the bill passed and the title was agreed to.

SPECIAL ORDERS.

The hour for the special order having arrived, it being S. F. No. 40, A bill for an act to amend chapter 1 of title 6 of the Code, with report of committee recommending its passage, it was, on motion, taken up, and considered.

Senator West moved to amend by striking out all after the enacting clause, and inserting the following: "That section 814 of the Code is hereby repealed."

On this question the yeas and nays were demanded, and the yeas were—

Senators Boomer, Campbell, Conaway, Dague, Fitch, Gault, McCoid, Newton, Selby, Smith, Stuart, Taylor, Thornburg, West, Williams, and Young of Cass—16.

The nays were—

Senators Bailey, Bemis, Converse, Crary, Dashiell, Fairall, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Perkins, Rothert, Rumble, Russell, Shane, Willett, Wonn, Wood, and Young of Mahaska—28.

Absent or not voting—

Senators Chambers, Cooley, Kinne, McIntyre, Pease, and Stone—6.
So the amendment did not prevail.

Senator Maxwell moved that when the Senate adjourn, it be until 2 P. M.

The motion did not prevail.

The consideration of S. F. No. 40 was resumed.

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 Boomer, Conaway, Converse, Dague, Dashiell, Fairall, Fitch, Gault, Jessup, Kephart, McCormack, McIntyre, Merrill of Wapello, Miller, Selby, Smith, Stuart, Taylor, Thornburg, Williams, and Young of Cass—21.

The nays were—

Senators Bailey, Bemis, Campbell, Crary, Howland, Larrabee, Lovell, Maxwell, McCoid, Merrell of Clinton, Miles, Mitchell, Murphy, Newton, Perkins, Rothert, Rumble, Russell, Shane, West, Willett, Wonn, Wood, and Young of Mahaska—24.

Absent or not voting—

Senators Chambers, Cooley, Kinne, Pease, and Stone—5.

So the bill having failed to receive a constitutional majority, was lost.

Senator West moved to reconsider the vote by which the bill failed to pass.

Senator Larrabee moved to lay the motion to reconsider on the table.

At 12 M. the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 5, 1874. }

Senate met at 9 A. M., and was called to order by the President.

Prayer by the Rev. Mr. Matheny.

On motion of Senator Taylor, the reading of the Journal was dispensed with.

REPORTS OF COMMITTEES.

Senator Young of Cass, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined H. F. Nos. 81, and 123.

An act to amend section 2626, of the Code.

An act to amend section 289 and section 290, of the Code of 1873.

S. F. No. 87, An act to pay the Board of Trustees of the State Agricultural College and Farm. And find the same correctly enrolled.

LAFE YOUNG, *Chairman.*

HOUSE MESSAGES.

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.

Substitutes for S. F. Nos. 41 and 223, A bill for an act to repeal section 4048, title 24, chapter 11 of the Code, and to enact a substitute in lieu thereof.

Joint Resolution proposing to amend the Constitution of the State of Iowa, and to provide for its reference and publication.

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:

S. F. No. 31, A bill for an act to repeal sections 3903 and 3904 of the Code of 1873, and to provide a substitute therefor.

S. F. No. 98, A bill for an act to provide for the permanent survey of lands.

H. F. No. 81, A bill for an act to amend section 289 and section 290 of the Code of 1873.

H. F. No. 123, A bill for an act to amend section 2626 of the Code of Iowa.

Joint resolution relative to a modification of the homestead laws, in behalf of soldiers and sailors.

JAMES M. WEART, *Chief Clerk.*

PETITIONS AND MEMORIALS.

By Senator Taylor: from citizens of Iowa, asking for the repeal of the prohibitory liquor law and the enactment of a judicious license law.

Ordered passed on file.

By Senator Newton: two similar petitions.

Passed on file.

By Senator Young of Cass: three petitions from citizens of Shelby county, asking for the repeal of the herd law.

Referred to Committee on Agriculture.

By Senator Perkins: a petition from citizens of Monona county, asking for the repeal of the herd law.

Referred to Committee on Agriculture.

By Senator Willett: a remonstrance against legalizing certain bonds. Also: two petitions asking that said certain bonds be legalized.

All referred to Committee on Schools.

By Senator Willett: a petition from citizens of Madison township, Winneshiek county, in relation to chivarari parties.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Perkins: S. F. No. 212, A bill for an act to amend chapter 3, title 6 of the Code in relation to domestic and other animals.

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

By Senator Shane: S. F. No. 213, A bill for an act to regulate convict labor in the Penitentiary.

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

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. 87: A bill for an act to pay the Board of Trustees of the Iowa State Agricultural College and Farm.

W. A. FULMER, *Second Clerk.*

RESOLUTIONS.

Senator Dague offered the following:

Resolved by the Senate, the House concurring, That the Committees on Printing of the Senate and House, be instructed to jointly inquire into the prices now allowed by law to the State Printer and Binder, for labor performed by them for the State, and report whether, in their opinion, there should be a reduction of such prices paid said officers.

The resolution was adopted.

By leave, Senator Mitchell presented a petition from citizens of Polk county, asking for the enactment of a law prohibiting the sale of all intoxicating liquors, including wine and beer.

Referred to Committee on Suppression of Intemperance.

COMMUNICATIONS.

The President submitted the following communication from the Secretary of State:

OFFICE OF SECRETARY OF STATE, }
DES MOINES, IOWA, March 4, 1874. }

HON. JOSEPH DYSART, *President of the Senate:*

Dear Sir: As required by the latter part of section 1280, of the

Code of 1873, I have this day presented to the House of Representatives of the State of Iowa, such reports as have been filed in my office by railway companies, as required by said section 1280.

Said reports were from the Dubuque and Southwestern Railway Company, Dakota Southern Railway Company, Cedar Falls and Minnesota Railway Company, and Sioux City and St. Paul Railway Company.

All of which is most respectfully submitted.

I have the honor to be, sir, your most obedient servant.

JOSIAH T. YOUNG,
Secretary of State of Iowa.

REPORTS OF COMMITTEES.

Senator Perkins, from the Committee on Printing, submitted the following report :

MR. PRESIDENT :—Your Committee on Printing, to whom was referred Joint Resolution to provide for the publication of the Secretary's report of the Board of Immigration, beg leave to report that they have had the same under consideration, and that a majority of said Committee have instructed me to report the same back to the Senate with the recommendation that it do not pass.

GEO. D. PERKINS, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT :—Your Committee on Railroads, to whom was referred S. F. No. 176, A bill for an act to repeal section 1300 of chapter 5, title 10 of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

F. T. CAMPBELL, *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. 149, A bill for an act relating to taxation and exemption of property belonging to religious, charitable, and benevolent societies, beg leave to report 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.

Ordered passed on file.

Also the following :

MR. PRESIDENT :—Your Committee on Ways and Means, to whom was referred S. F. No. 27, A bill for an act to provide for the registry of county warrants, beg leave to report that they have had the same

under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 171, A bill for an act to amend section 250 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 128, A bill for an act in relation to claims of Des Moines River Land Commissioners, beg leave to report 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 Claims.

The bill was so referred.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 175, A bill for an act in relation 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 it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 195, A bill for an act to amend section 797 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT:—Your Committee on Schools, to whom was referred S. F. No. 197, A bill for an act to legalize the acts of the board of directors of Parkersburg, Butler 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 statement that in our opinion no legislation is necessary.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred S. F. No. 194, A bill for an act to prevent county superintendents of schools changing text books in the public schools 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.

E. B. KEPHART, *Chairman.*

Ordered passed on file.

Senator Shane, from the Committee on Judiciary, submitted the following report :

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred substitute for H. F. No. 220, A bill for an act for the punishment of persons having in their possession burglar tools, or implements with intent to commit the crime of burglary, beg leave to report 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 second section, and that so amended it do pass.

Ordered passed on file.

Also the following :

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 243, A bill for an act to legalize the acts of A. Armentrout, Secretary of the Union Agricultural Society of Cedar 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.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 208, A bill for an act to legalize the edition of the Code of 1873, published by Mills & Co., 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 indefinitely postponed.

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 to provide for the creation and enforcement of liens in certain cases where corporations have issued bonds in excess of amount allowed by 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 the accompanying substitute be adopted, and that when so adopted that it do pass.

JNO. SHANE, *Chairman.*

On motion of Senator Shane, the report of the Committee on S. F. No. 199 was taken up and considered, and the substitute was adopted.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, McCoid, McCormack; McIntyre, Merrell of Clinton, Miller, Mitchell, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Stuart, Taylor, Thornburg, Willett, Williams, Wood, Young of Cass, and Young of Mahaska—41.

The nays were—

Senators Maxwell, Miles, and Wonn—3.

Absent or not voting—

Senators Lovell, Merrill of Wapello, Murphy, Smith, Stone, and West—6.

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

On motion of Senator Fitch, S. F. No. 206, A bill for an act to quiet and confirm the title to certain lands in Webster and Hamilton counties, and adjust the matters connected therewith, with report of committee recommending its passage, was taken up and made the special order for March 6, at 9:30 A. M.

On motion of Senator Young of Mahaska, S. F. No. 69, A bill for an act providing for the collection and payment of State revenue, and amending certain sections of the Code was taken up and considered.

SPECIAL ORDER.

The hour for the special order having arrived, it being S. F. No. 102, A bill for an act to amend section 1555 of the Code, with report of committee recommending its passage, it was, on motion of Senator Boomer, postponed until the bill under consideration was disposed of.

The consideration of S. F. No. 69, was resumed.

Senator West moved to postpone the further consideration of the bill until to-morrow.

The motion did not prevail.

Senator Fitch moved to indefinitely postpone the bill.

On this question the yeas and nays were demanded, and the yeas were.

Senators Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dashiell, Fairall, Fitch, Gault, Jessup, Kephart, Kinne, Maxwell, McCormack, Merrell of Clinton, Miles, Murphy, Newton, Pease, Perkins, Rumble, Russell, Selby, Thornburg, Willett, and Young of Cass—27.

The nays were—

Senators Bailey, Bemis, Boomer, Dague, Howland, Larrabee, Lovell, McCoid, McIntyre, Merrill of Wapello, Miller, Mitchell, Rothert, Shane, Smith, Stuart, Taylor, West, Wood, and Young of Mahaska—20.

Absent or not voting—

Senators Stone, Williams, and Wonn—3.

So the motion prevailed.

The special order, it being S. F. No. 102, was taken up and considered.

Senator Taylor moved to lay the bill on the table.

On this question the yeas and nays were demanded, and the yeas were—

Senators Cooley, Crary, Fairall, Fitch, Gault, Kinne, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Murphy, Newton, Rothert, Rumble, Russell, Shane, Stuart, Taylor, Willett, Wonn, and Young of Mahaska—21.

The nays were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Dague, Dashiell, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, Miles, Miller, Mitchell, Pease, Perkins, Selby, Smith, Thornburg, West, Wood, and Young of Cass—27.

Absent or not voting—

Senators Stone and Williams—2.

So the motion did not prevail.

Senator Boomer moved to suspend the rule, and read the bill a third time now.

On this question the yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Dague, Dashiell, Fitch, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McIntyre, Miles, Miller, Mitchell, Newton, Perkins, Rumple, Selby, Shane, Smith, Taylor, Thornburg, West, Wood, Young, of Cass, and Young of Mahaska—34.

The nays were—

Senators Crary, Fairall, Gault, Kinne, McCormack, Merrell of Clinton, Merrill of Wapello, Murphy, Pease, Rothert, Russell, Stuart, Willett, and Wonn—14.

Absent or not voting—

Senators Stone and Williams—2.

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

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Dague, Dashiell, Fitch, Howland, Jessup, Kephart, Maxwell, McCoid, Miles, Miller, Mitchell, Selby, Smith, Thornburg, West, Wood, and Young of Cass—24.

The nays were—

Senators Cooley, Crary, Fairall, Gault, Kinne, Larrabee, Lovell, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Murphy, Newton, Pease, Perkins, Rothert, Rumple, Russell, Shane, Stuart, Taylor, Willett, Williams, Wonn, and Young of Mahaska—25.

Absent or not voting—

Senator Stone—1.

So the bill having failed to receive a constitutional majority was lost.

By leave, Senator Fairall presented two petitions from citizens of Iowa, asking for the repeal of the prohibitory liquor law, and the enactment of a judicious license law.

Referred to Committee on Suppression of Intemperance.

On motion of Senator Young of Cass, H. F. No. 168, A bill for an act to provide for the organization of the county of Belknap, with report of committee recommending amendments, was taken up.

On motion of Senator Russell, the further consideration was postponed until to-morrow at 11 A. M.

On motion of Senator Merrell of Clinton, S. F. No. 8, A bill for an act relating to taxes voted in aid of the construction of railroads, with report of committee recommending the adoption of substitute, was taken up and considered.

Senator Merrell of Clinton, moved to amend section 1 by inserting in the third line after "by," the words "chapter 48, of the acts of the Twelfth General Assembly, and,"

The amendment was adopted.

Senator Merrell of Clinton, offered the following as an additional section to the bill :

SECTION —. The provisions of section 1 of this act shall not apply to railroad companies which have in good faith commenced the work of construction of such railroad in the township, city, or town, where such tax was voted, are now in good faith engaged in building their said roads so commenced, nor shall the provisions of said section in any way affect their right to collect any and all taxes voted by townships, cities, or towns, in aid of their said roads, to which they are justly entitled, or annul said taxes, and said railroad companies so in good faith proceeding to construct their said roads shall be entitled to collect and receive such taxes when they have complied with the law under which the same were voted; provided, however, said companies shall earn and become entitled to such tax within two years from the passage of this act.

On motion of Senator Willett, the further consideration of the bill was postponed until Tuesday next at 10 A. M., and bill and amendment ordered printed.

Senator Williams was granted leave to have his vote recorded against the passage of S. F. No. 102.

By leave, Senator Merrill of Wapello, introduced S. F. No. 214, A bill for an act to repeal parts of chapter 8, of title 11, of the Code, pertaining to intoxicating liquors, and to regulate the manufacture and sale thereof.

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

By leave, Senator Larrabee introduced S. F. No. 215, A bill for an act to protect the people against the abuses and unjust discriminations of railroad, express and telegraph companies.

Read first and second time, 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 the following bill, in which the concurrence of the Senate is asked:

H. F. No. 341, A bill for an act to release Myndert Wemple from the penitentiary.

BENJ. VAN STEINBURG,

First Assistant Clerk.

On motion of Senator Dashiell, S. F. No. 88, A bill for an act for the support of the State Reform School, with report of committee recommending amendment, was taken up and considered.

The amendment reported by committee was adopted.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid,

McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumples, Russell, Selby, Shane, Smith, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—49.

The nays were—None.

Absent or not voting—

Senator Stone—1.

So the bill passed and the title was agreed to.

By leave, Senator Rothert presented the claim of S. H. Craig, for expenses incurred in attending the Prison Convention, held at Baltimore, January 21, 1873, under commission issued by the Governor.

Referred to Committee on Claims.

On motion of Senator Howland, H. F. No. 175, A bill for an act to legalize the official acts of G. C. Ransom, a notary public of Winnebago county, with report of committee recommending its passage, was taken up and considered.

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 Bailey, Boomer, Campbell, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Perkins, Rothert, Rumples, Russell, Selby, Shane, Smith, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—45.

The nays were—None.

Absent or not voting—

Senators Bemis, Chambers, McIntyre, Pease, and Stone—5.

So the bill passed and the title was agreed to.

On motion of Senator Fitch, H. F. No. 65, A bill for an act to amend section 165 of the Code, 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumples, Russell, Selby, Shane, Smith, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—45.

The nays were—None.

Absent or not voting—

Senators Dashiell, Fairall, Larrabee, Stone, and Young of Mahaska—5.

So the bill passed and the title was agreed to.

Senator Converse moved that when the Senate adjourn it be until 2:30 this afternoon.

On this question the yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kephart, Lovell, Maxwell, Miles, Miller, Newton, Rothert, Selby, Smith, Thornburg, West, and Wonn—24.

The nays were—

Senators Cooley, Crary, Kinne, Larrabee, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Mitchell, Murphy, Pease, Perkins, Rumpel, Russell, Shane, Stuart, Taylor, Willett, Williams, Wood, Young of Cass, and Young of Mahaska—24.

Absent or not voting—

Senators Fairall, and Stone—2.

So the motion did not prevail.

On motion of Senator Shane, the time of adjournment was extended until 12:15, P. M.

On motion of Senator Rothert, S. F. No. 104, A bill for an act to authorize municipal corporations to levy and collect a road tax in certain cases, with report of committee recommending that it do pass, was taken up and considered.

Senator Rothert 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Smith, Stuart, Taylor, Thornburg, West, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—46.

The nays were—None.

Absent or not voting—

Senators Fairall, Howland, Stone, and Willett—4.

So the bill passed and the title was agreed to.

On motion of Senator Shane House Messages were taken up.

Substitute for H. F. Nos. 41 and 223, A bill for an act to repeal section 4048, chapter 24, title 11 of the Code, and to enact a substitute in lieu thereof, was taken up, read first and second time and referred to Committee on Fish and Game.

Joint resolution to amend the Constitution of the State of Iowa, and provide for its reference, was taken up, read first and second time, and referred to Committee on Constitutional Amendments.

H. F. No. 326, A bill for an act requiring the Executive Council to perform all duties imposed by law on the late Census Board, was taken up, read first and second time and referred to Committee on Ways and Means.

H. F. No. 197, A bill for an act to amend title 7, chapter 1, section 949 of the Code, was taken up, read first and second time, and referred to Committee on Highways.

H. F. No. 188, A bill for an act to amend section 866 of the Code,

was taken up, read first and second time, and referred to Committee on Ways and Means.

H. F. No. 341, A bill for an act to release Myndert Wemple from the penitentiary, was taken up, read first and second time, and referred to Committee on Judiciary, with instructions to report to-morrow.

REPORT OF COMMITTEE.

Senator Young of Cass, 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:

S. F. No. 87, An act to pay the Board of Trustees of the State Agricultural College.

S. F. No. 31, An act to repeal section 3903 and 3904 of the Code, and to provide a substitute therefor.

S. F. No. 98, An act to provide for the permanent survey of lands.

Joint resolution in relation to homesteads for soldiers.

H. F. No. 123, An act to amend section 2626 of the Code of Iowa.

H. F. No. 81, An act to amend sections 289 and 290 of the Code of 1873.

LAFE YOUNG, *Chairman.*

Senator Converse moved to make the motion to reconsider the vote by which S. F. No. 40, A bill for an act to amend chapter 1 of title 6 of the Code was lost, the special order for to-morrow at 10:30, A. M.

The motion prevailed.

Senator Bailey moved to take up S. F. No. 119, A bill for an act for the election of school commissioners and district superintendents, and to prescribe their duties, and to abolish the office of county superintendent, and make it a special order for to-morrow, at 11, A. M.

The motion was agreed to.

At 12:09, P. M., on motion of Senator Rotherth, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 6, 1874. }

Senate met at 9 A. M., and was called to order by the President.

Prayer by the Rev. Mr. Mabee.

On motion of Senator Maxwell, the reading of the Journal was dispensed with.

HOUSE MESSAGE.

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. 265, A bill for an act to remit the penalty and interest on delinquent personal property tax in certain cases.

H. F. No. 61, A bill for an act to legalize the town of Humboldt, in Humboldt county, Iowa, and certain acts and ordinances passed by the council of said town.

H. F. No. 33, A bill for an act to legalize the platting of the town of Brooklyn, Poweshiek county.

H. F. No. 230, A bill for an act to legalize the issuing of the bonds of the independent school district of Union, Hardin county Iowa.

H. F. No. 154, A bill for an act to legalize the sale of certain school lands in Allamakee county.

H. F. No. 178, A bill for an act to legalize the acts of the council of the city of Mount Pleasant in relation to the levy of taxes and certifying them to the county auditor.

H. F. No. 256, A bill for an act to legalize the appraisement and sale of certain school lands in Ringgold county, Iowa.

H. F. No. 281, A bill for an act legalizing the acts of S. L. Holliday and C. C. Goodale, auditors of Madison county, Iowa.

H. F. No. 148, A bill for an act for the relief of Leon Humbert.

Also, the following without amendment:

S. F. No. 10, A bill for an act to legalize the official acts of W. A. Cotton, a notary public.

S. F. No. 135, A bill for an act to legalize the acts of deputy clerks of district and circuit courts, county auditors and deputy county auditors, in relation to acknowledgment of instruments affecting real estate.

S. F. No. 172, A bill for an act to legalize the acts of H. P. Graves.

I am further directed to inform you that the House has concurred in Senate amendments to H. F. No. 205, A bill for an act to provide for printing and distributing the road laws.

JAMES M. WEART, *Chief Clerk.*

PETITIONS AND MEMORIALS.

By Senator Perkins: From citizens of Woodbury county, asking for the enactment of an optional herd law.

Referred to Committee on Agriculture.

By Senator Young, of Cass: From citizens of Shelby county, asking for the repeal of the herd law.

Also, remonstrance from citizens of Cass county, against the repeal of the herd law.

Both referred to Committee on Agriculture.

By Senator Conaway: Petitions from citizens of Poweshiek county asking for the establishment of children's industrial exhibitions in the public schools, as set forth in the memorial of Matilda Fletcher.

Referred to Committee on Schools.

Senator Larrabee was granted leave of absence until Tuesday next.

INTRODUCTION OF BILLS.

By Senator Lovell: S. F. No. 216, A bill for an act to provide for the continuance of the work on the Additional Penitentiary at Anamosa, and to pay the indebtedness of the same.

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

REPORTS OF COMMITTEES.

Senator Maxwell, from the Committee on Highways, submitted the following report:

MR. PRESIDENT:—Your committee on Highways, to whom was referred the memorial of William H. Maning, and others, of Van Buren county, as to compelling a person to pay road tax before being permitted to vote, beg leave to report that they have had the same under consideration, and have instructed me to report that section 1, article 2 of the constitution, prevents the Legislature from granting the prayer of the petitioners.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Highways, to whom was referred the petition of E. Carroll, and others, in regard to change of the road 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 opinion of the committee that no legislation is necessary.

GEO. M. MAXWELL, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT:—Your Committee on Railroads, to whom was referred S. F. No. 201, A bill for an act to repeal sections 1292, and 1293 of the Code, and to enact new sections in lieu thereof, beg leave to report that they have had the same under consideration, have made the following amendments, and have instructed me to report the same back to the Senate with the recommendation that so amended it do pass:

Amend section 1292 by striking out "with" in second line and inserting the words "or crossing."

In third line of same section insert after the word "railway," the following: "of the same gauge."

In the sixth line of same section, insert after the word "intersected," the words, "or crossed."

F. T. CAMPBELL, *Chairman.*

On motion of Senator Campbell the report was taken up and considered.

The amendments reported by committee were adopted.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Howland, Kinne, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Newton, Pease, Perkins, Rothert, Rumble, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—44.

The nays were—None.

Absent or not voting—

Senators Fairall, Jessup, Kephart, Larrabee, McIntyre, and Murphy—6.

So the bill passed and the title was agreed to.

On motion of Senator Smith, S. F. No. 77, A bill for an act to repeal sections 914 and 915 of the Code, and to enact certain sections in lieu thereof, and to amend section 3793, of chapter 2, title 23, with report of committee making no recommendation was taken up and considered.

On motion of Senator Fitch, the special order for this hour was postponed until S. F. No. 77 was disposed of.

Senator Stuart moved to amend by inserting in the 10th line of section 1 after "any," the words "bank chartered by the laws of any."

On this question the yeas and nays were demanded, and the yeas were—

Senators Crary, Fairall, Gault, Kinne, Lovell, Merrell of Clinton, Merrill of Wapello, Mitchell, Murphy, Perkins, Rothert, Rumble, Selby, Shane, Stone, Stuart, Taylor, Thornburg, Wonn, Young of Cass, and Young of Mahaska—21.

The nays were—

Senators Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Dague, Dashiell, Fitch, Maxwell, McCoid, McCormack, McIntyre, Miles, Miller, Newton, Pease, Russell, Smith, West, Willett, Williams, and Wood—24.

Absent or not voting—

Senators Bailey, Howland, Jessup, Kephart, and Larrabee—5.

So the amendment was lost.

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 Boomer, Dague, Dashiell, Howland, McIntyre, Merrell of Clinton, Miles, Mitchell, Rothert, Smith, Stuart, Taylor, Wood, Young of Cass, and Young of Mahaska—15.

The nays were—

Senators Bemis, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Fairall, Fitch, Gault, Kinne, Lovell, Maxwell, McCoid, McCormack, Merrill of Wapello, Miller, Murphy, Newton, Pease, Perkins, Rumble, Russell, Selby, Shane, Stone, Thornburg, West, Willett, Williams, and Wonn—31.

Absent or not voting—

Senators Bailey, Jessup, Kephart, and Larrabee—4.

So the bill having failed to receive a constitutional majority, was lost.

By leave, Senator Fairall introduced S. F. No. 217, A bill for an act relating to evidence taken by authority of the General Assembly of the State.

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

Senator Cooley moved to reconsider the vote by which S. F. No. 69, A bill for an act providing for the collection and payment of State revenue, and amending certain sections of the Code, failed to pass yesterday.

Senator Fitch moved to lay the motion to reconsider on the table.

The motion did not prevail.

On Senator Cooley's motion the yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Boomer, Chambers, Conaway, Cooley, Dague, Dashiell, Howland, Lovell, Maxwell, McCoid, McCormack, McIntyre, Miles, Miller, Mitchell, Pease, Rothert, Rumble, Russell, Smith, Stone, Stuart, West, Willett, Williams, Wood, Wonn, Young of Cass, and Young of Mahaska—31.

The nays were—

Senators Campbell, Converse, Crary, Fitch, Gault, Merrell of Clinton, Merrill of Wapello, Murphy, Newton, Perkins, Selby, Shane, Taylor, and Thornburg—14.

Absent or not voting—

Senators Fairall, Jessup, Kephart, Kinne, and Larrabee—5.

So the motion to reconsider prevailed.

On motion of Senator Cooley, the bill, S. F. No. 69, was made the special order for Wednesday next at 9:30 A. M.

Senator Rothert moved that when the Senate adjourn it be until 2:30 P. M., for the consideration of local bills.

The motion prevailed.

Senators Kephart and Jessup were granted leave of absence until Tuesday next.

By leave, Senator Chambers introduced S. F. No. 218, A bill for an act to amend section 1813 of the Code, in relation to publication of the expenditures and estimates of independent districts.

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

By leave, Senator Maxwell introduced S. F. No. 219, A bill for an act making appropriations for the Agricultural College and Farm.

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

On motion of Senator Fitch, the special order, it being S. F. No. 206, A bill for an act to quiet and confirm the title to certain lands in Webster and Hamilton counties, and against the matters connected therewith; was taken up and considered.

On motion of Senator Shane the bill was considered by sections.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Kinne, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Selby, Shane, Smith, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—45.

The nays were—None.

Absent or not voting—

Senators Jessup, Kephart, Larrabee, McIntyre, and Stone—5.

So the bill passed and the title was agreed to.

Senator Converse moved to postpone the special order for this hour, it being S. F. No. 17, A bill for act to provide for the public printing and binding, until Tuesday next.

The motion did not prevail.

The special order, S. F. No. 17, was then taken up and considered by sections.

Senator Perkins moved to amend section 2, first line, by inserting after "for," the words "shall be received only from citizens of Iowa and,"

The amendment was adopted.

Senator Young of Cass, moved to amend section 2, by striking out all of the seventh line, and "provided for," in the eighth line, which was agreed to.

On motion of Senator Young of Cass, section 3 was amended by striking out all relating to paper.

On motion of Senator Young of Cass, the like amendments were made in sections 13 and 14.

Senator Perkins moved to amend section 14 by inserting, after "received" in the second line, the words, "from residents of the State."

The amendment was adopted.

On motion of Senator Young of Cass, section 16 was amended by striking out "and materials to be used," in second line.

On motion of Senator Young of Cass, section 19 was amended by striking out all after the word "State," in the seventh line.

On motion of Senator Young of Cass, section 23 was amended by striking out "24," and inserting "48."

Senator Campbell offered the following, as section 24 :

SECTION 24. The Executive Council may reject any and all bids, if deemed necessary; and in no case shall the rates for printing or binding exceed ninety per cent. of the rates heretofore established by law.

Senator Converse moved to refer the bill to the Committee on Printing, with instructions.

The motion did not prevail.

On the adoption of Senator Campbell's amendment the yeas and nays were demanded, and the yeas were—

Senators Boomer, Campbell, Conaway, Converse, Crary, Dashiell, Fitch, Gault, Howland, Kinne, Lovell, McCoid, Merrell of Clinton, Miles, Rothert, Rumble, Selby, Shane, Stuart, Thornburg, and West—21.*

The nays were—

Senators Bemis, Chambers, Cooley, Dague, Maxwell, McCormack,

McIntyre, Miller, Mitchell, Newton, Pease, Perkins, Russell, Stone, Taylor, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—21.

Absent or not voting—

Senators Bailey, Fairall, Jessup, Kephart, Larrabee, Merrill of Wapello, Murphy, and Smith—8.

The vote being a tie, the President voted "nay."

So the Amendment did not prevail.

Senator Perkins moved to add to section 24 the following: "No contractor shall be permitted to do work contracted for outside of the limits of this State."

The amendment was adopted.

Senator Young of Cass, offered the following as new sections to the bill.

SECTION 26. The paper for all printing shall be furnished by the State, and shall be bought in the same manner as contemplated by the Code of 1873.

SECTION 27. The Secretary of State shall issue the paper to the printing contractor in lots suitable for each job, taking the contractor's receipt therefor, and the contractor shall be required to account strictly for all paper coming into his possession.

The two sections were adopted.

Senator Willett moved to reconsider the vote by which the Senate agreed that when it adjourned it should be until 2:30, P. M.

The motion to reconsider prevailed.

The question recurring on the motion that when the Senate adjourn it be until 2:30, it was lost.

On motion of Senator Stone the time of adjournment was extended until 12:30, P. M.

The consideration of S. F. No. 17, was resumed.

On motion of Senator Taylor the hour of adjournment was extended until 12:45, P. M.

The consideration of S. F. No. 17, was again resumed.

On motion of Senator Russell the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Bailey, Boomer, Chambers, Conaway, Converse, Dague, Gault, Kinne, Lovell, McCormack, Merrell of Clinton, Newton, Pease, Rothert, Selby, Thornburg, Williams, Wood, and Young of Cass—19

The nays were—

Senators Bemis, Campbell, Cooley, Crary, Dashiell, Fitch, Howland, Maxwell, McCoid, Merrill of Wapello, Miles, Miller, Mitchell, Perkins, Ruple, Russell, Shane, Smith, Stone, Taylor, West, and Willett—22.

Absent or not voting—

Senators Fairall, Jessup, Kephart, Larrabee, McIntyre, Murphy, Stuart, Wonn, and Young of Mahaska—9.

So the bill having failed to receive a constitutional majority was lost.

At 12:39, on motion of Senator West, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 7, 1874. }

Senate met at 9 A. M., and was called to order by the President.

Prayer by the Rev. Mr. McCarty.

On motion of Senator Gault, 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. 300, A bill for an act to amend section 279 of the Code.

JAMES M. WEART, *Chief Clerk.*

PETITIONS AND MEMORIALS.

By Senator Campbell: A petition from the citizens of Jasper county asking that the herd law be not repealed.

By leave, the petition was withdrawn, to be presented in the House.

By Senator Stone: A petition from citizens of Iowa, asking the repeal of the herd law.

Referred to Committee on Agriculture.

By Senator Young of Cass: A petition from citizens of Grant township, Cass county, asking that certain proceedings be set aside.

Referred to Committee on Schools.

By Senator Howland: A petition from citizens of Iowa asking for an amendment to the constitution of the State giving the ballot to all citizens.

Referred to Committee on Constitutional Amendments.

By Senator Boomer: A petition from citizens of Iowa asking that wine and beer be included in the prohibitory liquor law.

Referred to Committee on Suppression of Intemperance.

By Senator Young of Cass: A remonstrance from citizens of Iowa against the repeal of the herd law.

Referred to Committee on Agriculture.

Senator Murphy introduced a joint resolution in relation to proposed canal from Rock Island, Illinois, to the Illinois river at Hennepin.

Read first and second time.

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

On the question "Shall the joint resolution pass?"

The yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse,

Cooley, Crary, Dashiell, Fairall, Fitch, Gault, Howland, Lovell, Maxwell, McCoid, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, Willett, Williams, Wood, Young of Cass, and Young of Mahaska—39.

The nays were—None.

Absent or not voting—

Senators Bemis, Dague, Jessup, Kephart, Kinne, Larrabee, McCormack, McIntyre, Russell, West, and Wonn—11.

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

Assistant Secretary Baird was granted leave of absence.

REPORT OF COMMITTEE.

Senator Converse, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 209, A bill for an act to legalize certain judgment taxes levied by counties and other municipal corporations 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 adding after the word "and" in the fifth line, the words "when the same have not been paid," and as thus amended the same do pass.

A. CONVERSE, *Chairman.*

Ordered passed on file.

Senator Young of Cass, 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. 135, An act legalizing the acts of deputy clerks of the district and circuit courts and county auditors, in certain cases.

S. F. No. 172, An act to legalize the acts of H. P. Graves.

S. F. No. 10, An act legalizing the acts of W. A. Colton.

H. F. No. 175, An act legalizing the acts of T. C. Ransom.

H. F. No. 65, An act to amend section 165 of the Code.

H. F. No. 205, An act providing for the compilation and publication of the road laws, and the distribution of the same.

And find the same correctly enrolled.

LAFE YOUNG, *Chairman.*

INTRODUCTION OF BILLS.

By Senator Converse: S. F. No. 220, A bill for an act apportioning the State of Iowa into senatorial districts.

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

By Senator Murphy: S. F. No. 221, A bill for an act to amend section 1766, chapter 9, title 12, of the Code of 1873.

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

By Senator Stone: S. F. No. 222, A bill for an act to provide the reports of the Supreme Court of Iowa for the use of said Court at Council Bluffs.

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

Senator Stone also presented a memorial on the same subject, which was referred to same committee.

On motion of Senator Shane, S. F. No. 191, A bill for an act to authorize the resurvey and platting of city or town plats or additions thereto, in cases where the original plats have been lost, and not acknowledged or recorded, with report of committee recommending amendments, was taken up and considered.

The amendments reported by the committee were adopted.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rumpel, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wood, Young of Cass, and Young of Mahaska—42.

The nays were—

Senator Rothert—1.

Absent or not voting—

Senators Jessup, Kephart, Kinne, Larrabee, McIntyre, Russell, and Wonn—7.

So the bill passed and the title was agreed to.

Senator McCoid, from the Committee on Incorporations, submitted the following report:

MR. PRESIDENT:—Your Committee on Incorporations, to whom was referred S. F. No. 203, A bill for an act to legalize a survey of the town plat of Cambridge, Story county, Iowa, heretofore made by M. C. Allen, County Surveyor of Story 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 recommendation that it do pass.

M. A. MCCOID, *Chairman.*

On motion of Senator Maxwell, the bill (S. F. No. 203) was 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins,

Rumple, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wood, Young of Cass, and Young of Mahaska—42.

The nays were—None.

Absent or not voting—

Senators Jessup, Kephart, Kinne, Larrabee, McIntyre, Rothert, Russell, and Wonn—8.

So the bill passed and the title was agreed to.

On motion of Senator Williams, substitute for H. F. No. 220, A bill for an act for the punishment of persons having in their possession burglar tools, or implements, with intent to commit the crime of burglary, with report of committee recommending amendments, was taken up and considered.

The amendments were adopted.

Senator Williams 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Lovell, Maxwell, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumple, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wood, Young of Cass, and Young of Mahaska—42.

The nays were—

Senator McCoid—1.

Absent or not voting—

Senators Jessup, Kephart, Kinne, Larrabee, McIntyre, Russell, and Wonn—7.

So the bill passed and the title was agreed to.

On motion of Senator Cooley, S. F. No. 3, A bill for an act to repeal section 850 of the Code, relative to the liability of county treasurers, with report of committee recommending amendments was taken up and considered.

Senator Cooley moved to refer the bill to the Committee on Ways and Means.

On the question the yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Cooley, Dashiell, Fairall, Kinne, Lovell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Murphy, Newton, Rothert, Rumple, Shane, Stone, Taylor, West, Willett, Williams, Young of Cass, and Young of Mahaska—26.

The nays were—

Senators Boomer, Campbell, Chambers, Conaway, Crary, Fitch, Gault, Maxwell, Miles, Pease, Perkins, Selby, Smith, Stuart, Thornburg, and Wood—16.

Absent or not voting—

Senators Converse, Dague, Howland, Jessup, Kephart, Larrabee, Russell, and Wonn—8.

So the motion prevailed.

By leave, Senator Fairall introduced S. F. No. 223, A bill for an act authorizing the establishment of public ways to lands having stone and minerals thereon.

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

By leave, Senator Gault introduced S. F. No. 224, A bill for an act to amend sections 2131, 2133, 2134, and 2135, of the Code, relative to mechanics' liens.

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

By leave, Senator McCoid, from the Committee on Incorporations, submitted the following report:

MR. PRESIDENT:—Your Committee on Incorporations, to whom was referred H. F. No. 36, A bill for an act to legalize the assessments and tax sales of property in the city of Fort Madison, 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.

M. A. MCCOID, *Chairman.*

On motion of Senator Rothert, the bill (H. F. No. 36,) was taken up and considered.

Senator Rothert 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Kinne, Lovell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Perkins, Rothert, Rumpel, Selby, Stone, Stuart, Taylor, Thornburg, Willett, Wood, Young of Cass, and Young of Mahaska—37.

The nays were—

Senators Maxwell and Shane—2.

Absent or not voting—

Senators Dashiell, Jessup, Kephart, Larrabee, McIntyre, Pease, Russell, Smith, West, Williams, and Wonn—11.

So the bill passed and the title was agreed to.

By leave, Senator Fitch, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT:—Your Committee on Agriculture, to whom was referred S. F. No. 212, A bill for an act to amend chapter 3, title 11, in relation to domestic 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 as follows, and when so amended do pass.

Amend title by striking out the word "six" and inserting "eleven."

Insert after the word "of" in 4th line the words "horses, mules, and asses," in section 1.

Strike out the words "horses, mules, and asses," in 3d line of section 2.

W. H. FITCH, *Chairman.*

On motion of Senator Fitch, the bill and report was made the special order for Tuesday next, at 10 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. 135, A bill for an act to legalize the acts of deputy clerks of district and circuit courts and county auditors, in relation to acknowledgments of investments affecting real estate.

S. F. No. 172, A bill for an act to legalize the acts of H. P. Graves.

S. F. No. 10, A bill for an act to legalize the official acts of W. A. Cotton, a notary public.

H. F. No. 205: A bill for an act to provide for the compilation and publication of the road laws.

H. F. No. 65: A bill for an act to amend section number 165 of the Code.

H. F. No. 175: A bill for an act to legalize the official acts of T. C. Ransom, a Notary Public of Winnebago county.

W. A. FULMER, *Second Clerk*.

By leave, Senator Fitch, from the Committee on Agriculture, submitted the following report :

MR. PRESIDENT:—Your Committee on Agriculture, to whom was referred S. F. No. 185, A bill for an act to amend the Code, and repeal certain sections of the Code, in relation to domestic 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 lay upon the table.

W. H. FITCH, *Chairman*.

Ordered passed on file.

On motion of Senator Mitchell, S. F. No. 112, A bill for an act to authorize the Board of Supervisors of Polk county, Iowa, to extend the time for the completion of the Des Moines and Minnesota Railroad, with report of committee, recommending that it do pass, was taken up and considered.

Senator Mitchell 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 Bailey, Boomer, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Gault, Howland, Kinne, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Selby, Shane, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wood, Young of Cass, and Young of Mahaska—40

The nays were—

Senator Campbell—1.

Absent or not voting—

Senators Bemis, Fitch, Jessup, Kephart, Larrabee, McIntyre, Russell, Smith, and Wonn—9.

So the bill passed and the title was agreed to.

On motion of Senator West, H. F. No. 178, A bill for an act to legalize the acts of the city of Mount Pleasant, in relation to the levy of taxes, and certifying them to the county auditor, with report of committee recommending its passage, was taken up and considered.

Senator West 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Gault, Howland, Kinne, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumple, Selby, Shane, Stone, Stuart, Taylor, Thornburg, West, Willett, Wood, Young of Cass, and Young of Mahaska—41.

The nays were—None.

Absent or not voting—

Senators Fitch, Jessup, Kephart, Larrabee, McIntyre, Russell, Smith, Williams, and Wonn—9.

So the bill passed and the title was agreed to.

Senators Wonn, Williams, and Mitchell were excused until Tuesday.

On motion of Senator Converse, S. F. No. 209, A bill for an act to legalize certain judgment taxes levied by counties and other municipal corporations, with report of committee recommending amendments, was taken up and considered.

The amendments were adopted.

Senator Converse 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Kinne, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Perkins, Rothert, Rumple, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wood, Young of Cass, and Young of Mahaska—43.

The nays were—None.

Absent or not voting—

Senators Jessup, Kephart, Larrabee, McIntyre, Mitchell, Russell, and Wonn—7.

So the bill passed and the title was agreed to.

On motion of Senator Stone, H. F. No. 168, A bill for an act providing for the organization of the county of Belknap, with report of committee recommending amendments, was taken up and considered.

The amendments reported by committee were adopted.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Gault, Howland, Kinne, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Wood, Young of Cass, and Young of Mahaska—41.

The nays were—None.

Absent or not voting—

Senators Fairall, Fitch, Jessup, Kephart, Larrabee, Mitchell, Russell, Williams, and Wonn—9.

So the bill passed and the title was agreed to.

Senator Campbell was excused until Wednesday.

On motion of Senator Chambers H. F. No. 243, A bill for an act to legalize the acts of A. Armetrout, Secretary of the Union Agricultural Society of Cedar county, with report of committee recommending that it do pass 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 Bailey, Bemis, Boomer, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Kinne, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Selby, Shane, Stone, Stuart, Taylor, Thornburg, West, Willett, Wood, Young of Cass, and Young of Mahaska—40.

The nays were—None.

Absent or not voting—

Senators Campbell, Jessup, Kephart, Larrabee, Miller, Mitchell, Russell, Smith, Williams, and Wonn—10.

So the bill passed and the title was agreed to.

On motion of Senator Boomer S. F. No. 179, A bill for an act authorizing the sale of outlot No. 1 in Delhi, Iowa, with report of committee recommending amendments was taken up and considered.

The amendments were adopted.

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 Bailey, Bemis, Boomer, Chambers, Conaway, Converse, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Kinne, Lovell, Maxwell, McCoid, Merrell of Clinton, Merrill of Wapello, Miller, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Selby, Shane, Smith, Stone, Taylor, Thornburg, West, Wood, Young of Cass, and Young of Mahaska—36.

The nays were—None.

Absent or not voting—

Senators Campbell, Cooley, Jessup, Kephart, Larrabee, McCormack, McIntyre, Miles, Mitchell, Russell, Stuart, Willett, Williams, and Wonn—14.

So the bill passed and the title was agreed to.

Senator ——— moved that the Senate adjourn.

On this question the yeas and nays were demanded, and the yeas were—

Senators Bemis, Cooley, Fitch, Howland, Kinne, Lovell, Maxwell, McCoid, McIntyre, Merrill of Wapello, Miles, Miller, Perkins, Rumple, Smith, Stone, Stuart, and Young of Mahaska—18.

The nays were—

Senators Bailey, Boomer, Chambers, Conaway, Converse, Crary, Dague, Dashiell, Gault, McCormack, Merrell of Clinton, Murphy, Newton, Pease, Rothert, Selby, Shane, Taylor, Thornburg, West, Wood, and Young of Cass—22.

Absent or not voting—

Senators Campbell, Fairall, Jessup, Kephart, Larrabee, Mitchell, Russell, Willett, Williams, and Wonn—10.

So the Senate refused to adjourn.

Senator West asked leave to file a motion to reconsider the vote by which S. F. No. 17, A bill for an act to provide for the public printing and binding, failed to pass yesterday, said motion to be considered next Tuesday at 10 A. M.

On the question of granting leave to file the motion, the yeas and nays were demanded, and

The yeas were—

Senators Boomer, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Gault, Lovell, Maxwell, McCormack, Merrell of Clinton, Miles, Murphy, Newton, Pease, Rothert, Selby, Smith, Stuart, Thornburg, West, Wood, and Young of Cass—25.

The nays were—

Senators Fairall, Fitch, Howland, Kinne, McCoid, McIntyre, Merrill of Wapello, Miller, Perkins, Rumple, Shane, Stone, Taylor, and Young of Mahaska—14.

Absent or not voting—

Senators Bailey, Bemis, Campbell, Jessup, Kephart, Larrabee, Mitchell, Russell, Willett, Williams, and Wonn—11.

So the Senate granted leave, and the motion was filed.

Senator Fairall asked and obtained leave to file a motion to reconsider the vote by which S. F. No. 77, A bill for an act to repeal sections 914 and 915 of the Code, and to enact certain sections in lieu thereof, and to amend section 3793, of chapter 2, title 23, failed to pass yesterday.

Senator Converse asked and obtained leave to file a motion to reconsider the vote by which S. F. No. 17 was ordered to a third reading.

REPORT OF COMMITTEE.

Senator Young of Cass, 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:

Senate Files Nos. 135, 10, and 172.
House Files 175, 205, and 65.

LAFE YOUNG, *Chairman.*

At 12 M. the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 9, 1874. }

Senate met at 9 A. M., and was called to order by the President.
Prayer by the Rev. Mr. Smith.
The journal of Saturday last was read, amended, 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. 27: A bill for an act in relation to visiting schools by County School Superintendents.

H. F. No. 29: A bill for an act giving Justices of the Peace exclusive original jurisdiction in all cases where the amount in controversy does not exceed one hundred dollars.

H. F. No. 137: A bill for an act to amend section 1555 of the Code of Iowa.

H. F. No. 259: A bill for an act to amend chapter 3, title 11 of the Code of 1873.

House Substitute for substitute for S. F. Nos. 12, 13, 25, 26, 49, 66, 73, and 104, A bill for an act to establish reasonable maximum rates of charges for the transportation of freights and passengers on the different railroads in this State.

Also, that the House has concurred in Senate amendment to substitute for H. F. No. 220, A bill for an act for the punishment of persons having in their possession burglar tools, or implements, with intent to commit the crime of burglary.

JAMES M. WEART, *Chief Clerk.*

HOUSE MESSAGES.

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

H. F. No. 148: A bill for an act for the relief of Lean Humbert,

was taken up, read first and second time, and referred to Committee on Public Lands.

H. F. No. 281: A bill for an act to legalize the acts of G. L. Holliday, and C. C. Goodale, auditors of Madison county, was taken up, read first and second time, and referred to Committee on Judiciary.

H. F. No. 256: A bill for an act to legalize the appraisement and sale of certain school lands in Ringgold county, Iowa, was taken up, read first and second time, and referred to Committee on Judiciary.

H. F. No. 154, A bill for an act to legalize the sale of certain school lands in Allamakee county, was taken up, and read first and second time.

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 Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fitch, Gault, Howland, Kinne, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Perkins, Rothert, Ruple, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Wood, and Young of Mahaska—39.

The nays were—None.

Absent or not voting—

Senators Bemis, Dashiell, Fairall, Jessup, Kephart, Larrabee, Mitchell, Russell, Williams, Wonn, and Young of Cass—11

So the bill passed and the title was agreed to.

H. F. No. 230, A bill for an act to legalize the issuing of the bonds of the independent school district of Union, Hardin county, Iowa, was taken up, read first and second time, and referred to Committee on Judiciary.

H. F. No. 33, A bill for an act to legalize the platting of the town of Brooklyn, in Poweshiek county, Iowa, and to legalize all conveyances of lots heretofore made by the number of lots and blocks as specified by the plats now on record of said town, was taken up, read first and second time, and referred to Committee on Incorporations.

H. F. No. 61, A bill for an act to legalize the town of Humboldt, in Humboldt county, Iowa, and certain acts and ordinances passed by the council of said town, was taken up, read first and second time, and referred to Committee on Incorporations, with instructions to report wherein said acts and ordinances were illegal.

H. F. No. 300, A bill for an act to amend section 279, chapter 1, title 4, of the Code, was taken up, read first and second time, and referred to Committee on County and Township Organizations.

H. F. No. 265, A bill for an act to remit the penalty and interest on delinquent personal property in certain cases, was taken up, read first and second time, and referred to Committee on Ways and Means.

H. F. No. 27, A bill for act in relation to county superintendents visiting schools, was taken up, read first and second time, and referred to Committee on Schools.

H. F. No. 29, A bill for an act giving justices of the peace exclusive original jurisdiction in all cases where the amount in controversy does not exceed one hundred dollars, was taken up, read first and second time, and referred to Committee on Judiciary.

H. F. No. 137, A bill for an act to amend section 1555 of the Code, was taken up, read first and second time, and referred to Committee on Suppression of Intemperance.

H. F. No. 259, A bill for an act to amend chapter 3, title 11, of the Code of 1873, was taken up, read first and second time, and referred to Committee on Agriculture.

House Substitute for Senate Substitute for S. F. Nos. 12, 13, 25, 26, 49, 66, 73, and 104, A bill for an act to establish reasonable maximum rates of charges for the transportation of freight and passengers on the different railroads of this State, was taken up, read first and second time.

Senator Stone moved that the substitute be referred to the Committee on Railroads, with the following instructions:

That the committee be instructed to fix the rates so as to allow a reasonable compensation and no more to and from each station on each railroad in the State, and to so adjust the rates as not to allow more than a reasonable rate to or from any point in the State, in order to compensate the railroad companies for any decrease from any other point or points in the State, where such decrease is below what is reasonable and just.

And that committee be further instructed to report complete schedules, giving exact rates, under each of the classes A. B. and C.

On the question of referring with the above instructions, the yeas and nays were demanded, and the yeas were—

Senators Bemis, Fitch, Gault, Howland, Lovell, McCoid, Merrill of Wapello, Miles, Perkins, Shane, Smith, Stone, Stuart, and Young of Mahaska—14.

The nays were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Kinne, Maxwell, McCormack, Merrell of Clinton, Miller, Murphy, Newton, Pease, Rothert, Rumble, Taylor, Thornburg, West, Willett, Wood, and Young of Cass—25.

Absent or not voting—

Senators Dashiell, Fairall, Jessup, Kephart, Larrabee, McIntyre, Mitchell, Russell, Selby, Williams, and Wonn—11.

So the motion to refer with instructions did not prevail.

The bill was then referred to Committee on Railroads.

INTRODUCTION OF BILLS.

By Senator Rothert: S. F. No. 225, A bill for an act for the relief of the Iowa State Insurance Company.

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

Senator Rothert also presented a memorial in relation to the same subject, which was referred to same committee.

By Senator Merrell of Clinton: S. F. No. 226, A bill for an act to give circuit courts jurisdiction to appoint guardians of the property of non-resident insane persons.

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

By Senator Miles: S. F. No. 227, A bill for an act to amend section 2223 of the Code.

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

By Senator Rumble: S. F. No. 228, A bill for an act to legalize the incorporation of the town of Victor, Iowa county, Iowa, and the acts of the officers thereunder.

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

By leave, Senator Perkins presented petitions from citizens of Woodbury and Monona counties in relation to the herd law.

Referred to Committee on Agriculture.

REPORTS OF COMMITTEES.

Senator West, from the Committee on Appropriations, made a verbal report, asking that the memorial in relation to payment for the portrait of the late ex-Governor Lucas be referred to the Committee on Claims.

The reference as asked was made.

On motion of Senator McIntyre, substitute for S. F. No. 48, A bill for an act to provide for the organization and management of savings banks, was taken up and made the special for Wednesday next, at 10 A. M.

Senator Willett, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT:—Your Committee on Constitutional Amendments, to whom was referred a joint resolution to amend the Constitution of the State of Iowa by striking from section 1 of article 2 of the Constitution the word "male," 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.

G. R. WILLETT, *Chairman.*

Ordered passed on file.

BILLS ON SECOND READING.

S. F. No. 133, A bill for an act to authorize a contract for a public highway across certain bridges over the Mississippi and Missouri rivers, with the report of committee recommending its indefinite postponement, was taken up, and the report of committee adopted.

S. F. No. 105, A bill for an act to amend chapter 3, of title 15, of the Code, with the report of committee recommending that it do not pass, was taken up and considered.

On motion of Senator Maxwell, the bill was indefinitely postponed.

H. F. No. 52, A bill for an act to punish carelessness in the use of steam boilers, with report of committee recommending its passage, 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway,

Converse, Cooley, Crary, Dague, Fitch, Gault, Howland, Kinne, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Perkins, Rothert, Rumble, Selby, Shane, Smith, Taylor, Thornburg, West, Willett, Wood, Young of Cass, and Young of Mahaska—38.

The nays were—None.

Absent or not voting—

Senators Dashiell, Fairall, Jessup, Kephart, Larrabee, Mitchell, Pease, Russell, Stone, Stuart, Williams and Wonn—12.

So the bill passed and the title was agreed to.

S. F. No. 30 and H. F. No. 37, A bill for an act to provide State Institutions, Justices of the Peace, and Township Clerks, with copies of the Code, with report of committee recommending the adoption of a substitute, was taken up and considered.

The substitute reported by the committee was adopted.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fitch, Gault, Howland, Kinne, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Wood, Young of Cass and Young of Mahaska—41.

The nays were—None.

Absent or not voting—

Senators Dashiell, Fairall, Jessup, Kephart, Larrabee, Mitchell, Russell, Williams, and Wonn—9.

So the bill passed and the title was agreed to.

S. F. No. 92, A bill for an act relating to paying of jurors, with report of committee recommending its passage was taken up and considered.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fitch, Gault, Howland, Kinne, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Wood, and Young of Cass—39.

The nays were—None.

Absent or not voting—

Senators Dashiell, Fairall, Jessup, Kephart, Larrabee, McIntyre, Mitchell, Russell, Williams, Wonn, and Young of Mahaska—10.

So the bill passed and the title was agreed to.

S. F. No. 96, A bill for an act to amend section 4427 of the Code of 1873, with report of committee recommending its passage was taken up and considered.

Senator Shane 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fitch, Gault, Howland, Kinne, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Wood, and Young of Cass—40.

The nays were—None.

Absent or not voting—

Senators Dashiell, Fairall, Jessup, Kephart, Larrabee, Mitchell, Russell, Williams, Wonn, and Young of Mahaska—10.

So the bill passed and the title was agreed to.

S. F. No. 124, A bill for an act to amend section 3173, chapter 2, title 19 of the Code of 1873, in relation to appeals from the district and circuit courts, with the report of committee recommending its passage was taken up and considered.

Senator Rumble 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 Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Gault, Howland, Kinne, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, Willett, Wood, and Young of Cass—36.

The nays were—None.

Absent or not voting—

Senators Bemis, Dashiell, Fairall, Fitch, Jessup, Kephart, Larrabee, McIntyre, Mitchell, Russell, West, Williams, Wonn, and Young of Mahaska—14.

So the bill passed and the title was agreed to.

S. F. No. 127, A bill for an act to amend chapter 2, title 23, of the Code of 1873, with report of committee recommending its indefinite postponement, was taken up and considered.

The report of the committee was adopted.

S. F. No. 117, A bill for an act to amend section 2093, title 14, chapter 3, of the Code, with report of committee recommending that it do not pass, was taken up and considered.

On motion of Senator Murphy, the bill was indefinitely postponed.

S. F. No. 130, A bill for an act to legalize the sub-districting of the district township of Massena, Cass county, Iowa, with report of committee recommending amendments, was taken up and considered.

Amendments of committee were adopted.

Senator Young of Cass, 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, Chambers, Converse, Cooley, Crary, Dague, Fitch, Gault, Howland, Kinne, Maxwell, McCoid, McCormack, McIntyre, Merrill of Wapello, Miles, Miller, Murphy, Newton, Perkins, Pease, Rothert, Rumble, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Wood, and Young of Cass—36.

The nays were—

Senators Conaway, Lovell, and Merrell of Clinton—3.

Absent or not voting—

Senators Bemis, Dashiell, Fairall, Jessup, Kephart, Larrabee, Mitchell, Russell, Williams, Wonn, and Young of Mahaska—11.

So the bill passed and the title was agreed to.

By leave, Senator Smith, from Committee on Claims, introduced S. F. No. 229, A bill for an act to provide for paying for the foundry and blacksmith shops at Fort Madison Penitentiary.

Read first and second time.

Senator Merrell of Clinton, moved to re-commit the bill with instructions to ascertain the value of the property at the time the State took possession.

On this question the yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Chambers, Conaway, Converse, Crary, Kinne, Lovell, McCormack, Merrell of Clinton, Newton, Rumble, Selby, Shane, Thornburg, and Young of Cass—16.

The nays were—

Senators Boomer, Campbell, Cooley, Dague, Fitch, Gault, Howland, Maxwell, McCoid, McIntyre, Merrill of Wapello, Miles, Murphy, Perkins, Rothert, Smith, Stone, Stuart, Taylor, West, Willett, and Wood—22.

Absent or not voting—

Senators Dashiell, Fairall, Jessup, Kephart, Larrabee, Miller, Mitchell, Pease, Russell, Williams, Wonn, and Young of Mahaska—12.

So the motion to refer with instructions, did not prevail.

Senator Campbell moved to amend the bill by adding to section 1 the following:

Provided, The said Soule, Kretsinger & Co. pay to the State the one-half of the costs of the artesian well commenced by the State and abandoned; the one-half of the expense of which was to be defrayed by the said Soule, Kretsinger & Co.

The amendment was adopted.

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 Bemis, Campbell, Conaway, Converse, Cooley, Dague, Fitch, Gault, Howland, Lovell, Maxwell, McCoid, McIntyre, Merrill of Wapello, Miles, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, and Wood—29.

The nays were—

Senators Bailey, Boomer, Chambers, Kinne, McCormack, Merrell of Clinton, Selby, Shane, and Young of Cass—9.

Absent or not voting—

Senators Crary, Dashiell, Fairall, Jessup, Kephart, Larrabee, Miller, Mitchell, Russell, Williams, Wonn, and Young of Mahaska—12.

So the bill, having failed to receive the constitutional two-thirds majority, was lost.

Senator Gault presented numerous petitions in reference to the Burlington & Southwestern Railroad.

Referred to Committee on Railroads.

COMMUNICATION.

- 3 The President presented the following communication from the Secretary of State:

OFFICE OF SECRETARY OF STATE, }
DES MOINES, IOWA, March 9, 1874. }

HON. JOSEPH DYSAET, *President of the Senate*:

DEAR SIR:—The undersigned comes now and asks leave to submit his report as follows:

1st. He states that, pursuant to the provisions of chapter 5 of the "Private, local, and temporary laws" of this General Assembly, entitled An act making an appropriation for the purpose of redeeming certain property conveyed to the trustees of the Agricultural College from judicial sale under prior liens, he did ascertain the nature, amount, and situation of all liens upon said real estate superior to the interests of said College therein, and that he found the amount of such prior liens to be in the sum of \$5,815.21, itemized as follows:

Judgment in favor of J. N. Dewey, against S. E. Rankin	\$5,088.40
Attorneys' fees for obtaining said judgment	200.00
Costs of said case in Court, with Sheriff's fees at judicial sale	190.05
Taxes delinquent	233.18
Mechanic's lien, in favor of J. K. & W. H. Gilcrest, against S. E. Rankin	103.58

2d. The Executive Council caused said property and the title there-to be examined, and did certify in writing to the Auditor of State that in their opinion the expenditure as contemplated by said chapter 5 would be for the best interest of the State, and that the title to said property would by such expenditure vest in the State.

Thereupon, in further compliance with the requirements of said chapter 5, I drew from the State Treasury upon a warrant from the Auditor of State the sum of \$5,500.00, and purchased at judicial sale said lots in said chapter described, also the northwest quarter ($\frac{1}{4}$) of the southeast quarter ($\frac{1}{4}$) of section number twenty (20), township number seventy-nine (79), north of range number twenty-three (23), west of the 5th principal meridian, all in Polk county, Iowa, and using to make said purchase the money so drawn from the State Treasury as

aforesaid, and took a deed from the Sheriff of Polk county to the State of Iowa for said property.

The Trustees of said College, in consideration of the purchase so made by the State for the benefit of said College, made their deed to the State of Iowa for the east half of the southeast quarter ($\frac{1}{4}$) of section number twenty (20), township number seventy-nine (79), north of range twenty-three (23), west of the 5th principal meridian, thus vesting in the State the title to all the property in said chapter five described.

I received the sum of \$315.31 from the Trustees of said College, and used the same in removing a portion of said prior liens, which said sum taken together with the \$5,500.00 makes the sum total of said prior liens as first above stated at \$5,815.21. And said property is now in the care, custody, and control of the Executive Council, and is being offered for sale at a reasonable price, so that the State may be reimbursed for the amount of its fund used, and that the remainder of the proceeds of the sale may go to the Agricultural College.

All of which is very respectfully submitted.

Your obedient servant,

JOSIAH T. YOUNG,

Secretary of State of Iowa.

Senator Gault moved that when the Senate adjourn it be until 2 o'clock P. M.

The motion prevailed.

Senator Smith moved to reconsider the vote by which S. F. No. 229, failed to pass.

The motion was agreed to.

Senator Rothert moved to reconsider the vote by which the bill was ordered to a third reading, and that it be referred to the Committee on Claims.

The Senate agreed to the motion.

On motion of Senator Young of Cass, Joint resolution to amend the Constitution of the State of Iowa, and provide for its reference and publication, was taken up and made the special order for Thursday next at 10 A. M.

On motion of Senator Howland the Senate adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

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

By leave Senator Miles introduced S. F. No. 230, A bill for an act to amend sections 1386, 1392, and 1438 of chapter 2, title 11 of the Code.

Read first and second time, ordered printed, and referred to Committee on Hospitals for Insane.

By leave Senator McCoid introduced S. F. No. 23, A bill for an act to provide compensation to County Auditors in certain cases, and to amend chapter 2, title 23 of the Code.

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

By leave, Senator Young of Cass introduced S. F. No. 232, A bill for an act to legalize the incorporation of the town of Atlantic, Iowa, and the election of officers for said incorporation, and to legalize the acts of the *de facto* officers.

Read first and second time.

On motion of Senator Young of Cass, the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Fairall, Fitch, Gault, Howland, Kinne, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Miller, Murphy, Newton, Pease, Perkins, Rothert, Rumple, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Wood, and Young of Cass—37.

The nays were—None.

Absent or not voting—

Senators Dague, Dashiell, Jessup, Kephart, Larrabee, McIntyre, Merrill of Wapello, Miles, Mitchell, Russell, Williams, Wonn, and Young of Mahaska—13.

So the bill passed and the title was agreed to.

By leave, Senator Pease presented a petition in reference to the Burlington and Southwestern Railroad.

Referred to Committee on Railroads.

BILLS ON SECOND READING.

S. F. No. 95, A bill for an act providing for the greater efficiency in making surveys by county surveyors in all counties in which the population exceeds in number fifteen thousand, with report of committee recommending the adoption of a substitute, was taken up, considered, and passed on file.

S. F. No. 151, A bill for an act to change the scale of highway plat books, with report of committee recommending that it do not pass, was taken up and considered.

On motion of Senator Miller, the bill was indefinitely postponed.

S. F. No. 142: A bill for an act to repeal section 3818 of chapter 3, title 23 of the Code of 1873, with report of committee recommending its indefinite postponement, was taken up, considered, and the report of the committee was adopted.

S. F. No. 160: A bill for an act to amend section 1487, title 11, chapter 3 of the Code of 1873, with report of committee recommending that it do not pass, was taken up and considered.

On motion of Senator Taylor, the bill was indefinitely postponed.

S. F. No. 145: A bill for an act declaring that it shall be deemed

a criminal offense for any person to ask to be called upon a jury, with report of committee reporting it back without recommendation, was taken up and considered.

On motion of Senator Kinne, the bill was indefinitely postponed.

S. F. No. 144: A bill for an act in relation to riparian owners on the Mississippi and Missouri rivers, with report of committee recommending amendments, was taken up and considered.

The amendments reported by the committee were adopted.

Senator Willett offered the following as section 2:

SECTION 2. It shall not be lawful for any person or corporation, to construct, or operate any railroad, or other obstruction, between such lots or lands, on either of said rivers, or upon the shore or margin thereof, unless the injury and damage to such owner, occasioned thereby, shall be first ascertained and compensated in the manner provided by chapter 4 of the Code.

The amendment was adopted.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Fitch, Gault, Howland, Kinne, Lovell, Maxwell, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Murphy, Newton, Pease, Rothert, Rumple, Selby, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Wood, and Young of Cass—34.

The nays were—

Senators McCoid, McCormack, Miles, Perkins, and Shane—5.

Absent or not voting—

Senators Dague, Dashiell, Fairall, Jessup, Kephart, Larrabee, Mitchell, Russell, Williams, Wonn, and Young of Mahaska—11.

So the bill passed and the title was agreed to.

H. F. No. 7, A bill for an act to legalize the levy of certain taxes in the County of Hamilton, in the State of Iowa, with report of committee recommending that it do pass, was taken up and considered.

Senator Taylor 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fitch, Gault, Howland, Kinne, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrell of Wapello, Miles, Miller, Murphy, Newton, Pease, Perkins, Rothert, Rumple, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Wood, and Young of Cass—40.

The nays were—None.

Absent or not voting—

Senators Dashiell, Fairall, Jessup, Kephart, Larrabee, Mitchell, Russell, Williams, Wonn, and Young of Mahaska—10.

So the bill passed and the title was agreed to.

H. F. No. 129, A bill for an act legalizing the acts of Lars Henryson, an acting justice of the peace of Scott township, Hamilton county, 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 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 Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fitch, Gault, Howland, Kinne, Lovell, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Selby, Shane, Stone, Stuart, Taylor, Thornburg, West, Willet, Wood, and Young of Cass—37.

The nays were—None.

Absent or not voting—

Senators Bemis, Dashiell, Fairall, Jessup, Kephart, Larrabee, McCormack, Mitchell, Russell, Smith, Williams, Wonn, and Young of Mahaska—13.

So the bill passed and the title was agreed to.

S. F. No. 2, A bill for an act to amend section 3793 of the Code, in relation to the compensation of county treasurers, with report of committee recommending the adoption of a substitute was taken up and considered.

The substitute was adopted and the bill ordered engrossed for third reading to-morrow.

S. F. No. 83, A bill for an act to legalize the acts of the independent school district of Keota, Lafayette township, Keokuk county, Iowa, with report of committee recommending that it do pass, was taken up and considered.

Senator Newton 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fitch, Gault, Howland, Kinne, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Wood, and Young of Cass—38.

The nays were—None.

Absent or not voting—

Senators Dashiell, Fairall, Jessup, Kephart, Larrabee, Miles, Mitchell, Russell, Willett, Williams, Wonn, and Young of Mahaska—12.

So the bill passed and the title was agreed to.

H. F. No. 9, A bill for an act to amend chapter 7, of title 24 of the Code, with report of a majority of the 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 Bailey, Bemis, Boomer, Chambers, Conaway, Converse,

Cooley, Crary, Dague, Fitch, Gault, Howland, Kinne, Lovell, Maxwell, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Shane, Stone, Stuart, Taylor, Thornburg, West, Willett, Wood, and Young of Cass—36.

The nays were—

Senators Campbell, McCoid, and Selby—3.

Absent or not voting—

Senators Dashiell, Fairall, Jessup, Kephart, Larrabee, Mitchell, Russell, Williams, Wonn, and Young of Mahaska—11.

So the bill passed and the title was agreed to.

S. F. No. 100, A bill for an act providing for the sale of property in certain cases for delinquent taxes by municipal corporations having special charters, with report of committee recommending that it do pass, was taken up and considered.

Senator Rothert 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 Bailey, Bemis, Boomer, Campbell, Chambers, Converse, Cooley, Crary, Dague, Fitch, Gault, Howland, Kinne, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Perkins, Rothert, Rumble, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Wood, and Young of Cass—38.

The nays were—

Senator Conaway—1.

Absent or not voting—

Senators Dashiell, Fairall, Jessup, Kephart, Larrabee, Mitchell, Pease, Russell, Williams, Wonn, and Young of Mahaska—11.

So the bill passed and the title was agreed to.

S. F. No. 89, A bill for an act for the appointment of Fish Commissioners, and for other purposes, with report of committee recommending amendments, was taken up, considered, and passed on file.

S. F. No. 18, A bill for an act to legalize the election held on the second Monday of March, 1873, in Bloomfield school district, Davis county, Iowa, at which election the electors of said school district voted a tax of ten mills on the dollar for the purpose of building a school house, with report of committee recommending its indefinite postponement, was taken up, considered and passed on file.

S. F. No. 158, A bill for an act to repeal a part of section 1784, of the Code of 1873, in relation to the duties of county treasurers, with report of committee recommending its indefinite postponement, was taken up and considered.

On the adoption of the report of the committee, the yeas and nays were demanded, and the yeas were—

Senators Boomer, Campbell, Chambers, Conaway, Converse, Fitch, Gault, Howland, Maxwell, Miles, Miller, Selby, Shane, Smith, Stuart, Thornburg, Wood, and Young of Cass—15.

The nays were—

Senators Bailey, Bemis, Cooley, Crary, Dague, Kinne, Lovell,

McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Newton, Pease, Perkins, Rothert, Ruple, Stone, Taylor, West, Willett, Wood, and Young of Cass—24.

Absent or not voting—

Senators Dashiell, Fairall, Jessup, Kephart, Larrabee, Mitchell, Murphy, Russell, Williams, Wona, and Young of Mahaska—11.

So the Senate refused to adopt the report of committee.

On motion of Senator Cooley, the bill was recommitted, with instructions.

On motion of Senator Shane, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 10, 1874. }

Senate met at 9 A. M. and was called to order by the president.

Prayer by the Rev. Mr. Davis.

On motion of Senator Taylor, the reading of the journal of yesterday 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 and resolutions, in which the concurrence of the Senate is asked:

Substitute for H. F. No. 258, A bill for an act to legalize the election of justices and constables, in the year 1873.

H. F. No. 263, A bill for an act to amend section 796, title 6, chapter 1, of the Code of 1873.

H. F. No. 274, A bill for an act authorizing and directing the Governor to certify to the Sioux City & St. Paul Railroad Company certain lands named therein.

H. F. No. 318, A bill for an act in relation to delinquent taxes.

H. F. No. 344: A bill for an act to legalize the incorporation of the town of New Hampton, Chickasaw county, and certain proceedings had under said incorporation.

H. F. No. 305: A bill for an act to amend chapter 5, title 10 of the Code of 1873.

Joint resolution proposing to amend section 4 of article 3, of the constitution of the State of Iowa.

Joint resolution relative to the removal of the Sac and Fox Indians.

Joint resolution asking Congress to regulate freights and fares on railroads in certain cases.

I am further directed to inform your honorable body that the House of Representatives has passed the following bills and resolution without amendments:

S. F. No. 113: A bill for an act to legalize the acts of H. H. Tyler, while acting as Justice of the Peace of Platte township, in Taylor county.

S. F. No. 132: A bill for an act to legalize the official acts of H. S. Winslow, a Notary Public in and for Jasper county.

S. F. No. 206: A bill for an act to quiet and confirm the title of certain lands in Webster and Hamilton counties, and adjust the matters connected therewith.

Joint resolution in relation to a proposed canal from Rock Island to the Illinois river, at Hennepin.

Concurrent resolution instructing the Committee on Printing to enquire into reasonableness of charges paid printer and binder.

Also, that the House has concurred in Senate amendments to H. F. No. 168, A bill for an act for the organization of the county of Belknap.

JAMES M. WEART, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Conway: S. F. No. 233, A bill for an act to legalize the annexation of certain territory contiguous to the town of Brooklyn, Iowa, and the acts of the officers thereunder.

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

By Senator Maxwell: S. F. No. 234, A bill for an act regulating salaries in the Agricultural College, and for other purposes.

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

By Senator Stuart: Joint resolution in relation to printing the school laws.

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

RESOLUTION.

Senator Dague offered the following:

Resolved, That hereafter no member of the Senate shall be allowed to speak more than five minutes on any question under consideration and but once on the same.

Senator Howland moved to amend by striking out "5" and inserting "10."

On motion of Senator Gault, the resolution was laid on the table.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT:—Your Committee on Railroads, to whom was referred joint resolution relative to the Onawa Branch of the Cedar Rapids & Missouri River Railroad, 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.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your committee on Railroads, to whom was referred S. F. No. 188, A bill for an act authorizing railway corporations to issue preferred stock for its bonded indebtedness, beg leave to report that they have had the same under consideration and have prepared the following substitute for the same, and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Railroads, to whom was referred House substitute for Senate substitute for S. F. Nos. 12 to 104, bills to establish reasonable maximum rates of charges for transportation of freight and passengers over the railroads in 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 following amendments, and that so amended it do pass, viz:

Amend section 4 by striking out of 13th and 14th lines the words "one hundred and five per cent. of" and insert in lieu thereof the words "five per cent. in addition to."

Strike out of 21st and 22d lines the words "one hundred and twenty per cent. of" and insert in lieu thereof "twenty per cent. addition to."

Strike out all of section 10.

Strike out all of section 11.

F. T. CAMPBELL, *Chairman.*

On motion of Senator Campbell the bill and report was taken up and considered.

The Committee amendments to section 4 were adopted.

Senator Cooley moved to amend the recommendation of the committee relative to striking out section 10 by striking therefrom all of the section after the word "alike" in the fifth line of the section.

On this question the yeas and nays were demanded and the yeas were—

Senators Boomer, Chambers, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Kephart, Larrabee, Lovell, McCormack, McIntyre, Merrell of Clinton, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rumble, Selby, Shane, Smith, Stuart, Thornburg, West, Wood, Young of Cass, and Young of Mahaska—32.

The nays were—

Senators Bailey, Bemis, Campbell, Conaway, Converse, Jessup, Kinne, Maxwell, McCoid, Merrill of Wapello, Rother, Stone, Taylor, Willett, and Wonn—15.

Absent or not voting—

Senators Dashiell, Russell, and Williams—3.

So the amendment to the committee amendment prevailed.

On motion of Senator Fairall the special order for this hour was postponed until the bill under consideration is disposed of.

The committee amendment to section 10 as amended was then adopted.

On motion of Senator Rumple the third line of section 10 was amended by inserting after service the words "from same points."

Senator Merrell of Clinton moved to reconsider the vote by which the report as amended was adopted.

The motion did not prevail.

On the adoption of the committee amendment to strike out section 11, the yeas and nays were demanded and the yeas were—

Senators Bemis, Boomer, Campbell, Chambers, Converse, Cooley, Dague, Jessup, Kephart, Kinne, McCoid, McCormack, McIntyre, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumple, Smith, Stone, Taylor, West, Willett, Wonn, Wood, and Young of Cass—29.

The nays were—

Senators Bailey, Conaway, Crary, Fairall, Fitch, Gault, Howland, Larrabee, Lovell, Maxwell, Merrell of Clinton, Merrill of Wapello, Miles, Selby, Shane, Stuart, Thornburg, and Young of Mahaska—18.

Absent or not voting—

Senators Dashiell, Russell, and Williams—3.

So the amendment was adopted.

Senator McIntyre moved to amend section 12, by striking out all after the word "any" in first line, down to "person" in sixth line; also, the word "aforesaid" in sixth line.

On this question the yeas and nays were demanded, and the yeas were—

Senators Fairall, McIntyre, Merrell of Clinton, Merrill of Wapello, and Wonn—5.

The nays were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Maxwell, McCoid, McCormack, Miles, Miller, Mitchell, Murphy, Newton, Perkins, Rumple, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Wood, Young of Cass, and Young of Mahaska—38.

Absent or not voting—

Senators Dashiell, Fitch, Lovell, Pease, Rothert, Russell, and Williams—7.

So the motion did not prevail.

Senator Howland offered a substitute for the bill.

On the adoption of the substitute the yeas and nays were demanded, and the yeas were—

Senators Bemis, Fairall, Fitch, Howland, Larrabee, Lovell, McCoid, McIntyre, Merrill of Wapello, Mitchell, Russell, Selby, Stone, Wonn, and Young of Mahaska—16.

The nays were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Gault, Jessup, Kephart, Kinne, Maxwell, McCormack, Merrell of Clinton, Miles, Miller, Murphy, Newton, Pease, Perkins, Rothert, Rumple, Shane, Stuart, Taylor, Thornburg, West, Willett, Wood, and Young of Cass—32.

Absent or not voting—

Senators Dashiell, Smith, and Williams—3.

So the substitute was not adopted.

REPORT OF COMMITTEE.

Senator Young of Cass, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have examined H. F. No. 168, An act providing for the organization of the county of Belknap.

H. F. No. 36, An act to legalize the assessments and tax sales of property in the city of Ft. Madison, Iowa.

Substitute for H. F. No. 220, An act for the punishment of persons having in their possession burglar tools or implements with intent to commit the crime of burglary.

H. F. No. 243, An act to legalize the acts of A. Armantrout, Secretary of the Union Agricultural Society, Cedar County.

H. F. No. 178, An act to legalize the acts of the council of the city of Mt. Pleasant, in relation to the levy of taxes and certifying them to the county auditor, and find the same correctly enrolled.

LAFE YOUNG, *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. 243: A bill for an act to legalize the acts of A. Armantrout, Secretary of the Union Agricultural Society of Cedar county.

H. F. No. 178: A bill for an act to legalize the acts of the Council of the city of Mt. Pleasant, in relation to the levy of taxes and certifying them to the county Auditor.

H. F. No. 36: A bill for an act to legalize the assessments and tax sales of property in the city of Fort Madison, Iowa.

H. F. No. 168: A bill for an act providing for the organization of the county of Belknap.

H. F. No. 220: A bill for an act for the punishment of persons having in their possession burglar tools, or implements, with intent to commit the crime of burglary.

W. A. FULMER, *Second Clerk.*

Consideration of the House substitute for Senate railroad bill, was resumed.

Senator Campbell moved to suspend the rule and read the bill a third time now.

The motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Gault, Howland, Jessup, Kephart, Kinne, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton,

Miles, Miller, Mitchell, Murphy, Newton, Pease, Rotherth, Rumple, Selby, Shane, Smith, Stuart, Taylor, Thornburg, West, Willett, Wood, and Young of Cass—39.

The nays were—Senators Bemis, Fitch, Larrabee, Merrill of Wapello, Perkins, Russell, Stone, Wonn, and Young of Mahaska—9.

Absent or not voting—

Senators Dashiell, and Williams—2.

So the bill passed and the title was agreed to.

Senator Fitch moved to take up special order S. F. No. 212, A bill for an act to amend chapter 3, title 6 of the Code, in relation to domestic and other animals, with the report of the committee recommending amendments.

The motion prevailed.

Senator Merrell of Clinton moved that the consideration of special order, substitute for S. F. No. 8, A bill for an act relating to taxes voted in aid of construction of railroads, be postponed until the special order before the Senate was disposed of.

The motion was adopted.

S. F. No. 212, was then considered, the amendments reported by the committee adopted, and the bill, on motion of Senator Converse was referred to Committee on Judiciary.

By leave, Senator Rotherth introduced S. F. No. 235, A bill for an act to provide for the improvement of the Penitentiary at Fort Madison and to provide for an increased salary of the clerk thereof.

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

Senator Miller from the Committee on Engrossed Bills made a verbal report, that said committee have examined substitute for S. F. No. 2, and find the same correctly engrossed.

Senator Shane from Committee on Judiciary submitted the following report :

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 189, A bill for an act for the protection of Inn Keepers beg leave to report 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.

Ordered passed on file.

Also the following:

MR. SPEAKER:—Your Committee on Judiciary, to whom was referred H. F. No. 281, A bill for an act legalizing the acts of S. L. Holliday and C. C. Goodale, Auditors of Madison 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.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 76, 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 Senate, with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 256, A bill for an act to legalize the appraisement and sale of certain school lands in Ringgold county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the House, with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 94, A bill for an act to define the crime of swindling and to punish 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 amended by striking out all after the word "deemed," in the fourteenth line of section 2, and inserting "guilty of a misdemeanor," in lieu thereof. Also, strike out all after the figure "3" in first line of section 3, and insert in lieu thereof the following: "When the crime provided against in this act is charged to have been committed by passengers on any railway, stage coach, steamboat or other carrier, any county from, through, or into which the defendant or defendants may have passed as such passengers, shall have local jurisdiction for the trial of offense." So amended, the committee recommend that the same do pass.

JOHN SHANE, *Chairman.*

Ordered passed on file.

On motion of Senator Gault the hour of adjournment was extended to 12:30 P. M.

The special order, it being substitute for S. F. No. 8, A bill for an act relating to taxes voted in aid of the construction of railroads, was taken up and considered.

Senator Willett moved to amend section 2 by inserting after the word "voted" in first line, the words "without condition."

The amendment was adopted.

The question being on the adoption of the section offered by Senator Merrell of Clinton, it being numbered section 4, it was lost.

Senator Cooley offered the following as section 4.

SECTION 4. The provisions of section 1 of this act shall not apply to railroad companies which have in good faith commenced the work of construction of such railroad in the township, city, or town where such taxes was voted, and are now in good faith engaged in building their said roads so commenced, nor shall the provisions of said section in any way affect their right to collect any and all taxes voted by townships, cities or towns in aid of their said roads, to which they are justly entitled, or annul said taxes, and said railroad companies so in good faith proceeding to construct their said roads, shall be entitled to collect and receive such taxes when they have complied with the law under which the same were voted; *provided*, however, said companies shall earn and become entitled to such tax within two years from the passage of this act; *provided further*, that this section shall not be construed so as to revive any tax now forfeited, nor extend the

time for the completion of railroads, as fixed by the vote under which such tax was levied, or other conditions, as provided in chapter 2, acts of Fourteenth General Assembly.

The section was adopted.

On motion of Senator Young of Mahaska, the hour of adjournment was extended ten minutes.

The substitute as amended was then adopted.

Senator Larrabee moved to suspend the rule and read the bill a third time now.

The motion prevailed, and the bill was read a third time.

On the question, " Shall the bill pass? "

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumple, Selby, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Wonn, Wood, Young of Cass, and Young of Mahaska—44.

The nays were—Senators Fairall, McCormack, and Shane—3.

Absent or not voting—

Senators Dashiell, Russell, and Williams—3.

So the bill passed and the title was agreed to.

By leave, Senator Murphy introduced S. F. No. 263, A bill for an act to provide for an appropriation to the orphan's home at Davenport, Iowa.

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

REPORT OF COMMITTEE.

Senator Young of Cass, 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.:

H. F. No. 220.

H. F. No. 168.

H. F. No. 243.

H. F. No. 178.

H. F. No. 36.

LAFE YOUNG, *Chairman.*

Senator Smith filed a motion to reconsider the vote by which S. F. No. 142, A bill for an act to repeal section 3818 of chapter 3, title 23, of the Code of 1873, was indefinitely postponed.

On motion of Senator Howland, at 12:35 P. M. the Senate adjourned until 9 o'clock to-morrow morning.

SENATE CHAMBER,
DES MOINES, IOWA, March 11, 1874. }

Senate met at 9 A. M., and was called to order by the President.

Prayer by the Rev. Mr. Telleen.

On motion of Senator Crary, 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. 360, A bill for an act to make cities and towns responsible for the value of buildings destroyed for the purpose of preventing the spread of conflagrations.

Also, the following without amendment:

S. F. No. 92, A bill for an act relating to the paying of jurors.

Substitute for S. F. No. 30, A bill for an act to provide State Institutions, justice of the peace, and township clerks, with copies of the Code.

Also, S. F. No. 97, A bill for an act to provide for leasing the convict labor in the Iowa Penitentiary after the expiration of the lease now in force, with the following amendments: In line one of section 5, the words "five dollars" stricken out, and "four dollars" inserted.

By adding the following:—Section 2. The commissioners shall require the person or persons to whom they shall hire or lease the labor of the convicts to give bond, with security to be approved by the executive council to the State of Iowa, in the penal sum of fifty thousand dollars, for the faithful performance of the provisions of the contract and the payment of the full amount due from the contractors quarterly for such labor.

Also, section 6. It shall be the duty of the commissioners to provide in the contract they shall enter into with any person under the provisions of this act, that a day's work for the month's of November, December, January, February and March, shall be eight hours, and for the balance of the year not more than ten hours.

And by numbering the original sections of the bill to correspond with the new sections introduced, in which the concurrence of the Senate is asked.

JAMES M. WEART, *Chief Clerk.*

PETITIONS AND MEMORIALS.

By Senator Perkins: A petition from citizens of Monona county, in relation to the Monona Land Company.

Referred to Committee on Judiciary.

By Senator Perkins: A petition from citizens of Iowa, in relation to the herd law.

Referred to Committee on Agriculture.

By Senator Mitchell: A petition from citizens of Polk county, in relation to the herd law.

Referred to Committee on Agriculture.

By Senator Campbell: A resolution from Buena Vista Grange, No. 544, asking for a general stock law.

Referred to Committee on Agriculture.

By Senator Campbell: A petition from citizens of Jasper county in relation to county printing.

Referred to Committee on Printing.

By Senator Murphy: Petitions from citizens of Scott county asking for the repeal of the prohibitory liquor law and the enactment of a license law.

Referred to Committee on Suppression of Intemperance.

By Senator Mitchell: A petition from a temperance meeting held in Des Moines, March 9, 1874, in relation to temperance legislation.

Referred to Committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Miller: S. F. No. 237, A bill for an act to fix the compensation of State printer and binder.

Read first and second time, and referred to committee on Printing.

By Senator Dague: S. F. No. 238, A bill for an act to amend section 502 of the Code of 1873, in relation to the election and qualification of officers of cities and incorporated towns.

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

By Senator Mitchell: S. F. No. 239, A bill for an act to enlarge the powers and duties of district and police courts.

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

By Senator Jessup: S. F. No. 240, A bill for an act to amend section 1329 of the Code.

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

By Senator Fairall: S. F. No. 241, A bill for an act in relation to the State Historical Society.

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

By Committee on Judiciary: S. F. No. 242, A bill for an act to increase the number of Judges of the Supreme Court, and repealing section 140 of the Code of 1873 and enacting a section instead thereof.

Read first and second time, and passed on file.

RESOLUTION.

Senator Campbell offered the following:

Resolved by the Senate, the House concurring, That this General Assembly will adjourn, *sine die*, at 11 o'clock, A. M., on Thursday, March 19, 1874.

The resolution was adopted.

REPORTS OF COMMITTEES.

Senator Fairall, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—By order of the Committee on Judiciary, to whom was referred S. F. No. 205, A bill for an act to legalize the acts of the city council of Knoxville, 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.

Ordered passed on file.

Also, the following:

MR. PRESIDENT: By order of the Committee on Judiciary, to whom was referred S. F. No. 211, A bill for an act to amend chapter 71 of laws of 1854-5, entitled an act to incorporate the city of Knoxville, 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, for the reason that the constitution prohibits such legislation.

FAIRALL, *for the Committee.*

Ordered passed on file.

Senator Maxwell, from the Committee on Highways, submitted the following report:

MR. PRESIDENT:—Your Committee on Highways, to whom was referred the memorial of the auditor of Jefferson county and others in regard to a change in the road 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 they do not deem the change asked for, for the best interests of the State.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Highways, to whom was referred H. F. No. 197, A bill for an act to amend title 7, chapter 1, section 949 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

GEORGE W. MAXWELL, *Chairman.*

Ordered passed on file.

Senator Perkins, from the Joint Committee on Printing, submitted the following report:

MR. PRESIDENT:—Your Committee on Printing, to whom was referred concurrent resolution instructing your committee to jointly inquire with House Committee into prices now allowed by law to State Printer and Binder, beg leave to report that they have had the same under consideration, and that a majority of said joint committee present adopted the following resolution, which I am instructed to report for your consideration:

Resolved, That the chairman be instructed to report to the two

houses, That it is the opinion of the joint committee that the prices now allowed by law to the State Printer and Binder for work performed by them might be reduced on an average 10 per cent., and that a committee of experts be appointed to rearrange the price list in accordance with this recommendation and report such revised list to the two houses.

PERKINS, *Chairman*.

Ordered passed on file.

Senator Jessup, 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. 234, A bill for an act to regulate the salaries of the president, professors, and other officers and employees of the Iowa Agricultural College and Farm, 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.

ELIAS JESSUP, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT:—Your Committee on Schools, to whom was referred a resolution in regard to the publication and distribution of 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 be adopted.

Ordered that the report pass on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred H. F. No. 27, A bill for an act in relation to county superintendents visiting 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.

Ordered, That the report pass on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred H. F. No. 143, A bill for an act to legalize the independent district of Burr Oak, Winneshiek 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 without recommendation.

E. B. KEPHART, *Chairman*.

Ordered passed on file.

Senator Smith, from the Committee on Claims, submitted the following report:

MR. PRESIDENT:—Your Committee on Claims, to whom was referred S. F. No. 229, A bill for an act to provide for paying for blacksmith shop and foundry at penitentiary at Ft. Madison, beg leave to

report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that we find since the erection of the foundry and blacksmith shop mentioned in the bill, the State has taken possession of, and now use and occupy the same, and that said foundry and shop so taken, used and occupied, have been enlarged and improved by authority of chapter 101, Laws of Fourteenth General Assembly, and that the said work and material in said building so used and occupied by the State was, before the addition of said improvements, of the actual value of 2,792 43-100 dollars; and recommend that the bill be amended by adding after first paragraph of preamble the accompanying amendment, and when so amended that the bill do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Claims, to whom was referred S. F. No. 128, A bill for an act to audit the unpaid claim of River Land Commissioners, and making an appropriation 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.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Claims, to whom was referred claim of S. H. Craig, for expenses incurred in attending National Prison Convention, at Baltimore, beg leave to report that they have had the same under consideration, and have prepared a bill providing for the payment of the same, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. T. SMITH, *Chairman.*

Ordered passed on file.

Senator Willett, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT:—Your Committee on Constitutional Amendments, to whom was referred a petition from the Board of Supervisors of Scott county, asking that the Constitution be so amended as to provide for the election of a county prosecuting attorney in place of the district attorney, 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 statement that in their opinion no legislation of the kind is needed.

Ordered, That the report pass on file.

Also the following:

MR. PRESIDENT:—Your Committee on Constitutional Amendments, to whom was referred a petition from the board of supervisors of Scott county relating to the abolition of the grand jury system, 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 statement that in their opinion a change is not advisable.

G. R. WILLETT, *Chairman.*

Ordered that the report pass on file.

Senator Taylor, from the Committee on Senatorial Districts, submitted the following report:

MR. PRESIDENT:—Your Committee on Senatorial Districts, to whom was referred S. F. No. 220, 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 it be amended as follows, and that when so amended that the bill do pass.

R. HOWE TAYLOR, *Chairman.*

Ordered passed on file.

Senator Shane, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 42, A bill for an act to amend title 17 of the Code of Civil Practice, passed at the adjourned session 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 the accompanying substitute be adopted, and when adopted that the bill do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 29, A bill for an act giving justices of the peace exclusive original jurisdiction in all cases where the amount in controversy does not exceed one hundred dollars, beg leave to report 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 SHANE, *Chairman.*

Ordered passed on file.

Senator Mitchell, from the Committee on Normal Schools, submitted the following report;

MR. PRESIDENT:—Your Committee on Normal Schools, to whom was referred S. F. No. 207, A bill for an act to establish State normal 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 without recommendation.

THOMAS MITCHELL, *Chairman.*

Ordered passed on file.

Senator Boomer, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT:—Your Committee on the Suppression of Intemperance, to whom was referred H. F. No. 137, A bill for an act to amend section 1555 of the Code of Iowa, beg leave to report that they have

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

A. BOOMER, *Chairman.*

Ordered passed on file.

On motion of Senator McCormack, S. F. No. 205, A bill for an act to legalize the acts of the City Council of Knoxville, Marion county, Iowa, with report of committee recommending that it do pass, was taken up and considered.

Senator McCormack 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 Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rotherth, Rumble, Selby, Shane, Smith, Stone, Taylor, Thornburg, Willett, Wonn, Wood, Young of Cass, and Young of Mahaska—42.

The nays were—None.

Absent or not voting—

Senators Bailey, Dashiell, Lovell, McIntyre, Russell, Stuart, West, and Williams—8.

So the bill passed and the title was agreed to.

On motion of Senator Gault S. F. No. 188, A bill for an act to amend section 1286, of the Code of 1873, and to authorize railroad companies to issue preferred stock in certain cases in addition to that already authorized by law, with report of committee recommending the adoption of a substitute, was taken up and considered.

The substitute was adopted.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rotherth, Rumble, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Wonn, Wood, Young of Cass, and Young of Mahaska—46.

The nays were—None.

Absent or not voting—

Senators Dashiell, Russell, Selby, and Williams—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 amendments to substitute for substitute for Senate Files Nos. 12, 13, 25, 26, 49, 66, 73, and 104, A bill for an act to establish reasonable maximum rates of charges for the transportation of freight and passengers on the different railroads of this State.

W. A. FULMER, *Second Clerk.*

On motion of Senator Boomer, H. F. No. 137, A bill for an act to amend section 1555 of the Code, with report of the committee recommending that it do pass, was taken up, considered, and made the special order for to-morrow at 9:30 A. M.

On motion of Senator Cooley, H. F. No. 288, A bill for an act to appropriate \$714.30 to Thos. M. Monroe and A. B. Smedley, for certain services rendered the State of Iowa, and certain necessary expenses while performing the same, with report of committee reporting it back without recommendation, was taken up and considered.

Senator Cooley 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.

Senator Shane moved to reconsider the vote by which the bill was ordered to a third reading.

The motion prevailed.

Senator Shane move to strike out section 3, which was disagreed to.

The rule was then suspended, and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Boomer, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Smith, Stone, Stuart, Thornburg, West, Willett, Wood, Young of Cass, and Young of Mahaska—40.

The nays were—

Senators Campbell, Fairall, McCormack, Selby, Shane, Taylor, and Wonn—7.

Absent or not voting—

Senators Bemis, Dashiell, and Williams—3.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Young of Cass, 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. 92, An act relating to the pay of jurors.

S. F. No. 132, An act to legalize the acts of H. S. Winslow, a notary public.

S. F. No. 113, An act to legalize the acts of H. H. Tyler, a justice of the peace.

S. F. No. 206, An act to quiet and confirm the title to certain lands

in Webster and Hamilton counties, and adjust the matters connected therewith.

Substitute for S. F. No. 30, An act to provide State institutions, justices, etc., with the Code.

Joint resolution in relation to proposed canal from Rock Island, Illinois, to the Illinois river, at Hennepin.

H. F. No. 9, An act to amend chapter 7, title 24 of the Code.

H. F. No. 7, An act to legalize the levy of certain taxes in the county of Hamilton in the State of Iowa.

H. F. No. 129, An act legalizing the acts of Lars Henryson, an acting justice of the peace.

H. F. No. 154, An act to legalize the sale of certain school lands in Allamakee county.

H. F. No. 52, An act to punish carelessness in the use of steam boilers, and find the same correctly enrolled.

LAFE YOUNG, *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.

S. F. No. 132, A bill for an act to legalize the official acts of H. S. Winslow, a notary public for Jasper county.

S. F. No. 206, A bill for an act to quiet the title to certain lands in Webster and Hamilton counties.

Joint resolution relative to proposed canal from Rock Island to Hennepin, Illinois.

H. F. No. 52, A bill for an act to punish carelessness in the use of steam boilers.

H. F. No. 129, A bill for an act legalizing the acts of Lars Henryson, a justice of the peace of Hamilton county, Iowa.

H. F. No. 154, A bill for an act to legalize the sale of school lands in Allamakee county.

H. F. No. 9, A bill for an act to amend chapter 7, title 24, of the Code.

H. F. No. 7, A bill for an act to legalize the levy of taxes in Hamilton county.

Substitute for S. F. No. 30, A bill for an act to furnish justices of the peace and other officers with copies of the Code.

S. F. No. 92, A bill for an act relating to the pay of jurors.

S. F. No. 113, A bill for an act to legalize the acts of H. H. Tyler, a justice of the peace in Taylor county.

W. A. FULMER,
Second Assistant Clerk

SPECIAL ORDER.

On motion of Senator McIntyre, the special order, it being substitute for S. F. No. 48, A bill for an act to provide for the organization and management of savings' banks, was taken up and considered by sections.

Senator Converse moved to amend section 2 by striking out of second line, "twenty-five," and inserting "ten."

On this question the yeas and nays were demanded, and the yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Crary, Dague, Fitch, Gault, Howland, Jessup, Kephart, Larrabee, Maxwell, McCoid, Merrell of Clinton, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rumpel, Russell, Selby, Smith, Taylor, Thornburg, Willett, Wonn, and Wood—33.

The nays were—

Senators Bemis, Cooley, Kinne, Lovell, McCormack, Rothert, Shane, West, and Young of Cass—9.

Absent or not voting—

Senators Dashiell, Fairall, McIntyre, Merrill of Wapello, Stone, Stuart, Williams, and Young of Mahaska—8.

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

Resolved by the House, the Senate concurring, That the President of the Senate, and the Speaker of the House, be directed to adjourn their respective houses *sine die* on Thursday the 19th day of March, at 10 o'clock A. M.

BENJ. VAN STEINBURG,

First Assistant Clerk.

The consideration of substitute for S. F. No. 48, was resumed.

Senator Converse moved to amend section 7 as follows:

Insert after the word "of," in the third line, the words, "ten thousand dollars, may receive deposits to the amount of one hundred thousand dollars; those with a paid up capital of"

The amendment was adopted.

Senator Converse also offered the following:

Insert after the word "interest," in the eleventh line, "not to exceed six per cent."

The amendment was lost.

Senator Gault offered the following as section 17:

SECTION 17. No savings bank shall be allowed to transact its business in connection with any bank organized under the laws of this State, or of the United States, nor shall the officers of said savings

bank, be also officers of said National or State bank, nor shall the majority of its directors or trustees be also directors or trustees in any other banking institution; nor shall any director or trustee, or any officer or employee of said bank be allowed to transact business as a private banker or broker in connection therewith; nor shall any other private banker or broker be allowed to transact business as the officer of any such bank.

Pending the consideration of the proposed section, Senator Cooley moved that when the Senate adjourn it be until 2 o'clock P. M.

The motion prevailed.

By leave, Senator Rumble introduced S. F. No. 243, A bill for an act authorizing the purchase of certain reports and the distribution thereof.

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

The consideration of Senator Gault's proposed amendment (section 17) was resumed.

Senator Merrell of Clinton moved to extend the hour adjournment until 12:10 P. M.

The motion did not prevail, and the Senate adjourned.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

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, in which the concurrence of the Senate is asked:

S. F. No. 201, A bill for an act to repeal sections 1292 and 1293, of the Code, and to enact new sections in lieu thereof, with an amendment inserting in the 15th line after the word "aforesaid" the words "and also the cars of all transportation companies or persons."

W. A. FULMER, *Second Clerk.*

RESOLUTIONS.

Senator Larrabee offered the following resolution:

Resolved, That a sifting committee of ten of the chairmans of the committees be selected by the President, 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 Senate adopted the resolution.

On motion of Senator Larrabee, the House resolution in relation to final adjournment was taken up and concurred in.

Senator Larrabee offered the following:

Resolved, That after Saturday next no bill shall be introduced but upon the recommendation by a standing committee that the bill do pass.

Resolution was adopted.

Senator Rothert offered the following:

Resolved by the House, the Senate concurring, That the Assistant Postmaster be instructed to remain one week after the close of this session to forward letters and newspapers that may be directed to members of the General Assembly during that time.

The resolution was agreed to.

Senator Russell asked and obtained leave to have his vote recorded against the passage of House substitute for Senate Files Nos. 12, 13, 25, 26, 49, 66, 73, and 107, and in favor of the adoption of the substitute for said bill offered by Senator Howland.

By leave Senator Mitchell introduced S. F. No. 244, A bill for an act to amend section 906 of the Code.

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

By leave, Senator Dague presented petition and resolution from citizens of Clark county in relation to the herd law.

Referred to Committee on Agriculture.

The consideration of substitute for S. F. No. 48 was resumed.

The question being on the adoption of Senator Gault's amendment, the yeas and nays were demanded, and the yeas were—

Senators Boomer, Campbell, Conaway, Gault, McCoid, McCormack, Merrell of Clinton, Miles, Mitchell, Newton, Selby, Shane, and Thornburg—14.

The nays were—

Senators Bailey, Converse, Cooley, Crary, Fitch, Jessup, Kephart, Kinne, Larrabee, Maxwell, McIntyre, Merrill of Wapello, Miller, Murphy, Perkins, Rothert, Rumple, Russell, Smith, Taylor, West, Willett, Wonn, Wood, Young of Cass, and Young of Mahaska—25.

Absent or not voting—

Senators Bemis, Chambers, Dague, Dashiell, Fairall, Howland, Lovell, Pease, Stone, Stuart, and Williams—11.

So the amendment was lost.

Senator Merrell of Clinton moved to amend the second line of section 20, by inserting after "banks," the words, "or savings institutions."

The amendment was adopted.

Senator Merrill of Wapello moved to amend the sixth lines in sections 27 and 30, by striking out "wind up," and insert "close."

Which was agreed to.

Senator Shane moved to insert after the word "laws," in the third line of section 12, the following: "That no shareholder shall hold or own, directly or indirectly, more than one-tenth of the capital stock."

The Senate refused to adopt the amendment.

Senator Fitch moved to amend section 28, by striking out all of the sixth line down to and including the word "invested," in the seventh line.

The motion did not prevail.

Senator Willet moved to amend the 8th line of section 28, by inserting "of the bank," after "assessment."

The motion was agreed to.

Senator Converse moved to amend section 27, by inserting after "fine," in the fifth line, the following, "of not less than five hundred dollars," and after the word "imprisonment," in said line, the words "of not less than one year, or both such fine and imprisonment, at the discretion of the court."

Which was agreed to.

The substitute was then adopted.

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

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Boomer, Chambers, Converse, Cooley, Crary, Dague, Howland, Jessup, Larrabee, McIntyre, Miles, Miller, Mitchell, Murphy, Perkins, Rothert, Rumble, West, Willett, Wonn, Young of Cass, and Young of Mahaska—23.

The nays were—

Senators Campbell, Conaway, Gault, Kephart, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Newton, Pease, Russell, Selby, Shane, Stuart, Taylor, Thornburg, and Wood—18.

Absent or not voting—

Senators Bemis, Dashiell, Fairall, Fitch, Kinne, Merrill of Wapello, Smith, Stone, and Williams—9.

So the bill having failed to receive a constitutional majority, was lost.

BILLS ON THIRD READING.

Substitute for S. F. No. 2: A bill for an act to amend sub-division 6 of section 3793 of the Code relating to the compensation of County Treasurers, was taken up and read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Campbell, Chambers, Converse, Cooley, Crary, Dague, Howland, Jessup, Kephart, Larrabee, Lovell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Rothert, Rumble, Russell, Shane, Taylor, Thornburg, West, Willett, Wonn, and Young of Cass—33.

The nays were—

Senators Boomer, Conaway, Fitch, Gault, Mitchell, Selby, Stuart, Wood, and Young of Mahaska—9.

Absent or not voting—

Senator Dashiell, Fairall, Kinne, Maxwell, Perkins, Smith, Stone, and Williams—8.

So the bill passed and the title was agreed to.

S. F. No. 97: A bill for an act for leasing the convict labor in the

Iowa Penitentiary after the expiration of the lease now in force, together with the House amendments, was taken up.

On motion of Senator Campbell, the Senate disagreed to the first and second amendments made by the House.

On the question, "Shall the Senate concur in the third amendment?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rumpel, Russell, Selby, Stuart, Taylor, Thornburg, West, Willett, Wood, and Young of Cass—37.

The nays were—

Senators Lovell, Rothert, and Wonn—3.

Absent or not voting—

Senators Cooley, Dashiell, Kinne, Larrabee, Miles, Shane, Smith, Stone, Williams, and Young of Mahaska—10.

So the third House amendment was agreed to.

S. F. No. 201: A bill for an act to amend sections 1292, and 1293, of the Code, with House amendments, was taken up.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Stuart, Taylor, Thornburg, West, Willett, Wonn, Wood, and Young of Cass—42.

The nays were—

Senators Miller, and Young of Mahaska—2.

Absent or not voting—

Senators Dashiell, Kinne, Mitchell, Smith, Stone, and Williams—6.

So the House amendments were concurred in.

HOUSE MESSAGES.

H. F. No. 360, A bill for an act to make cities and towns responsible for the value of buildings destroyed for the purpose of preventing the spread of conflagrations, was taken up.

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

H. F. No. 344, A bill for an act to legalize the town of New Hampton, Chickasaw county, Iowa, and certain proceedings had thereunder, was taken up and read first and second time.

On motion of Senator Bailey the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrill of Wapello,

Miles, Miller, Mitchell, Newton, Pease, Perkins, Rothert, Selby, Stuart, Taylor, West, Willett, Wood, and Young of Cass—35.

The nays were—

Senators Merrell of Clinton, Thornburg, and Young of Mahaska—3.

Absent or not voting—

Senators Dashiell, Kephart, Kinne, McIntyre, Murphy, Rumble, Russell, Shane, Smith, Stone, Williams, and Wonn—12.

So the bill passed and the title was agreed to.

H. F. No. 294, A bill for an act authorizing and directing the Governor to certify to the Sioux City and St. Paul Railroad Company certain lands named therein, was taken up and read first and second time.

Senator Perkins 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 Bailey, Bemis, Boomer, Conaway, Converse, Fairall, Fitch, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrill of Wapello, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Shane, Stuart, Thornburg, Wonn, and Young of Mahaska—31.

The nays were—

Senators Campbell, Cooley, Crary, Dague, Gault, Merrell of Clinton, Selby, West, Willett, Wood, and Young of Cass—11.

Absent or not voting—

Senators Chambers, Dashiell, Kinne, Miles, Smith, Stone, Taylor, and Williams—8.

So the bill passed and the title was agreed to.

H. F. No. 305, A bill for an act to amend chapter 5, title 10, of the Code of 1873, was taken up, read first and second time, and referred to Committee on Railroads.

H. F. No. 318, A bill for an act in relation to delinquent taxes, was taken up, read first and second time, and referred to Committee on Ways and Means.

H. F. No. 263, A bill for an act to amend sub-division 2, of section 796, of the Code of 1873, was taken up, read first and second time, and referred to Committee on Ways and Means.

Substitute for H. F. No. 258, A bill for an act to legalize the election of justices and constables in the year A. D., 1873, was taken up, and 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Fairall, Fitch, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McIntyre, Merrill of Wapello, Miles, Miller, Mitchell, Newton, Rothert, Rumble, Stuart, Taylor, Thornburg, West, Wonn, and Young of Cass—30.

The nays were—

Senators Dague, Gault, McCoid, McCormack, Merrell of Clinton, Pease, Selby, Shane, Willett, and Wood—10.

Absent or not voting—

Senators Crary, Dashiell, Kinne, Murphy, Perkins, Russell, Smith, Stone, Williams, and Young of Mahaska—10.

So the bill passed and the title was agreed to.

Joint resolution proposing to amend section 4, of article 3, of the Constitution of the State of Iowa, was taken up, and read first and second time.

Senator Gault 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Taylor, Thornburg, West, Willett, Wonn, Wood, Young of Cass, and Young of Mahaska—44.

The nays were—

Senator Stuart—1.

Absent or not voting—

Senators Dashiell, Kinne, Smith, Stone, and Williams—5.

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

Joint resolution relative to the removal of the Sac and Fox Indians, was taken up, read first and second time.

On motion of Senator Taylor the joint resolution was indefinitely postponed.

By leave, Senator Merrell of Clinton filed a motion to reconsider the vote, by which substitute for S. F. No. 48 failed to pass, and it was made the special order for Friday next, at 10 A. M.

Joint resolution instructing congress to pass laws regulating freights and fares on railroads, was taken up, and read first and second time.

Senator Merrell of Clinton 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Stuart, Taylor, Thornburg, West, Willet, Wonn, Wood, Young of Cass, and Young of Mahaska—44.

The nays were—None.

Absent or not voting—

Senators Dashiell, Kinne, McIntyre, Smith, Stone, and Williams—6.

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

On motion of Senator Rothert, S. F. No. 106, A bill for an act to amend section 807, chapter 1, title 6 of the Code, empowering municipal corporations to license insurance companies, with report of commit-

tee recommending the adoption of a substitute, was taken up and considered.

On motion of Senator McCoid, section 1 was amended by striking out "containing five thousand inhabitants and upwards."

The substitute was then adopted.

Senator Rothert moved that the rule be suspended and the bill be read a third time now.

Senator Merrell of Clinton moved that the bill be indefinitely postponed, pending which the President announced Senators Larrabee, Shane, West, Kephart, Fitch, Howland, Campbell, Merrill of Wapello, Maxwell and McCoid a sifting committee as provided for in Senator Larrabee's resolution adopted this P. M.

By leave, Senator West introduced S. F. No. 245, A bill for an act to amend section 209 of the code.

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

On motion of Senator Bailey S. F. No. 119, A bill for an act to provide for the election of School Commissioners and District Superintendents and to prescribe their duties and to abolish the office of County Superintendent, with report of committee recommending the adoption of a substitute, was taken up and made the special order for to-morrow at 2 P. M.

Senator Merrill of Wapello moved that the Senate adjourn.

The motion did not prevail.

Senators Gault and Smith were granted leave of absence until Friday next.

The consideration of S. F. No. 106 was resumed, and on motion of Senator Rothert it was made the special order for 3 P. M. to-morrow.

At 4:45 on motion of Senator Howland the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 12, 1874. }

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

Prayer by the Rev. Mr. Walters.

On motion of Senator Converse the reading of the journal of yesterday was dispensed with.

PETITIONS AND MEMORIALS.

By Senator Campbell: A remonstrance from citizens of Jasper county against the repeal of the herd law.

Referred to Committee on Agriculture.

By Senator Young of Cass: A petition from citizens of Union county in relation to the herd law.

Referred to Committee on Agriculture.

By Senator Wood: Petitions from citizens of Muscatine county in relation to the proposed change in the prohibitory liquor law.

Referred to Committee on Suppression of Intemperance.

By Senator Mitchell: A petition from citizens of Polk county asking that the prohibitory liquor law be amended.

Referred to Committee on Suppression of Intemperance.

Also, a petition in relation to the herd law.

Referred to Committee on Agriculture.

By Senator Fitch: A petition from citizens of Iowa in relation to the prohibitory liquor law.

Referred to Committee on Suppression of Intemperance.

By Senator Murphy: A petition from citizens of Iowa asking an amendment to the game law.

Referred to Committee on Fish and Game.

By Senator West: A petition from citizens of Henry county asking for the enactment of an efficient compulsory education law.

Referred to Committee on Schools.

By Senator Murphy: A petition from pastors of churches in Davenport in relation to prohibitory legislation.

Referred to Committee on Suppression of Intemperance.

INTRODUCTION OF BILLS.

By Senator Young of Cass: S. F. No. 246, A bill for an act to define the duties of officers in levying upon growing crops, etc.

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

By Senator Jessup: S. F. No. 247, A bill for an act in relation to bridges on railroads.

Read first and second time, and referred to Sifting Committee.

By Senator Jessup: S. F. No. 248, A bill for an act in relation to railroad crossings.

Read first and second time, and referred to Sifting Committee.

By Senator Cooley: S. F. No. 249, A bill for an act to provide for the publication and distribution of the laws of the Fifteenth General Assembly.

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

By Senator Selby: S. F. No. 250, A bill for an act to repeal part of section 3, chapter 35, of the laws of the Fourteenth General Assembly.

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

By Judiciary Committee: S. F. No. 251, A bill for an act giving a lien on certain animals.

Read first and second time.

On motion of Senator Fairall the rule was suspended and the bill read a third time.

The question being, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrell

of Clinton, Merrill of Wapello, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Selby, Shane, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—44.

The nays were—

Senator Miles—1.

Absent or not voting—

Senators Dashiell, Gault, McIntyre, Smith, and Young of Mahaska—5.

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:

Substitute for H. F. No. 125, A bill for an act to repeal sections 1721 and 1802, of chapter 9, title 12, of the Code, and to enact certain sections in lieu thereof.

Substitute for H. F. No. 204, A bill for an act relating to taxes voted in aid of construction of railroads.

H. F. No. 245, A bill for an act to amend section 3812, chapter 3, title 23, of the Code, in relation to jury fees.

Substitute for H. F. No. 101, A bill for an act to require railway companies to fence their roads in certain cases.

JAMES M. WEART, *Chief Clerk.*

RESOLUTIONS.

Senator Young of Cass, offered the following resolution:

Resolved by the Senate, That we recognize in the death of Charles Sumner the loss of an eminent statesman, a distinguished lawyer and scholar, a friend of humanity and free government, a man who added fame and lent character to the American name at home and abroad, and a man whose heart throbbed nobly in sympathy with the true American citizen, and that we deeply regret his sudden and unexpected demise.

On the adoption of the resolution the yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—49.

The nays were—None.

Absent or not voting—

Senator Young of Mahaska—1.

So the resolution was adopted.

REPORTS OF COMMITTEES.

Senator Taylor, from the Committee on Fish and Game, submitted the following report:

MR. PRESIDENT:—Your Committee on Fish and Game, to whom was referred substitute for House Files Nos. 41 and 223, A bill for an act to repeal section 4048, title 24, chapter 11 of the Code, and to enact a substitute in lieu thereof, 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:

Amend section 1, fourth line: after the word "the," strike out "first day of September," and insert "fifteenth day of August next following."

Amend same section in tenth line: after last word "any," in said line, insert the words "inclosed or improved."

Amend same section by striking out all after the word "possession," in the twentieth, to and including the word "section," in the twenty-third line.

Amend same section by striking out all the section after the word "belongs," in the thirty-third line, and insert "and if any person ensnare or trap any prairie hen or chicken, quail, or any other game birds mentioned in this act, at any season of the year; or if any person shoot or in any manner kill or capture any of the above mentioned birds or animals contrary to the provisions of this section, he shall be liable to the penalties provided in section 4050 of the Code of 1873." And that when so amended it do pass.

R. HOWE TAYLOR, *for the Committee.*

Ordered passed on file.

Senator Willett, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT:—Your Committee on Constitutional Amendments, to whom was referred joint resolution providing for an amendment to the constitution prohibiting any appropriation, gift, or loan 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 not pass.

Ordered that the report pass on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Constitutional Amendments, to whom was referred joint resolution proposing an amendment to the constitution providing that the General Assembly may authorize a trial by a jury of less than twelve, and that verdicts may be rendered by two-thirds of any jury, beg leave to report that they have had the same consideration and have instructed me to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

G. R. WILLETT, *Chairman.*

Ordered that the report pass on file.

Senator Shane, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 223, A bill for an act authorizing the establishment of public ways to lands having stone and mineral 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 recommendation that it be amended by striking out the words "one hundred," in the sixth line of the first section, and inserting in lieu thereof, the word "fifty," and that so amended the bill do pass.

JOHN SHANE, *Chairman.*

Ordered that the report pass 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 H. F. No. 263, A bill for an act to amend subdivision 2, of section 796 of the Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred H. F. No. 318, A bill for an act in relation to 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 recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred H. F. No. 265, A bill for an act to remit the penalty and interest on delinquent personal property tax 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 do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred S. F. No. 243, A bill for an act in relation to purchasing certain reports, beg leave to report 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.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means, to whom was referred H. F. No. 188, A bill for an act to amend section 866 of the Code beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means to whom was referred S. F. No. 244, A bill for an act to amend section 908 of the Code beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Ways and Means to whom was referred petition in relation to Monona Land Co., beg leave report 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 Judiciary Committee.

LARRABEE, *Chairman.*

So referred.

Senator McCoid from the Committee on Incorporations submitted the following report:

MR. PRESIDENT:—Your Committee on Incorporations, to whom was referred S. F. No. 237, A bill for an act to provide compensation for county auditors in certain cases, and to amend chapter 2, title 23 of the Code, beg leave to report that the 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.

Senator Merrell of Clinton, from the Committee on Public Lands submitted the following report:

MR. PRESIDENT:—Your Committee on Public Lands, to whom was referred S. F. No. 148, A bill for an act for the relief of Leon Humbert 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.

N. A. MERRELL, *Chairman.*

Ordered passed on file.

Senator Miles, from the Committee on Hospitals for the Insane, submitted the following report:

MR. PRESIDENT:—Your Committee on Hospital for the Insane, to whom was referred S. F. No. 230, A bill for an act to amend sections 1386, 1392, 1436, and 1438, of chapter 2, title 11, of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

J. D. MILES, *Chairman.*

Ordered passed on file.

Senator Perkins, from the Committee on Printing, submitted the following report:

MR. PRESIDENT:—Your Committee on Printing, to whom was referred S. F. No. 237, A bill for an act to fix the compensation of State Printer and State Binder, beg leave to report that they have had the same under consideration, and that a majority of said committee present have instructed me to report the same back to the Senate, without recommendation.

GEO. D. PERKINS, *Chairman.*

Ordered passed on file.

Senator Boomer moved that the special order, it being H. F. No. 137, A bill for an act to amend section 1555 of the Code, be taken up and made the special order for to-morrow at 10 A. M.

Senator Murphy moved to lay the motion on the table.

On the question of laying the motion on the table, the yeas and nays were demanded, and the yeas were—

Senators Cooley, Cray, Fairall, Kinne, Larrabee, Lovell, McCormack, Merrell of Clinton, Merrill of Wapello, Murphy, Newton, Rother, Rumble, Russell, Shane, Stone, Stuart, Taylor, Willett, and Wonn—20.

The nays were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Dague, Fitch, Howland, Jessup, Kephart, Maxwell, McCoid, Miles, Miller, Mitchell, Pease, Perkins, Selby, Thornburg, West, Williams, Wood, and Young of Cass—25.

Absent or not voting—

Senators Dashiell, Gault, McIntyre, Smith, and Young of Mahaska—5.

So the motion to lay on the table did not prevail.

Senator Boomer's motion was then agreed to.

BILLS ON SECOND READING.

S. F. No. 141: A bill for an act in relation to supplying books for the common schools of the State, with the report of the committee reporting it back without recommendation, was taken up and considered.

SPECIAL ORDER.

On motion of Senator Young of Cass, the special order for the hour, it being the joint resolution proposing to amend the constitution of the State of Iowa, and to provide for its reference and publication, was postponed until S. F. No. 141, was disposed of.

The consideration of S. F. No. 141, was resumed.

On motion of Senator Rotherth the fifth and sixth lines of section 141 was amended by striking out the words, "that may be deemed worthy of consideration."

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 Bailey, Bemis, Conaway, Crary, Fairall, Fitch, Larrabee, Newton, Pease, Rothert, Stone, Thornburg, Willett, and Williams—14.

The nays were—

Senators Boomer, Campbell, Chambers, Converse, Cooley, Dague, Gault, Howland, Jessup, Kephart, Kinne, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Perkins, Rumble, Russell, Selby, Shane, Stuart, Taylor, West, Wonn, Wood, and Young of Cass—31.

Absent or not voting—

Senators Dashiell, McIntyre, Murphy, Smith, and Young of Mahaska—5.

So the bill having failed to receive a constitutional majority was declared lost.

The special order, it being the joint resolution proposing to strike the word "male" from the constitution of the State, with report of committee remmending its indefinite postponement, was taken up and considered.

On motion of Senator Young of Cass, the hour of adjournment was postponed until the joint resolution under consideration was disposed of.

Senator Rothert moved that when the Senate adjourned it be until 2:30 P. M. this day.

The motion was agreed to.

The consideration of the joint resolution was resumed.

On the question "Shall the report of the committee be adopted?" the yeas and nays were demanded, and the yeas were—

Senators Cooley, Crary, Fairall, Fitch, Gault, Kinne, Larrabee, Lovell, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Murphy, Rothert, Rumble, Russell, Stone, Stuart, Taylor, Willett, and Wonn—21.

The nays were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Dague, Dashiell, Howland, Jessup, Kephart, Maxwell, McCoid, McIntyre, Miller, Mitchell, Newton, Pease, Perkins, Selby, Shane, Thornburg, West, Williams, Wood, and Young of Cass—27.

Absent or not voting—

Senators Smith, and Young of Mahaska—2.

So the report was not adopted.

On motion of Senator Kephart the rule was suspended and the joint resolution read a third time.

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

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Dague, Dashiell, Howland, Jessup, Kephart, Maxwell, McCoid, McIntyre, Miller, Mitchell, Newton, Pease, Perkins, Selby, Shane, Thornburg, West, Williams, Wood and Young of Cass—27.

The nays were—

Senators Cooley, Crary, Fairall, Fitch, Gault, Kinne, Larrabee, Lovell, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Murphy,

Rothert, Rumpel, Russell, Stone, Stuart, Taylor, Willett, and Wonn
—21.

Absent or not voting—

Senators Smith, and Young of Mahaska—2.

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

At 12:10 P. M. on motion of Senator Dague the Senate adjourned.

AFTERNOON SESSION.

TWO O'CLOCK, P. M.

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

REPORTS OF COMMITTEES.

Senator West, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT:—Your Committee on Appropriations, in accordance with a resolution instructing the committee to report the appropriation bills for State Institutions at the same time, and that they also present a tabulated statement, showing the amount asked for, and the amounts as recommended by the committee, would submit the following as a partial report, and would ask that the committee reserve the right of dissenting as individuals from any or all items contained in the bills respectively.

J. P. WEST, *Chairman Committee.*

APPROPRIATIONS FOR STATE INSTITUTIONS, &C.

	AMOUNT RECOM- MENDED.	AMOUNT ASKED.
College for Blind.....	\$45,000.00	\$45,000.00
Insane Asylum, Mount Pleasant.....	10,750.00	11,750.00
Insane Asylum, Independence.....	95,900.00	96,900.00
Agricultural College.....	28,500.00	28,500.00
University.....	55,000.00	55,000.00
Penitentiary, Anamosa.....	34,593.98	44,560.00
Penitentiary, Fort Madison.....	7,300.00	12,000.00
Deaf and Dumb Asylum.....	15,000.00	80,000.00
Orphans' Home.....		12,350.00
Reform School.....	31,000.00	46,000.00
Sufferers of the Northwest (law).....	50,000.00	50,000.00
Public Transportation Society.....	750.00	750.00
Rankin Redemption (law).....	5,500.00	5,500.00
Visiting Committees, &c.....	800.00	800.00
State Historical Society.....	4,000.00	4,000.00
River School Lands.....	4,300.00	4,300.00
Capitol Building.....	80,000.00	150,000.00
Total.....	\$447,393.98	\$647,410.00

Also, the following:

MR. PRESIDENT:—Your Committee on Appropriations to whom was referred S. F. No. 219, 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 have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the words "President of the board" in tenth and eleventh lines of section 2, and inserting the words "Board of Trustees" in lieu thereof. Also, amend by inserting the words "in duplicate" after word "vouchers" in second line section 3. Strike out all after word "appropriations" (same section) and insert instead "one of which shall be filed in the office of the Auditor of State."

Also, add to section 2, the words "Provided that not more than \$15,000 be drawn from the treasury during the year 1874," and that said bill as amended do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Appropriations to whom was referred S. F. No. 216, A bill for an act to provide for the continuance of the work on the additional Penitentiary at Anamosa, and to pay the indebtedness 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 amended by striking out "twenty" in tenth line of section 1, and inserting "fifteen" instead. Also, strike out "fifteen" in twentieth line and insert "ten" in lieu thereof, and that said bill as amended do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Appropriations to whom was referred S. F. No. 235, A bill for an act to provide for the improvement of the Penitentiary at Fort Madison, and to provide for an increased salary of the clerk 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 be amended by striking out the clause in relation to building additional cells.

Also, strike out the word nine in the eighteenth line of section 1, and insert "five" in lieu thereof, and that said bill as amended do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 154, A bill for an act to complete the north wing of the College for the Blind, to procure furniture for the same, and to build an engine house, and furnish heating apparatus for the College, beg leave to report 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.

Also, the following:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 168, 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 by striking out "seventy-six," in the 4th and 5th lines, section 1, and insert "seventy-five," in lieu thereof, and that said bill as amended do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 114, 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 inserting the words "fire-proof vault and" before the word "contingencies," in the 13th line of section 1, and by striking out the word "four," in same line, and inserting "three," in lieu thereof, and that said bill, as amended, do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 241, A bill for an act in relation to the State Historical Society, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out "two," in fifteenth line of section 1, and inserting "one" in lieu thereof, and said bill, as amended, do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 198, A bill for an act to make appropriation for the State Reform School, at Eldora, 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 adding to section 2, the words, "And they shall take vouchers in duplicate for all money paid out by them, one of which shall be filed in the office of Auditor of State." And that said bill, as amended, do pass.

J. P. WEST, *Chairman.*

Ordered passed on file.

Senator Cooley from the Committee on Agricultural College and Farm submitted the following report:

MR. PRESIDENT:—Your Committee on the Agricultural College and Farm to whom was referred joint resolution to elect trustees for the Agricultural College and Farm, beg leave to report 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.

D. N. COOLEY, *Chairman.*

Ordered that the report pass on file.

By leave, the committee on appropriations introduced S. F. No. 252, A bill for an act making appropriations for the Agricultural College and Farm.

Read first and second time and made the special order for 9:30 A. M. to-morrow.

Also, S. F. No. 253, A bill for an act to appropriate money for the aid and maintenance of the State University.

Read first and second time and made the special order for 9:30 A. M. to-morrow.

On motion of Senator West, all the appropriation bills were made a special order for 9:30 A. M. to-morrow.

Senator Russell presented petitions from citizens of Iowa in reference to the herd law.

Referred to Committee on Agriculture.

Senator Young of Cass, 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:

S. F. No. 206.

S. F. No. 132.

S. F. No. 113.

S. F. No. 30.

S. F. No. 92.

H. F. No. 7.

H. F. No. 129.

H. F. No. 52.

H. F. No. 9.

H. F. No. 154.

Also, joint resolution relative to a canal from Rock Island, Illinois, to the Illinois river at Hennepin.

LAFE YOUNG, *Chairman.*

RESOLUTION.

By leave, Senator Larrabee offered the following resolution:

Resolved, That no Senator shall speak longer than five minutes without unanimous consent of the Senate.

The resolution was adopted.

SPECIAL ORDER.

On motion, the special order, S. F. No. 119, A bill for an act to provide for the election of school commissioners and district-superintendents, and to abolish the office of county superintendent, with report of committee recommending the adoption of a substitute, was taken up and considered.

On motion of Senator Bailey the third line of section 1 was amended by inserting after the word "teach," the following: "And with the concurrence of the Superintendent of Public Instruction procure such assistance as necessary to conduct the same.

On motion of Senator Bailey a publication clause (Register and Leader) was added.

The substitute was adopted.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dashiell, Fitch, Gault, Howland, Jessup, Kephart, Larrabee, Maxwell, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Thornburg, West, Willett, Wonn, Wood, Williams, and Young of Cass—36.

The nays were—

Senators Dague, Kinne, Lovell, McCoid, McCormack, Russell, Selby, Shane, Stuart, and Taylor—10.

Absent or not voting—

Senators Fairall, Smith, Stone, Young of Mahaska—4.

So the bill passed and the title was agreed to.

On motion of Senator Rothert S. F. No. 106, A bill for an act giving cities the power to license and collect license fees from fire insurance companies, was taken up.

The question being on the motion to indefinitely postpone the bill it was withdrawn.

The substitute was then adopted.

Senator Rothert 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 Bailey, Bemis, Campbell, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Maxwell, McCoid, McCormack, Merrill of Wapello, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—33.

The nays were—

Senators Boomer, Chambers, Conaway, Kephart, Lovell, Merrell of Clinton, Miles, Rumble, and Selby—9.

Absent or not voting—

Senators Dashiell, McIntyre, Russell, Shane, Smith, Stone, Stuart, and Young of Mahaska—8.

So the bill passed and the title was amended by striking out the words "of a certain number of inhabitants and upwards."

On motion of Senator Shane S. F. No. 242, A bill for an act to increase the number of judges of the supreme court, and repealing section 140 of the Code of 1873, and enacting a section in lieu thereof, 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 Converse, Cooley, Crary, Dashiell, Howland, Kinne, Larrabee, McCoid, McIntyre, Merrell of Clinton, Miles, Mitchell, Murphy, Newton, Rothert, Rumble, Russell, Shane, Taylor, Willett, Wood, and Young of Cass—22.

The nays were—

Senators Boomer, Campbell, Chambers, Conaway, Dague, Fairall, Gault, Jessup, Kephart, Lovell, Maxwell, McCormack, Merrill of Wapello, Miller, Perkins, Selby, Stuart, Thornburg, West, and Williams—20.

Absent or not voting—

Senators Bailey, Bemis, Fitch, Pease, Smith, Stone, Wonn, and Young of Mahaska—8.

So the bill having failed to receive a constitutional majority was lost.

Senator Fairall moved a reconsideration of the vote by which the bill failed to pass, and make it the special order for 10:15 A. M. next Monday.

The motion was agreed to.

On motion of Senator Merrell of Clinton, substitute for H. F. No. 204, A bill for an act relating to the taxes voted in aid of the construction of railroads, was taken up and read first and second time.

Senator Willett moved to add the following to section 6, "*Provided*, That this section shall not have the effect to revive any tax already forfeited by reason of the failure of any railroad to comply with any condition as inducement which by the provisions of any law heretofore enacted, would cause a failure."

The proviso was adopted.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Stuart, Taylor, Thornburg, West, Willet, Williams, Wonn, Wood, and Young of Cass—46.

The nays were—

Senator Dashiell—1.

Absent or not voting—

Senators Smith, Stone, and Young of Mahaska—3.

So the bill passed and the title was agreed to.

RESOLUTION.

Senator McIntyre offered the following resolution:

Resolved by the General Assembly of the State of Iowa, That our Senators in Congress be instructed, and our Representatives be requested to favor such necessary measures as will at an early day secure an amendment to the constitution of the United States, whereby the revenues of the Federal Government may be raised, if deemed necessary, by direct taxation based upon a fair valuation of real and personal property.

The resolution was referred to Committee on Federal Relations.

Senator Campbell, from the Committee appointed to visit the Penitentiaries, submitted a report, which was ordered printed.

On motion of Senator Murphy, S. F. No. 156, A bill for act to authorize cities to provide for the construction of sewers, with report of committee recommending amendments, was taken up and considered.

The amendments reported by the committee were adopted.

Senator Murphy moved to amend section 1 by striking out of the third line "ten," and inserting "three."

The motion prevailed.

Senator Murphy 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rumble, Russell, Selby, Shane, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—46.

The nays were—None.

Absent or not voting—

Senators Rothert, Smith, Stone, and Young of Mahaska—4.

So the bill passed and the title was agreed to.

On motion of Senator Larrabee, S. F. No. 164, A bill for an act to amend section 487, of the Code, 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Perkins, Rothert, Rumble, Russell, Selby, Shane, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—46.

The nays were—None.

Absent or not voting—

Senators Pease, Smith, Stone, and Young of Mahaska—4.

So the bill passed and the title was agreed to.

On motion of Senator Mitchell, S. F. No. 223, A bill for an act authorizing the establishment of public ways to lands having stone and minerals thereon, with report of committee recommending amendments, was taken up and considered.

The amendments were adopted.

Senator Mitchell 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.

The question being, "Shall the bill pass?"

The yeas were—

Senators Bailey, Boomer, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Howland, Jessup, Kephart, Kinne, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrill of Wapello, Miles, Miller, Mitchell, Newton, Rothert, Rumble, Russell, Shane, Stuart, Taylor, Thornburg, West, Williams, Wonn, Wood, and Young of Cass—36.

The nays were—

Senators Campbell, Fitch, Gault, Merrell of Clinton, and Selby—5.

Absent or not voting—

Senators Bemis, Larrabee, Murphy, Pease, Perkins, Smith, Stone, Willett, and Young of Mahaska—9.

So the bill passed and the title was agreed to.

On motion of Senator West, H. F. No. 197, A bill for act to amend title 7, chapter 1, section 949 of the Code, 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.

The question being, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Perkins, Rothert, Rumble, Russell, Shane, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—45.

The nays were—None.

Absent or not voting—

Senators Pease, Selby, Smith, Stone, and Young of Mahaska—5.

So the bill passed and the title was agreed to.

On motion of Senator Russell, S. F. No. 184, A bill for an act to amend section 2951, chapter 1, title 18 of the Code of 1873, with report of committee recommending that it do pass, was taken up and considered.

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 Bailey, Bemis, Campbell, Chambers, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCormack, Merrell of Clinton, Merrill of Wapello, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Shane, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—37.

The nays were—

Senators Boomer, Conaway, Gault, McCoid, McIntyre, Miles, Miller, Selby, Stuart, and Taylor—10.

Absent or not voting—

Senators Smith, Stone, and Young of Mahaska—3.

So the bill passed and the title was agreed to.

RESOLUTION.

Senator Larrabee offered the following resolution:

WHEREAS, In September, 1872, the court house of Fayette county was destroyed by fire, involving the loss of many records, the legislative journals, the adjutant general's reports, and reports of the decisions of the supreme court of Iowa, from time to time heretofore furnished by public authority; therefore,

Be it resolved by the Senate, the House concurring, That the Secretary of State be and is hereby directed to furnish out of the reports and documents belonging to the State, in the library or elsewhere, a full set of the duplicates of the various public journals, legislative reports, and adjutant general's reports to the auditor of the county, and to the clerk of the district court a full set of the reports of the decisions of the supreme court, for the use of the courts of Fayette county; *Provided,* That the proper number of duplicates of reports in the State library shall not be diminished.

The resolution was adopted.

By leave, Senator Russell introduced S. F. No. 254, A bill for an act to provide for the insurance of the State library, and to make an appropriation therefor.

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

By leave, Senator Converse introduced S. F. No. 255, A bill for an act to amend chapter 12, title 3, of the Code, in relation to notaries public.

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

On motion of Senator Rotherth, S. F. No. 129, A bill for an act to authorize cities and towns to provide for the improvement of alleys, with report of committee recommending its passage, was taken up and considered.

On motion of Senator Merrell of Clinton, the last line of section 1 was amended by striking out "residents within such city."

Senator Rotherth 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Larrabee, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rotherth, Rumpel, Russell, Selby, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—42.

The nays were—

Senators Kinne, Shane, and Taylor—3.

Absent or not voting—

Senators Lovell, Miles, Smith, Stone, and Young of Mahaska—5.

So the bill passed and the title was agreed to.

At 4:50, on motion of Senator Stuart, the Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, March 13, 1874. }

Senate met at 9 A. M., and was called to order by the President.

Prayer by the Rev. Mr. Farnsworth.

On motion of Senator Gault, the reading of the journal of yesterday 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 and resolutions, in which the concurrence of the Senate is asked:

H. F. No. 272, A bill for an act to legalize the sale of certain swamp lands by carroll county to E. F. Burgan.

H. F. No. 377, A bill for an act to refund money to townships and township officers who have purchased copies of the Code of 1873.

H. F. No. 350, A bill for an act to legalize the charter, ordinances, etc., of the incorporated town of Montrose, Lee county, Iowa.

H. F. No. 321, A bill for an act to legalize the incorporation of the Logan Town Company, in Harrison county, Iowa.

H. F. No. 340, A bill for an act to legalize the appraisalment of and sale of certain school lands in Decatur county.

H. F. No. 351, A bill for an act to vacate the town of Jollyville, in Lee county, Iowa.

H. F. No. 363, A bill for an act to legalize the acts of the board of directors of the district township of Table Mound, in the county of Dubuque, and the election of certain school officers, in said district township.

H. F. No. 343, A bill for an act to release certain lands to Casper A. Werges, held by the State of Iowa.

H. F. No. 372, A bill for an act to reserve certain lands conditionally granted to the Cedar Rapids and Missouri River Railroad Company.

H. F. No. 19, A bill for an act to let the public printing and binding to the lowest bidder by contract.

Joint resolution asking Congress to amend United States laws relating to judgment liens.

Joint resolution agreeing to the proposed amendment of section 10, article 5, of the constitution of the State of Iowa.

Concurrent resolution relative to retaining A. P. Smith, Assistant Postmaster, for one week after the adjournment of the Legislature.

I am further directed to inform your honorable body that the House of Representatives has passed the following bills, without amendment:

Substitute for S. F. No. 188, A bill for an act authorizing railway corporations to issue preferred stock for its bonded indebtedness.

S. F. No. 112, A bill for an act to authorize the board of supervisors

of Polk county, Iowa, to extend the time as fixed in the contract donating the swamp lands of said county to the D. M. & M. R. R. Co., etc.

S. F. No. 232, A bill for an act to legalize the incorporation of the town of Atlantic, Iowa, and the election of officers for said incorporation, and to legalize the acts of the *de facto* officers.

S. F. No. 83, A bill for an act to legalize the acts of the independent school district of Keota, Lafayette township, Keokuk county, Iowa.

JAMES M. WEART, *Chief Clerk.*

PETITIONS AND MEMORIALS.

By Senator Rothert: A petition from the mayor and council of Fort Madison, asking for the repeal of the prohibitory liquor law and the enactment of a judicious license law.

Referred to Committee on Suppression of Intemperance.

By Senator Converse: A poetical petition from citizens of Iowa, in reference to the temperance question.

Referred to Senator Howland.

By Senator Mitchell: A petition from citizens of Polk county, asking that the prohibitory liquor law be repealed, and the enactment of a license law.

Referred to Committee on Suppression of Intemperance.

By Senator Jessup: A petition from citizens of Iowa asking for the repeal of the herd law.

Referred to Committee on Agriculture.

INTRODUCTION OF BILLS.

By Senator Chambers: S. F. No. 256, A bill for an act to consolidate the soldiers' orphans' homes.

Read first and second time, and referred to Committee on Soldiers' Orphans' Homes.

REPORTS OF COMMITTEES.

Senator Larrabee, from the Sifting Committee, submitted the following report:

MR. PRESIDENT:—Your Sifting Committee, beg leave to report that they have classified the bills in accordance with instructions, and recommend that the bills be taken up in order of such arrangement.

LARRABEE, *Chairman.*

Senator Howland, 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. 178, A bill for an act to amend sections 976 and 984, of chapter 2, title 7 of the Code, beg leave to report that they have had the same under consideration and have

instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on County and Township Organizations, to whom was referred H. F. No. 300, A bill for an act to amend section 279 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. A. HOWLAND, *Chairman.*

Ordered passed on file.

Senator Chambers, from the Committee on Orphans' Homes, submitted the following report:

MR. PRESIDENT:—Your Committee on Orphans' Homes, to whom was referred S. F. No. 140, A bill for an act to enlarge the powers of the Trustees of the Soldiers' Orphans' Homes, beg leave to report that they have had the same under consideration, and a majority have instructed me to report the same back to the Senate without recommendation.

Ordered that the report pass on file.

Also the following:

MR. PRESIDENT:—Your Committee on Orphans' Homes, to whom was referred a resolution in relation to imbeciles and idiots, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the information that we are satisfied that some action should be taken looking to the care and education of these sufferers, but do not deem it expedient at this time to recommend any definite action.

J. C. CHAMBERS, *Chairman.*

Ordered that the report pass on file.

Senator Fairall, from the Committee on Judiciary, by order thereof, reports as to S. F. No. 212, as follows:

That a law enacted therefrom would be Constitutional.

That as to any question of form of the bill, or the necessity thereof, no recommendation is made.

SAM. H. FAIRALL, *for Judiciary Committee.*

Senator Smith, from Committee on Claims, submitted the following report:

MR. PRESIDENT:—Your Committee on Claims, to whom was referred S. F. No. 225, A bill for an act for the relief of the State Insurance 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 not pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Claims, to whom was referred petition of Mrs. Mary Murray, asking pay for an oil portrait of ex-Gov. Lucas, beg leave to report 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 prayer of petitioner be not granted.

E. T. SMITH, *Chairman.*

Ordered passed on file.

Senator Shane, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 230, A bill for an act to legalize the bonds of the independent school district of Union, Harrison county, Iowa, beg to report 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.*

Ordered passed on file.

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

MR. PRESIDENT:—Your Committee on Railroads, to whom was referred S. F. No. 240, A bill for an act to amend section 1329 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

F. T. CAMPBELL, *Chairman.*

Ordered that the report pass on file.

Senator McCoid, from the Committee on Incorporations, submitted the following report:

MR. PRESIDENT:—Your Committee on Incorporations, to whom was referred H. F. No. 33, A bill for an act to legalize the platting of the town of Brooklyn, beg leave to report 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.

Also, the following:

MR. PRESIDENT:—Your Committee on Incorporations, to whom was referred S. F. No. 245, A bill for an act to amend section 209 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Incorporations, to whom was referred S. F. No. 228, A bill for an act to legalize the incorporation of the town of Victor, Iowa county, Iowa, and the acts of the officers thereunder, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be amended by adding the words "without expense to the State," to the second section, and that so amended it do pass.

Ordered passed on file.

Also, the following :

MR. PRESIDENT:—Your Committee on Incorporations, to whom was referred S. F. No. 238, A bill for an act to amend section 502 of the Code of 1873, in relation to the election and qualification of officers of cities and incorporated towns, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Incorporations, to whom was referred S. F. No. 233, A bill for an act to legalize the annexation of certain territory contiguous to the town of Brooklyn, Iowa, and the acts of the officers thereunder, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding to section 2, "without expense to the State," and so amended that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Incorporations, to whom was referred H. F. No. 8, A bill for an act to perfect the organization of the board of trustees of Grundy Center, Iowa, and to legalize the acts of said board, beg leave to report 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.

On motion of Senator Taylor, the bill was taken up and considered.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—48.

The nays were—None.

Absent or not voting—

Senators Selby and Young of Mahaska—2.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator McCoid, from the Committee on Incorporations, submitted the following report:

MR. PRESIDENT:—Your Committee on Incorporations, to whom was referred H. F. No. 61, A bill for an act to legalize the town of Humboldt, in Humboldt county, Iowa, and certain acts and ordinances passed by the council of said town, beg leave 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 extract from letters as to illegal

act: "In failing to elect new officers one or two years, and some others of no great consequence. The bill was accompanied by a petition which cannot now be found.

M. A. McCOID, *Chairman.*

On motion of Senator Howland, the bill and report were 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Lovell, Maxwell, McCoid, McCormack, McIntyre, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Selby, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood and Young of Cass—45.

The nays were—None.

Absent or not voting—

Senators Larrabee, Merrell of Clinton, Merrill of Wapello, Shane, and Young of Mahaska—5.

So the bill passed and the title was agreed to.

Senator McCoid, from the Committee on Incorporations, submitted the following report:

MR. PRESIDENT:—Your Committee on Incorporations, to whom was referred H. F. No. 99, A bill for an act to provide that all lands to be laid out into town and city lots shall be free from incumbrance, and that the same when thus laid out shall be accurately described relative to some established corner of the Congressional division of which they are a part, beg leave to report 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.

McCOID, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT:—Your Committee on Schools, to whom was referred S. F. No. 158, A bill for an act to repeal a part of section 1784, Code of 1873, in relation to the duties of county treasurers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with a substitute, and when the substitute is adopted that the bill do pass.

Ordered that the report pass on file.

Also the following:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred S. F. No. 218, A bill for an act to amend section 1813 of the Code, in relation to the publication of estimates, receipts, and disbursements of independent districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered that the report pass on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred S. F. No. 120, A bill for an act to amend chapter 9, title 12, of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Schools, to whom was referred S. F. No. 221, A bill for an act to amend section 1766, chapter 9, title 12, of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the publication clause, and when so amended that it do pass.

KEPHART, *Chairman.*

Ordered passed on file.

By leave, Senator Stone introduced S. F. No. 257, A bill for an act making certain appropriations for the Western Branch of the Iowa Soldiers' Orphans' Home.

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

On motion of Senator Rumble, S. F. No. 228, A bill for an act to legalize the incorporation of the town of Victor, Iowa county, Iowa, and the acts of the officers thereunder, with report of committee recommending amendments, was taken up and considered.

The amendments were adopted.

Senator Rumble 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Perkins, Rothert, Rumble, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—47.

The nays were—None.

Absent or not voting—

Senators Pease, Russell, and Young of Mahaska—3.

So the bill passed and the title was agreed to.

By leave, Senator Fairall introduced S. F. No. 258, A bill for an act to provide for distributing documents of the late Board of Immigration, etc.

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

The hour for the special order having arrived, it being all the general appropriation bills, S. F. No. 219, A bill for an act making appropriations for the Agricultural College and Farm, with the report of committee recommending amendments, was taken up and considered.

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 further considered S. F. No. 97, A bill for an act leasing the convict labor in the Iowa Penitentiary, after the expiration of the lease now in force, and recedes from its amendment inserting section 6, and insists upon its amendment, inserting section 2; asks a committee of conference on the disagreeing votes of the two Houses thereon, and has appointed Messrs. Hollingsworth, Dixon and Tufts, such committee on the part of the House.

JAMES M. WEART, *Chief Clerk.*

HOUSE MESSAGE.

On motion of Senator Rothert, the message just received from the House was taken up.

The President appointed Senators Campbell, McIntyre, and Miller, as Committee of Conference on the part of the Senate.

The consideration of S. F. No. 219 was resumed.

On motion of Senator Boomer, the present special order was postponed, and the special order, H. F. No. 137, A bill for an act to amend section 1555 of the Code, with report of committee recommending its passage, was taken up and considered.

Senator Russell moved to suspend the 5 minutes rule during the discussion of this special order.

The motion did not prevail.

REPORT OF COMMITTEE.

Senator Young of Cass, 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. 201, An act to repeal sections 1292 and 1293 of the Code, and to enact new sections in lieu thereof.

H. F. No. 288, A act to appropriate \$714.30 to Thos. M. Monroe and A. B. Smedley for certain services.

H. F. No. 344, An act to legalize the incorporation of the town of New Hampton.

H. F. No. 274, An act authorizing and directing the Governor to certify to the Sioux City & St. Paul Railroad Company certain lands.

Substitute for H. F. No. 258, An act to legalize the election of justices and constables in the year 1873.

Joint resolution proposing to amend section 4, of article 3, of the Constitution of the State of Iowa.

Joint resolution requesting Congress to pass laws regulating freights and fares on railroads.

Joint resolution to amend the Constitution of the State of Iowa and provide for its reference and publication.

LAFE YOUNG, *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:

S. F. No. 201, A bill for an act to amend sections 1292 and 1293, of the Code.

H. F. No. 258, A bill for an act to legalize the election of justices and constables in the year 1873.

H. F. No. 274, A bill for an act authorizing the Governor to certify to the Sioux City & St. Paul Railroad lands named therein.

H. F. No. 344, A bill for act to legalize the incorporation of the town of New Hampton, Iowa.

H. F. No. 288: A bill for an act to appropriate \$714.30 to Thomas M. Monroe, and A. B. Smedley, for certain services rendered to the State.

Joint resolution proposing to amend section 4, article 3 of the constitution of the State of Iowa.

Joint resolution proposing to strike out the word "male," in section 1, article 2, and section 4 of article 3, of the constitution of Iowa.

Joint resolution instructing Congress to pass laws regulating freights and fares on railroads.

W. A. FULMER, *Second Clerk.*

Senator Campbell moved that when the Senate adjourn it be until 2:30 P. M.

The motion was agreed to.

Senator Miller moved that the hour of adjournment be postponed until 12:30 P. M.

So the motion did not prevail.

Senator Jessup moved that the hour of adjournment be postponed until the disposal of the bill under consideration.

The Senate refused to agree to the motion.

At 12 M., the Senate adjourned.

AFTERNOON SESSION.

TWO O'CLOCK AND THIRTY MINUTES P. M.

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

The consideration of H. F. No. 137 was resumed.

By leave, Senator Rumpel presented three petitions from citizens of Iowa county, asking that the bill (H. F. No. 137) under consideration, do not pass.

Passed on file.

REPORT OF COMMITTEE.

Senator Young of Cass, 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.:

S. F. No. 201.

H. F. No. 274.

H. F. No. 344.

H. F. No. 258.

H. F. No. 288.

Joint resolution proposing to amend section 4 of article 3 or the constitution of the State of Iowa.

Joint resolution proposing to amend the constitution of the State of Iowa, and to provide for its reference and publication.

Joint resolution instructing Congress to pass laws regulating freight and fares on railroads.

H. F. No. 204.

H. F. No. 197.

LAFE YOUNG, *Chairman.*

Senator Young of Cass, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have examined H. F. No. 197, An act to amend title 7, chapter 1, section 949 of the Code.

H. F. No. 204, An act relating to the taxes voted in aid of the construction of railroads, and find the same correctly enrolled.

LAFE YOUNG, *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 has adopted the report of the Conference Committee on the disagreeing votes of the two houses on S. F. No. 97, A bill for an act to provide for leasing the convict labor in the Iowa penitentiary after the expiration of the lease now in force.

Also, that the House has concurred in the Senate amendments to substitute for H. F. No. 204, A bill for an act relating to taxes voted in aid of the construction of railroads.

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. 197, A bill for an act to amend title 7, chapter 1, section 949 of the Code.

H. F. No. 204, A bill for an act relating to the taxes voted in aid of the construction of railroads.

W. A. FULMER, *Second Clerk.*

The consideration of H. F. No. 137 was resumed.

Senator Murphy moved to lay the bill on the table.

On this question the yeas and nays were demanded, and the yeas were—

Senators Cooley, Crary, Fairall, Gault, Kinne, Larrabee, Lovell, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Murphy, Newton, Rothert, Rumble, Russell, Shane, Stone, Stuart, Taylor, Willett, Williams, and Wonn—23.

The nays were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Dague, Dashiell, Fitch, Howland, Jessup, Kephart, Maxwell, McCoid, Miles, Miller, Mitchell, Pease, Perkins, Selby, Smith, Thornburg, West, Wood, and Young of Cass—26.

Absent or not voting—

Senator Young of Mahaska—1.

So the motion did not prevail.

Senator Murphy moved to strike out section 2.

The motion was agreed to.

Senator Rumble moved to amend as follows:

Strike out all after the word "beer," in the eighth line of section 1, and insert in lieu thereof the following, to-wit:

Provided, That all persons owning or holding property, real or personal, which may now be used in the manufacture of beer and wine within this State, which, by reason of the enforcement of this act, shall be depreciated in value or lost to the owner or holder thereof, shall, upon making satisfactory proof of the loss sustained as above, to the Census Board, be compensated therefor; and there is hereby appropriated out of any moneys in the State treasury not otherwise appropriated, the sum of three million dollars, or so much thereof as is necessary, to pay the losses sustained as hereinbefore contemplated, said moneys to be drawn on the order of the Auditor of State upon the certificate of the Census Board, together with the evidence taken of the loss sustained by the owner or holder of such property; said auditor to retain and file in his office such testimony, and present the same to the next General Assembly."

On the adoption of this amendment the yeas and nays were demanded, and the yeas were—

Senators Crary, Kinne, Lovell, McCoid, McCormack, McIntyre, Merrell of Clinton, Murphy, Pease, Rothert, Rumble, Shane, Stuart, Taylor, Willett, and Williams—16.

The nays were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kephart, Maxwell, Merrill of Wapello, Miles, Miller, Mitchell, Newton, Perkins, Russell, Selby, Stone, Thornburg, West, Wood, and Young of Cass—29.

Absent or not voting—

Senators Fairall, Larrabee, Smith, Wonn, and Young of Mahaska—5.

So the Senate refused to adopt the amendment.

Senator Murphy moved to insert the following as section 2:

Provided, That the provisions of this act shall not apply to wine and beer manufactured previous to the taking effect of this act, and now in the possession of the manufacturers.

Senator Campbell moved the previous question.

The motion was seconded, and the main question ordered.

On the adoption of Senator Murphy's amendment (sec. 2), the yeas and nays were demanded, and the yeas were—

Senators Bailey, Cooley, Crary, Fairall, Kinne, Lovell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Murphy, Newton, Pease, Rothert, Rumple, Shane, Stone, Stuart, Taylor, Willett, Williams, and Wonn—22.

The nays were—

Senators Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kephart, Larrabee, Maxwell, McIntyre, Miles, Miller, Mitchell, Perkins, Russell, Selby, Smith, Thornburg, West, Wood, and Young of Cass—27.

Absent or not voting—

Senator Young of Mahaska—1.

So the amendment was lost.

On the question, "Shall the bill be engrossed for a third reading tomorrow?" the yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Dague, Dashiell, Fitch, Howland, Jessup, Kephart, Maxwell, McCoid, Miles, Miller, Mitchell, Pease, Selby, Smith, Thornburg, West, Wood, and Young of Cass—25.

The nays were—

Senators Cooley, Crary, Fairall, Gault, Kinne, Larrabee, Lovell, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Murphy, Newton, Perkins, Rothert, Rumple, Russell, Shane, Stone, Stuart, Taylor, Willett, Williams, and Wonn—24.

Absent or not voting—

Senator Young of Mahaska—1.

So the bill was ordered engrossed for a third reading.

Senator Campbell moved to reconsider the vote by which the bill was ordered engrossed.

The motion prevailed.

Senator Campbell moved to suspend the rule and read the bill a third time now.

On this question the yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kephart, Larrabee, Maxwell, McCoid, McIntyre, Miles, Miller, Mitchell, Newton, Perkins, Rumple, Russell, Selby, Smith, Stone, Taylor, Thornburg, West, Willett, Williams, Wood, and Young of Cass—36.

The nays were—

Senators Crary, Fairall, Kinne, Lovell, McCormack, Merrell of Clinton, Merrill of Wapello, Murphy, Pease, Rothert, Shane, Stuart, and Wonn—13.

Absent or not voting—

Senator Young of Mahaska—1.

So the rule was suspended and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway,

Converse, Dague, Dashiell, Fitch, Howland, Jessup, Kephart, Maxwell, McCoid, Miles, Miller, Mitchell, Pease, Selby, Smith, Thornburg, West, Wood, and Young of Cass—25.

The nays were—

Senators Cooley, Crary, Fairall, Gault, Kinne, Larrabee, Lovell, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Murphy, Newton, Perkins, Rotherbert, Rumple, Russell, Shane, Stone, Stuart, Taylor, Willet, Williams, and Wonn—24.

Absent or not voting—

Senator Young of Mahaska—1.

So the bill having failed to receive a constitutional majority, was declared lost.

Senator Campbell, from the Conference Committee, on the disagreeing vote of the two houses on S. F. No. 97, submitted the following report:

MR. PRESIDENT:—The Committee of Conference on the disagreeing votes of the two houses on S. F. No. 97, 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 amendment, being section 2, as inserted by the House, and that the two houses agree to the following in lieu thereof:

Sec. 2. The Commissioners shall require the person or persons to whom they shall hire or lease the labor of the convicts, to give a bond to the State in at least double the amount of each quarterly payment for such labor, with security to be approved by the Executive Council, for the faithful performance of the provisions of the contract, and the payment of the full amount due from the contractor or contractors, quarterly, for such labor.

F. T. CAMPBELL,

J. S. MCINTYRE,

E. G. MILLER,

Managers on part of the Senate.

J. HOLLINGSWORTH,

JOHN Q. TUFTS,

J. W. DIXON,

Managers on part of the House.

On the question, "Shall the report be adopted?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rotherbert, Rumple, Russell, Selby, Smith, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—46.

The nays were—None.

Absent or not voting—

Senators Lovell, Shane, Stone, and Young of Mahaska—4.

So the report was adopted.

Senator Mitchell asked leave to file a motion to reconsider the vote by which H. F. No. 204 passed the Senate yesterday, before the question was stated by the chair.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 14, 1874. }

Senate met at 9 A. M., and was called to order by the President.

Prayer by the Rev. Mr. Miles.

On motion of Senator McCoid, the reading of the journal was dispensed with.

Senator Cooley rose to a question of privilege in relation to the State Leader's report of his remarks, yesterday.

REPORT OF COMMITTEE.

Senator Young of Cass, 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. 188, An act authorizing railway corporations to issue preferred stock for bonded indebtedness.

S. F. No. 83, An act to legalize the acts of the independent school district of Keota, Lafayette township, Keokuk county, Iowa.

S. F. No. 232, An act to legalize the incorporation of the town of Atlantic, Iowa, and the election of officers for said incorporation, and to legalize the acts of the *de facto* officers.

S. F. No. 112, An act authorizing the board of supervisors of Polk county, Iowa, to extend the time as fixed in the contract donating the swamp lands of said county to the Des Moines & Minnesota Railroad Company, etc.

H. F. No. 61, An act legalizing the incorporation of the town of Humboldt.

H. F. No. 8, An act perfecting the organization of the board of trustees of the M. E. church of Grundy Center, Iowa.

S. F. No. 97, An act to provide for leasing the convict labor in the Iowa Penitentiary, after the expiration of the present lease now in force.

And find the same correctly enrolled.

LAFE YOUNG, *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. 330, A bill for an act to provide for the increased salary of clerks.

H. F. No. 105, A bill for an act to make further appropriation for the Hospital for the Insane at Mount Pleasant.

Substitute for H. F. No. 380, A bill for an act to prohibit members of the General Assembly, Judicial and State officers from accepting passes, free tickets, or special privileges from railway companies.

H. F. No. 248, A bill for an act to make an appropriation for repairs on the Agricultural College and Farm House, and supplying furniture for the same.

H. F. No. 222, A bill for an act to provide for the appointment of a Board of Fish Commissioners, for the construction of fisheries, for the protection and propagation of fish; and to repeal sections 4052 and 4053, and to amend section 4054.

JAMES M. WEART, *Chief Clerk.*

PETITIONS AND MEMORIALS.

By Senator Young of Cass: A petition from Thayer Grange No. 320, asking for the repeal of the herd law.

Referred to Committee on Agriculture.

By Senator Willett: Petitions from citizens of Winneshiek county, asking the enactment of a law to compel litigants to pay costs of litigation.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Committee on Appropriations: S. F. No. 259, A bill for an act making appropriation for the Institution for the Education of the Deaf and Dumb.

Read first and second time, and passed on file.

By Committee on Judiciary: S. F. No. 260, A bill for an act to amend section 1289 of the Code.

Read first and second time, and referred to Sifting Committee.

RESOLUTIONS.

Senator West offered the following resolution:

Resolved, That the chairmen of committees employing clerks be requested to certify the names of said clerks to the Secretary of the Senate, together with the number of days employed.

The resolution was adopted.

Senator West offered the following concurrent resolution:

WHEREAS, Doubts have arisen as to the constitutionality of the last clause of section 866 of the Code, and county officers are liable to be put to cost and expense by carrying out the provisions of said clause; therefore,

Be it resolved by the Senate the House concurring, That the Attorney-General of the State is requested to furnish to said bodies an opinion as to whether the penalty upon taxes levied by order of court to pay judgments on city or county indebtedness is no other than the interest which such judgments draw, or whether the penalty in such cases is the same as on ordinary taxes.

The resolution was adopted.

REPORTS OF COMMITTEES.

Senator Dague, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT:—Your Committee on Federal Relations, to whom was referred the accompanying joint resolution, instructing our Senators and requesting our Representatives to favor the raising of the revenue of the Federal Government by direct 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 it be indefinitely postponed.

R. A. DAGUE, *Chairman.*

Ordered passed on file.

Senator Russell, from the Committee on State Library, submitted the following report:

MR. PRESIDENT:—Your Committee on State Library, to whom was referred S. F. No. 254, A bill for an act to provide for the insurance of the State Library, and to make an appropriation therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

RUSSELL, *Chairman.*

Ordered passed on file.

Senator Fitch, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT:—Your Committee on Agriculture to whom was referred S. F. No. 61, A bill for an act supplementary to title 4, chapter 1 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Agriculture, to whom was referred H. F. No. 259, a bill for an act to amend chapter 3, title 11 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

W. H. FITCH, *Chairman.*

Ordered passed on file.

Senator Crary, from the Committee on Manufactures, submitted the following report:

MR. PRESIDENT:—Your Committee on Manufactures, to whom was referred S. F. No. 23, A bill for an act to encourage manufacturing in the State of Iowa, by exempting from taxation, and amendatory of section 797 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

O. W. CRARY, *Chairman.*

Ordered passed on file.

Senator Shane, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 181, A bill for an act to amend section 866 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN SHANE, *Chairman.*

Ordered that the report pass on file.

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. 112: A bill for an act authorizing the Board of Supervisors of Polk county, to extend the time as fixed, donating swamp lands to Des Moines and Minnesota Railroad.

S. F. No. 232: A bill for an act to legalize the incorporation of the town of Atlantic.

S. F. No. 83: A bill for an act to legalize the acts of the independent school district of Keota, Keokuk county.

S. F. No. 188: A bill for an act authorizing railway companies to issue preferred stock for its bonded indebtedness.

H. F. No. 31: A bill for an act to legalize the incorporation of the town of Humboldt, in Humboldt county.

H. F. No. 8: A bill for an act to perfect the organization of board of trustees of the M. E. Church, Grundy Center Iowa.

W. A. FULMER, *Second Clerk.*

Senator Fitch moved to take up S. F. No. 212, A bill for an act to amend chapter 3, title 11, of the Code, in relation to domestic and other animals.

On the motion to take up and consider the bill and report, the yeas and nays were demanded, and the yeas were—

Senators Bailey, Boomer, Chambers, Conaway, Cooley, Crary, Dague,

Dashiell, Fitch, Gault, Howland, Jessup, Kinne, Maxwell, McCormack, McIntyre, Miller, Mitchell, Newton, Pease, Perkins, Rothert, Rumple, Russell, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—36.

The nays were—

Senators Bemis, Campbell, Converse, Kephart, Larrabee, Lovell, McCoid, Merrell of Clinton, Merrill of Wapello, Miles, and Murphy—11.

Absent or not voting—

Senators Fairall, Selby, and Young of Mahaska—3.

So the motion prevailed, and the bill was taken up and considered.

Senator Miller moved to strike out all of section 1, of the enacting clause.

Pending which, Senator Fairall moved that the bill under consideration and all bills on the same subject be referred to a special committee of five, with instructions to, by Monday next, report a substitute, so framed as to permit stock (except sheep and swine) to run at large, and authorizing counties to determine whether or not stock shall run at large.

The motion did not prevail.

On Senator Miller's motion to amend section 1, the yeas and nays were demanded, and the yeas were—

Senators Bemis, Boomer, Chambers, Conaway, Converse, Dashiell, Jessup, Kephart, Lovell, Miller, and Shane—11.

The nays were—

Senators Bailey, Crary, Dague, Fairall, Fitch, Gault, Howland, Kinne, Larrabee, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumple, Russell, Selby, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—36.

Absent or not voting—

Senators Campbell, Cooley, and Young of Mahaska.—3.

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, which has passed both branches of the General Assembly and been duly enrolled and signed by the Speaker of the House:

S. F. No. 97, A bill for an act to provide for leasing the convict labor in the Iowa State Penitentiary after the expiration of the lease now in force.

BENJ. VAN STEINBERG,

First Assistant-Clerk.

The consideration of S. F. No. 212, was resumed.

Senator Stuart moved to strike out of section 1 the figures "1446," in the second line, and all the words after the word "repealed," in the third line.

The motion did not prevail.

Senator Stone moved to rescind the vote by which the committee amendments to the bill were adopted.

On this question the yeas and nays were demanded, and the yeas were—

Senators Bailey, Campbell, Dague, Fairall, Fitch, Gault, Howland, Kinne, Larrabee, McCoid, McCormack, McIntyre, Merrill of Wapello, Miles, Perkins, Rothert, Rumble, Russell, Selby, Shane, Smith, Stone, Williams, and Young of Cass—24.

The nays were—

Senators Bemis, Boomer, Chambers, Conaway, Converse, Crary, Dashiell, Jessup, Kephart, Lovell, Maxwell, Merrell of Clinton, Miller, Mitchell, Murphy, Newton, Pease, Stuart, Taylor, Thornburg, West, Willett, Wonn, and Wood—24.

Absent or not voting—

Senators Cooley, and Young of Mahaska—2.

So the motion to rescind did not prevail.

Senator Willett moved to amend section 2, by striking out all after "section 1450," in the first line down to and including the word "and," in the second line. Also, strike out the words, "therein and," after the word "used" in the third line.

Senator Boomer moved that the bill be referred to a special committee consisting of Senators Merrell of Clinton, Smith, and Jessup, with instructions to report next Monday morning.

The motion was not agreed to.

Senator Willett's amendment was disagreed to by the Senate:

Senator Howland moved to amend section 2, as follows: Insert after the word "advisable" in the seventh line, the following: "and in the counties where, under the provisions of the Code, the act restraining stock from running at large, and the stock act, were adopted by a vote of the electors therein, shall submit within twenty days after the taking effect of this act," which was agreed to.

Senator Willett moved to amend section 2, by inserting in the fourth line, after the word "of," the words "the petition of ten legal voters in each township in the county."

Senator West moved to amend the amendment by inserting after the words "petition of," the words, "at least one-fourth of the legal voters."

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

Senator Merrell of Clinton, offered the following as a substitute for the bill:

Strike out all after the enacting clause and insert that section 309 of the Code of 1873 be amended by striking out after the word "stock," in 5th line, the words "not now prohibited by law."

On the adoption of the substitute the yeas and nays were demanded, and the yeas were—

Senators Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dashiell, Howland, Jessup, Kephart, Lovell, Merrell of Clinton, Miller, Newton, Shane, and Taylor—18.

The nays were—

Senators Bailey, Dague, Fairall, Fitch, Gault, Kinne, Maxwell, McCoid, McCormack, McIntyre, Merrill of Wapello, Miles, Mitchell, Murphy, Pease, Perkins, Rothert, Rumble, Russell, Selby, Smith, Stone,

Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—30.

Absent or not voting—

Senators Larrabee, and Young of Mahaska—2.

So the Senate refused to adopt the substitute.

Senator McCoid moved to strike out of section 1 "1446," in 2d line, and insert "1448," strike out all after the word "repealed," in the 3d line.

The Senate refused to adopt the amendment.

On motion of Senator Shane, the hour of adjournment was postponed until 12:30 P. M.

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 Bailey, Bemis, Boomer, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kephart, Maxwell, McCormack, McIntyre, Merrill of Wapello, Miles, Miller, Mitchell, Newton, Pease, Perkins, Rothert, Rumple, Russell, Selby, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Wonn, Wood, and Young of Cass—37.

The nays were—

Senators Campbell, Chambers, Conaway, Fairall, Kinne, Larrabee, Lovell, McCoid, Merrell of Clinton, Murphy, Shane, and Williams—12.

Absent or not voting—

Senator Young of Mahaska—1.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Young of Cass, 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:

S. F. No. 97.

S. F. No. 232.

S. F. No. 112.

S. F. No. 83.

S. F. No. 8.

S. F. No. 188.

H. F. No. 61.

LAFE YOUNG, *Chairman.*

On motion of Senator Fairall, H. F. No. 259, A bill for an act to amend chapter 3, title 11, of the Code, with report of committee reporting it back without recommendation, was taken up and considered.

Senator Taylor moved to lay the bill on the table.

On this question the yeas and nays were demanded, and the yeas were—

Senators Boomer, Conaway, Converse, Howland, Jessup, Kephart, Newton, and Taylor—8.

The nays were—

Senators Bailey, Bemis, Campbell, Chambers, Cooley, Dague, Dashiell, Fairall, Fitch, Gault, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Pease, Perkins, Rothert, Rumble, Russell, Selby, Shane, Smith, Stone, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—39.

Absent or not voting—

Senators Crary, Murphy, and Young of Mahaska—3.

So the motion to lay on the table did not prevail.

Senator Stone moved that the Senate adjourn.

The motion did not prevail.

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

The motion was agreed to.

By leave, Senator Maxwell introduced S. F. No. 261, A bill for an act to legalize the survey of the town plat of the town of Cambridge, Story county, Iowa, heretofore made by M. C. Allen, county surveyor of Story county, Iowa.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kiune, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Newton, Pease, Perkins, Rothert, Rumble, Russell, Selby, Shane, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—46.

The nays were—None.

Absent or not voting—

Senators Dashiell, Murphy, Smith, and Young of Mahaska—4.

So the bill passed and the title was agreed to.

Senator Larrabee moved that when the Senate adjourn it be until 2:30 P. M.

The motion was agreed to.

At 12:23 P. M., on motion of Senator Gault, the Senate adjourned.

AFTERNOON SESSION.

TWO O'CLOCK AND THIRTY MINUTES, P. M.

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

By leave, Senator Mitchell introduced S. F. No. 262, A bill for an

act to legalize the organization of the independent school district of Altoona, county of Polk.

Read first and second time.

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

On the question "Shall the bill pass?"

The yeas were—

Senators Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Miller, Mitchell, Murphy, Newton, Pease, Rothert, Rumble, Russell, Selby, Shane, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—44.

The nays were—None.

Absent or not voting—

Senators Bailey, Merrill of Wapello, Miles, Perkins, Smith, and Young of Mahaska—6.

So the bill passed and the title was agreed to.

Senators McIntyre, and Gault, were granted leave to have their votes recorded in favor of the resolution on the death of Charles Sumner.

HOUSE MESSAGES.

H. F. No. 19, A bill for an act entitled an act to let the public printing and binding to the lowest responsible bidder by contract, was taken up, read first and second time, and referred to Sifting Committee.

H. F. No. 222, A bill for an act to provide for the appointment of a Board of Fish Commissioners for the construction of fish ways, for the protection and propagation of fish, and to repeal sections 4052 and 4053, and to amend section 4054, was taken up, read first and second time, and referred to Sifting Committee.

H. F. No. 340, A bill for an act to legalize the appraisalment and sale of certain school lands in Decatur county, Iowa, was taken up, read first and second time, and referred to Committee on Schools.

Substitute for H. F. No. 125, A bill for an act to repeal sections 1721 and 1802, of chapter 9, title 12, of the Code, and to enact certain sections in lieu thereof, was taken up, read first and second time, and referred to Sifting Committee.

H. F. No. 350, A bill for an act to legalize the charter, ordinances, &c., of the incorporated town of Montrose, Lee county, Iowa, was taken up, and read first and second time.

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

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Shane, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—46.

The nays were—None.

Absent or not voting—

Senators Fitch, Selby, Smith, and Young of Mahaska—4.

So the bill passed and the title was agreed to.

H. F. No. 248, A bill for an act to make an appropriation for repairs and to supply furniture for the Agricultural College and Farm, was taken up and read first and second time.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Perkins, Rother, Ruple, Russell, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—43.

The nays were—

Senators Kinne, McCormack, and Pease—3.

Absent or not voting—

Senators Dague, Dashiell, Selby, and Young of Mahaska—4.

So the bill passed and the title was agreed to.

Substitute for H. F. No. 380, A bill for an act to prohibit members of the General Assembly, judicial and State officers from accepting railroad passes, free tickets, or special privileges from railroad companies, was taken up, read first and second time, and referred to Sifting Committee.

H. F. No. 105, A bill for an act to make further appropriations for the Hospital for the Insane, at Mt. Pleasant, was taken up and read first and second time.

Senator West moved to take up and consider the bill now, in connection with Senate bill on the same subject.

The motion did not prevail.

H. F. No. 105 was then referred to the Committee on Appropriations.

H. F. No. 321, A bill for an act to legalize the incorporation of the Logan Town Company, in Harrison county, Iowa, 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Newton, Perkins, Rother, Ruple, Shane, Stone, Stuart, Thornburg, West, Williams, Wonn, Wood, and Young of Cass—40.

The nays were—None.

Absent or not voting—

Senators Crary, Kephart, Murphy, Pease, Russell, Selby, Smith, Taylor, Willett, and Young of Mahaska—10.

So the bill passed and the title was agreed to.

H. F. No. 351, A bill for an act to vacate the town of Jollyville, in Lee county, Iowa, was taken up.

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

H. F. No. 377, A bill for an act to refund money to townships or township officers who have purchased copies of the Code of 1873, was taken up, and read first and second time.

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 Bailey, Conaway, Cooley, Howland, Kinne, Larrabee, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Mitchell, Murphy, Rothert, Rumpel, Russell, Shane, Smith, Stone, Thornburg, West, Willett, Williams, and Wood—25.

The nays were—

Senators Bemis, Campbell, Chambers, Converse, Dague, Dashiell, Fairall, Gault, Jessup, Lovell, McCormack, Miller, Newton, Pease, Selby, Stuart, Taylor, and Young of Cass—18.

Absent or not voting—

Senators Boomer, Crary, Fitch, Kephart, Perkins, Wong, and Young of Mahaska—7.

So the bill having failed to receive a constitutional majority, was lost.

H. F. No. 330, A bill for an act to provide for the improvement of the Penitentiary and to provide for increased salary of the clerk, was taken up.

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

Joint resolution asking congress to amend United States Laws relating to judgment liens, was taken up.

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

Joint resolution agreeing to a proposed amendment of section 10, article 5 of the Constitution of the State of Iowa, was taken up.

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

H. F. No. 343, A bill for an act to release certain lands to Casper A. Werges, held by the State of Iowa, was taken up.

Read first and second time, and referred to Committee on Judiciary. Concurrent resolution relative to retaining Miss A. P. Smith, Assistant Postmistress, for one week after adjournment, was taken up and considered.

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

H. F. No. 372, A bill for an act to resume certain lands conditionally granted to the Cedar Rapids & Missouri River Railroad Company, was taken up.

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

H. F. No. 272, A bill for an act to legalize the sale of certain swamp lands, by Carroll county, to S. F. Burgon, was taken up.

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

H. F. No. 245, A bill for an act to amend section 3812, chapter 3, title 23, of the Code, in relation to jury fees, was taken up.

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

Substitute for H. F. No. 101, A bill for an act to require railway companies to fence their roads in certain cases, was taken up.

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

H. F. No. 363, A bill for an act to legalize the acts of the board of trustees of the district township of Table Mound, in the county of Dubuque, and the election of certain school officers in said district township, was taken up.

Read first and second time.

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

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Gault, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Rothert, Ruple, Russell, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—44.

The nays were—None.

Absent or not voting—

Senators Dashiell, Fitch, Kephart, Perkins, Selby, and Young of Mahaska—6.

So the bill passed and the title was agreed to.

On motion of Senator Fairall, the appropriation bills were taken up.

S. F. No. 299, A bill for an act making appropriations for the Agricultural College and Farm, was taken up.

Senator Cooley moved to amend as follows:

Sec. 4. The lands and property heretofore deeded to the trustees of said college and farm by said Rankin, and now standing in their names, shall be conveyed to the State of Iowa before the appropriation above provided for shall be drawn from the treasury.

The amendment was adopted, and the bill passed on file.

S. F. No. 252, A bill for an act making appropriations for the Agricultural College and Farm, was taken up and laid on the table.

S. F. No. 193, A bill for an act to make appropriations for the State Reform School at Eldora, Iowa, was taken up and passed on file.

S. F. No. 216, A bill for an act to provide for the continuance of the work on the additional penitentiary at Anamosa, and to pay the indebtedness of the same, was taken up and passed on file.

S. F. No. 235, A bill for an act to provide for the improvement of the penitentiary at Fort Madison, and to provide for an increased salary of the clerk thereof, with report of committee recommending amendments, was taken up and passed on file.

S. F. No. 253, A bill for an act to appropriate money for the support and maintenance of the State University, was taken up and considered.

Senator West moved that the bill pass on file.

The motion did not prevail.

Senator Fairall moved that the rule be suspended and the bill be read a third time now.

Senator West moved to amend section 1, by adding thereto the following proviso:

Provided, That no part of this appropriation, nor any part of the increase derived from the endowment fund, shall be used for the payment of salaries in the judicial and law departments.

On the adoption of this proviso the yeas and nays were demanded, and the yeas were—

Senators Chambers, Conaway, Dague, Jessup, Pease, Rothert, Selby, Smith, Thornburg, West, Williams, Wonn, Wood, and Young of Cass—14.

The nays were—

Senators Bemis, Boomer, Campbell, Converse, Cooley, Fairall, Fitch, Howland, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Perkins, Ruple, Russell, Shane, Stone, Stuart, Taylor, and Willett—30.

Absent or not voting—

Senators Bailey, Crary, Dashiell, Gault, McIntyre, and Young of Mahaska—6.

So the amendment did not prevail.

Senator West moved to strike out of section 1, “\$55,000,” and insert “\$44,700.”

On this question the yeas and nays were demanded, and the yeas were—

Senators Boomer, Chambers, Conaway, Crary, Dague, Jessup, McCormack, Merrell of Clinton, Mitchell, Pease, Selby, Smith, Thornburg, West, Williams, Wonn, Wood, and Young of Cass—18.

The nays were—

Senators Bemis, Campbell, Converse, Cooley, Fairall, Fitch, Howland, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, Merrill of Wapello, Miles, Miller, Murphy, Newton, Perkins, Rothert, Ruple, Russell, Shane, Stone, Stuart, Taylor, and Willett—27.

Absent or not voting—

Senators Bailey, Dashiell, Gault, McIntyre, and Young of Mahaska—5.

So the amendment did not prevail.

Senator Rothert offered the following as section three:

SECTION 3. The board of regents are hereby instructed to introduce, in connection with the medical department, the study of Homeopathy, and of Dentistry, and shall apply the moneys herein appropriated to defray the proportionate expense thereof.

Senator Larrabee moved to amend by adding the following:

“And that the amount of \$5,000 is hereby appropriated for that purpose, or such other purpose as is deemed by the regents of the University for the best interests of the University.”

Senator Fairall moved the previous question, which was seconded, and the main question ordered.

The question being on the amendment to the amendment the yeas and nays were demanded, and the yeas were—

Senators Kephart, Larrabee, Lovell, McCoid, Merrell of Clinton, Merrill of Wapello, Mitchell, Murphy, Pease, Rothert, Shane, Wonn, and Wood—13.

The nays were—

Senators Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Howland, Jessup, Kinne, Maxwell, McCormack, Miles, Miller, Newton, Perkins, Rumpel, Russell, Selby, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, and Young of Cass—32.

Absent or not voting—

Senators Bailey, Dashiell, Gault, McIntyre, and Young of Mahaska—5.

So the amendment to the amendment was lost.

On the amendment offered by Senator Rothert the yeas and nays were demanded, and the yeas were—

Senators Bemis, Chambers, Cooley, Dague, Jessup, Kephart, Lovell, McCoid, Merrell of Clinton, Miller, Mitchell, Murphy, Pease, Rothert, Selby, Shane, Williams, and Wood—18.

The nays were—

Senators Boomer, Campbell, Conaway, Converse, Crary, Fairall, Fitch, Howland, Kinne, Larrabee, Maxwell, McCormack, Merrill of Wapello, Miles, Newton, Perkins, Rumpel, Russell, Stone, Stuart, Taylor, Thornburg, West, Willett, Wonn, and Young of Cass—26.

Absent or not voting—

Senators Bailey, Dashiell, Gault, McIntyre, Smith, and Young of Mahaska—6.

So the amendment was lost.

The bill was then ordered engrossed for a third reading.

At five o'clock and ten minutes, on motion of Senator Fairall, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 16, 1874. }

Senate met at 9 A. M., and was called to order by the president.

Prayer by Rev. Mr. Wharton.

On motion of Senator Crary the reading of the journal was dispensed with.

PETITIONS AND MEMORIALS.

By Senator Crary: A petition from citizens of Clayton county, asking that no change be made in the law defining the duties of county superintendent.

Referred to Committee on Schools.

INTRODUCTION OF BILLS.

By Senator Murphy: S. F. No. 263, A bill for an act to amend section 2142 of chapter 8, title 14 of the Code, allowing assignments of mechanics' liens.

Read first and second time.

On motion of Senator Murphy the rule was suspended and the bill read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Chambers, Conaway, Converse, Crary, Fairall, Gault, Howland, Jessup, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrill of Wapello, Miller, Murphy, Newton, Pease, Shane, Smith, Taylor, Thornburg, West, Williams, Wonn, Young of Cass, and Young of Mahaska—30.

The nays were—None.

Absent or not voting—

Senators Campbell, Cooley, Dague, Dashiell, Fitch, Kephart, Kinne, McIntyre, Merrell of Clinton, Miles, Mitchell, Perkins, Rothert, Rumble, Russell, Selby, Stone, Stuart, Willett, and Wood—20.

So the bill passed and the title was agreed to.

Senator Fairall moved a call of the Senate.

The call was seconded.

The roll call found absent, not excused, Senators Cooley, Kephart, Kinne, McIntyre, Merrell of Clinton, Murphy, Perkins, Rothert, Stone, Stuart, and Willett.

On motion of Senator Larrabee further proceedings under the call were dispensed with.

BILLS ON THIRD READING.

S. F. No. 253: A bill for an act to appropriate money for the aid and maintenance of the State University, was taken up and read a third time.

The question being, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Campbell, Chambers, Converse, Cooley, Crary, Fairall, Fitch, Howland, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Perkins, Rothert, Rumble, Russell, Shane, Stone, Stuart, Taylor, Willett, Wonn, Young of Cass, and Young of Mahaska—36.

The nays were—

Senators Boomer, Conaway, Dague, Gault, Jessup, Newton, Pease, Selby, Smith, Thornburg, West, Williams, and Wood—13.

Absent or not voting—

Senator Dashiell—1.

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. 223, A bill for an act to amend section 3814, chapter 3, title 23, of the Code.

H. F. No. 271, A bill for an act to legalize the attachment of certain territory to sub-district 7, Jackson township, Clarke county, Iowa.

H. F. No. 273, A bill for an act to provide for the inspection of coal mines.

H. F. No. 286, A bill for an act to make appropriations for the State Reform School, at Eldora, Iowa.

H. F. No. 358, A bill for an act to legalize the action of the board of directors of the district township of Des Moines, in Jasper county, Iowa.

H. F. No. 379, A bill for an act to repeal section 135, of the acts of the Twelfth General Assembly.

H. F. No. 381, A bill for an act to amend an act relating to taxes voted in aid of railroads passed by the Fifteenth General Assembly.

Also, that the House of Representatives has passed the following bills, without amendment:

S. F. No. 209, A bill for an act to legalize certain judgment taxes leased by counties and other municipal corporations in the State of Iowa.

S. F. No. 191, A bill for an act to authorize the re-survey and platting of city or town plats, or additions thereto, in cases where the original plats have been lost, and not acknowledged or recorded.

S. F. No. 262, A bill for an act to legalize the organization of the Independent School District, Altoona, county of Polk.

S. F. No. 130, A bill for an act to legalize the sub-districting of the district township of Massena, Cass county, Iowa,

S. F. No. 261, A bill for an act to legalize the survey of the town plat of the town of Cambridge, Story county, Iowa, heretofore made by M. C. Allen, county surveyor of Story county, Iowa.

S. F. No. 228, A bill for an act to legalize the incorporation of the town of Victor, Iowa, county of Iowa, and the acts of the officers thereunder.

S. F. No. 179, A bill for an act to authorize the sale of out-lot No. 1 in Delhi, Iowa.

Also, the following, without amendment:

S. F. No. 205, A bill for an act to legalize the action of the city council of the city of Knoxville, Marion county, Iowa, by adding to the publication clause the words "without expense to the state."

S. F. No. 88, A bill for an act for the support of the State Reform School, by striking out in the third line of section one, the word "ten" and inserting the word "eight." Also by inserting an additional section.

JAMES M. WEART,
Chief Clerk.

Senator Smith, from the Committee on Claims, submitted the following report:

MR. PRESIDENT:—Your Committee on Claims, to whom was referred claim for per diem of special committee appointed by the Governor to visit the penitentiaries at Fort Madison and Anamosa, beg leave to report that they have had the same under consideration, and have prepared a bill for the payment of the same, and have instructed me to re-

port the same back to the Senate with the recommendation that it do pass.

E. T. SMITH, *Chairman.*

The bill reported by the committee was numbered S. F. No. 264, A bill for an act to provide for the payment of the special committee appointed by the Governor to visit the penitentiaries at Fort Madison and Anamosa.

On motion of Senator Smith, the report was taken up and considered.

The bill was read first and second time, and referred to Committee on Appropriations.

Senator Smith, from the Committee on Claims, also submitted the following report:

MR. PRESIDENT:—Your Committee on Claims, to whom was referred the following claims, to-wit: Claim of Des Moines Coal Company, for coal furnished the State, \$25.90; one of A. H. Walker, for repairing gas fixtures, tubing, etc., \$12.47; one of Bolton Brothers, for heating-stove and stove-pipe, \$24.65; one of R. W. Clark, for table by J. M. Weart, Chief Clerk of the House, and 5-6 dozen chairs by Secretary Young, \$13.65; and claim of Mills & Co., for engraving diagram of House and Senate, and printing same, \$225.00; beg leave to report that they have had the same under consideration, find they are just and ought to be paid, and have instructed me to report the same back to the Senate with the recommendation that they be referred to Committee on Appropriations and engrafted in the appropriation bill.

E. T. SMITH, *Chairman.*

Report was adopted.

S. F. No. 168, A bill for an act making an additional appropriation for the Iowa Hospital for the Insane, at Independence, with report of committee recommending amendments, was taken up and considered.

The amendments reported by the committee were adopted.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Crary, Dague, Fairall, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McIntyre, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—45.

The nays were—

Senator McCormack—1.

Absent or not voting—

Senators Cooley, Dashiell, Fitch, and Merrell of Clinton—4.

So the bill passed and the title was agreed to.

S. F. No. 154, A bill for an act to complete the north wing of the College for the Blind, to procure furniture for the same, and to build an engine house and furnish heating apparatus for the College, with

report of committee recommending amendments, was taken up and considered.

The amendments reported by the committee were adopted.

On motion of Senator Shane, section 5 was amended as follows: Add to section "and provided further, that of the moneys hereby appropriated in sections 1 and 3 of this act, the one-half shall be drawn from the treasury in 1874 and the balance in 1875.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willet, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—48.

The nays were—None.

Absent or not voting—

Senators Dashiell, and Pease—2.

So the bill passed and the title was agreed to.

S. F. No. 219: A bill for an act making an appropriation for erecting Physical Laboratory building for the Agricultural College and Farm, and to cover into the treasury, the proceeds of lands to be transferred to the State by the trustees of said college, was taken up and considered.

The amendment offered by Senator Cooley was adopted.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Fairall, Fitch, Gault, Howland, Kephart, Larrabee, Lovell, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Perkins, Rothert, Rumpel, Russell, Shane, Stone, Stuart, Thornburg, West, Willett, Williams, and Young of Mahaska—36.

The nays were—

Senators Dague, Jessup, Kinne, McCormack, Mitchell, Newton, Selby, Smith, Taylor, Wonn, Wood, and Young of Cass—12.

Absent or not voting—

Senator Dashiell, and Pease—2.

So the bill passed and the title was agreed to.

S. F. No. 114: A bill for an act making further appropriations for the hospital for the insane at Mt. Pleasant, 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 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Selby, Shane, Stone, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—45.

The nays were—

Senator Smith—1.

Absent or not voting—

Senators Dashiell, Kephart, Russell, and Stuart—4.

So the bill passed and the title was agreed to.

The hour for the special order having arrived, it being the motion to reconsider the vote by which S. F. No. 242, A bill for an act to increase the number of Judges of the Supreme Court, and repealing section 140, of the Code, of 1873, and enacting a section instead thereof, failed to pass, it was taken up and considered.

The motion to reconsider the vote prevailed.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Converse, Cooley, Crary, Fairall, Fitch, Howland, Kinne, Larrabee, Lovell, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Mitchell, Murphy, Rothert, Rumpel, Russell, Shane, Stone, Taylor, West, Willett, Williams, Wonn, Wood, and Young of Mahaska—30.

The nays were—

Senators Boomer, Campbell, Chambers, Conaway, Dague, Gault, Jessup, Kephart, McCormack, Miller, Newton, Pease, Perkins, Selby, Smith, Stuart, Thornburg, and Young of Cass—18.

Absent or not voting—

Senators Dashiell, and Miles—2.

So the bill passed and the title was agreed to.

S. F. No. 241, A bill for an act in relation to the State Historical Society, with report of committee recommending amendments, was taken up and considered.

The amendments reported by the committee were adopted.

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.

The question being, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Conaway, Converse, Cooley, Crary, Dague, Fairall, Kephart, Kinne, Lovell, Maxwell, Merrell of Clinton, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Stone, Stuart, Taylor, West, Willett, Williams, Wood, and Young of Cass—32.

The nays were—

Senators Campbell, Chambers, Fitch, Gault, Howland, Jessup, Larrabee, McCoid, McCormack, McIntyre, Merrill of Wapello, Selby, Smith, Thornburg, Wonn, and Young of Mahaska—16.

Absent or not voting—

Senators Dashiell, and Shane,—2.

So the bill passed and the title was agreed to.

S. F. No. 259, A bill for an act making an appropriation for the institutions for the education of the deaf and dumb, with report of committee recommending its passage, was taken up and considered.

On motion of Senator Chambers, section 1 was amended by inserting after "tools," the words "and stock."

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 Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—48.

The nays were—None.

Absent or not voting—

Senators Bemis, and Dashiell—2.

So the bill passed and the title was agreed to.

S. F. No. 216: A bill for an act to provide for the continuance of the work on the Additional Penitentiary at Anamosa, and to pay the indebtedness of the same, with report of committee recommending amendments, was taken up and considered.

The amendments reported were adopted.

Senator Campbell moved to strike out all of section 1 after "appropriated," in the fifth line, and down to and including the word "dollars," in the tenth line.

Senator Bailey moved the previous question.

The Senate seconded the motion, and the main question was ordered.

On the adoption of Senator Campbell's amendment, the yeas and nays were demanded, and the yeas were—

Senators Campbell, Dague, Fitch, Gault, Jessup, McCoid, McCormack, McIntyre, Merrill of Wapello, Miles, Miller, Mitchell, Newton, Pease, Perkins, Rothert, Selby, Smith, Taylor, Thornburg, West, Williams, Wonn, and Young of Cass—24.

The nays were—

Senators Bailey, Bemis, Boomer, Chambers, Conaway, Converse, Cooley, Crary, Fairall, Howland, Kephart, Kinne, Larrabee, Lovell, Maxwell, Merrell of Clinton, Murphy, Rumble, Russell, Shane, Stone, Stuart, Willett, Wood, and Young of Mahaska—25.

Absent or not voting—

Senator Dashiell—1.

So the Senate refused to adopt the amendment.

On the question, "Shall the bill be engrossed for a third reading tomorrow?" the yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Chambers, Conaway, Converse, Cooley, Crary, Fairall, Howland, Kephart, Kinne, Larrabee, Lovell, Maxwell, Merrell of Clinton, Mitchell, Murphy, Rumble, Russell, Shane, Stone, Stuart, Willett, and Young of Mahaska—24.

The nays were—

Senators Boomer, Campbell, Dague, Fitch, Gault, Jessup, McCoid, McCormack, McIntyre, Merrill of Wapello, Miles, Miller, Newton, Pease, Perkins, Rothert, Selby, Smith, Taylor, Thornburg, West, Williams, Wonn, Wood, and Young of Cass—25.

Absent or not voting—

Senator Dashiell—1.

So the bill was lost on engrossment.

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. 216, A bill for an act to regulate the leasing of the lands belonging to the Iowa State Agricultural College.

H. F. No. 221, A bill for an act to amend section 799, chapter 1, title 6, of the Code.

H. F. No. 251, A bill for an act to repeal chapter 2, title 5, of the Code of 1873, relating to and providing for a registration of votes.

H. F. No. 291, A bill for an act to amend section 1606, chapter 3, title 12, of the Code of 1873.

H. F. No. 294, A bill for an act to amend section 3072 of the Code.

Substitute for H. F. No. 307, A bill for an act to provide for the erection of two cottage buildings for the accommodation of the teachers of the mutes at the asylum for the deaf and dumb, and for other purposes.

H. F. No. 354, A bill for an act to relase and confirm to the State University of Iowa any interest of the State of Iowa in certain town lots and streets adjoining the same.

Also, that the House has concurred in the following resolution:

Concurrent resolution relative to the constitutionality of the last clause of section 866 of the Code.

JAMES M. WEART, *Chief Clerk.*

REPORT OF COMMITTEE.

Senator West, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred H. F. No. 330, A bill for an act to provide for the improvement of the Penitentiary, and to provide for the increased salary of the Clerk, 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. P. WEST, *Chairman.*

Ordered passed on file.

S. F. No. 235, A bill for an act to provide for the improvement of the penitentiary at Fort Madison, and to provide for an increased

salary of the clerk thereof, with report of committee recommending amendments, was taken up and considered.

Senator Rothert moved to amend the report of the committee so that it would add to the clause appropriating money for additional cell-room the words "*Provided*, The Executive Council shall deem such appropriation necessary."

The motion did not prevail.

The report of the committee was then adopted.

Senator Rothert 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 Bailey, Campbell, Conaway, Converse, Dague, Fairall, Fitch, Gault, Jessup, Larrabee, McCoid, McCormack, McIntyre, Merrill of Wapello, Miles, Miller, Newton, Pease, Perkins, Rothert, Russell, Shane, Smith, Stone, Taylor, West, Willett, Williams, Wonn, Young of Cass, and Young of Mahaska—31.

The nays were—

Senators Boomer, Cooley, Crary, Howland, Kinne, Lovell, Maxwell, Merrell of Clinton, Mitchell, Murphy, Rumble, Selby, Stuart, Thornburg, and Wood—15.

Absent or not voting—

Senators Bemis, Chambers, Dashiell, and Kephart—4.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Shane, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 115, A bill for an act to regulate the return of sheriffs on legal process, beg leave to report 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.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 138, A bill for an act to amend sections 3181 and 3182 of Code of 1873, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out of the first section the words between the word "court," in the ninth line, and the word "if," in the twelfth line, and insert in lieu thereof the following: "On or before the first day assigned for causes for the district from which the cause was appealed." Also, that section 2 be stricken out. So amended, the committee recommend that the same do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 255, A bill for an act to amend chapter 12, title 3 of the Code, in relation to notaries public, beg leave to report 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.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 222, A bill for an act to provide the reports of the Supreme court of Iowa, for the use of said court at Council Bluffs, beg leave to report 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.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 226, A bill for an act to give circuit courts jurisdiction to appoint guardians of the property of non-resident insane 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 amended by adding to section 2, the following: *Provided, however,* that no sale of the property of non-resident insane persons shall be ordered by the court until the applicant therefor shall file in each court a certified copy of the record adjudging such persons insane—so amended, a majority of the committee recommend that the same do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 272, A bill for an act to legalize the sale of certain swamp lands by Carroll county to E. F. Burgan, beg leave to report 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.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 351, A bill for an act to vacate the town of Jollyville, in Lee 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.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 246, A bill for an act to define the duties of officers in levying upon growing crops, 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.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 227, A bill for an act to amend section 2223 of the Code, beg leave to report that they have had the same under consid-

eration 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.

Ordered passed on file.

Also the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 202, A bill for an act to legalize the levy of certain taxes in the county of Floyd 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 be amended by striking out the second section, and when so amended that the bill do pass.

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 to repeal sub-division No. 6, of section No. 3793, in relation to compensation of county treasurers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. 217, A bill for an act relating to evidence taken by authority of the General Assembly 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 amended by striking out all after the word "witness," in the eighth line of section 1, and that so amended, the same do pass.

JOHN SHANE, *Chairman.*

Ordered passed on file.

S. F. No. 193, A bill for an act making an appropriation for the Reform School, at Eldora, Iowa, with report of committee recommending amendments, was taken up and considered.

The amendments were adopted.

Senator Fitch moved to amend section 1, by striking out all after the word "dollars" in the twelfth line.

Senator Gault moved to amend the amendment, by striking out of section 1 the word "fifteen," and inserting "eight," which was lost.

By leave, Senator Dague offered the following resolution:

Resolved, That during the remaining days of the session, the Senate will hold three sessions per day, viz.: from 9 o'clock, A. M., to 12 noon; from 2 o'clock to 5:30, P. M.; and from 7 to 9 P. M.

The resolution was adopted.

At 12 M., the Senate adjourned until 2 o'clock, P. M.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

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

Senator Fitch moved a call of the Senate, which was seconded.

Upon roll call the following were found absent without leave: Senators Dague, Gault, McIntyre, Selby, and Stone.

On motion of Senator Campbell, further proceedings under the call were dispensed with.

The Senate resumed the consideration of Senator Fitch's amendment to section 1 of S. F. No. 193, under consideration prior to adjournment.

On the adoption of the amendment, the yeas and nays were demanded, and the yeas were—

Senators Bailey, Crary, Dague, Fitch, Kephart, Kinne, Larrabee, Lovell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Russell, Selby, Shane, Stone, Stuart, Wonn, Wood, and Young of Mahaska—24.

The nays were—

Senators Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Dashiell, Gault, Howland, Jessup, Maxwell, McIntyre, Mitchell, Pease, Perkins, Rothert, Rumble, Smith, Taylor, Thornburg, West, Willett, Williams, and Young of Cass—25.

Absent or not voting—

Senator Fairall—1.

So the Senate refused to adopt the amendment.

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 Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Gault, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—41.

The nays were—

Senators Fitch, Kinne, McCoid, McCormack, Russell, and Young of Mahaska—6.

Absent or not voting—

Senators Bailey, Fairall, Selby—3.

So the bill passed and the title was agreed to.

Senator Kephart, from the joint special committee to investigate the officers of the Agricultural College and Farm, submitted a report, which was ordered printed and passed on file.

Senator Jessup, 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. 245, A bill for an act to amend section 3812, chapter 3, title 23 of the Code, in relation to jury 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.

ELIAS JESSUP, *Chairman.*

Ordered passed on file.

Senator West, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 250, A bill for an act to repeal part of section 2, chapter 35 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 be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 249, A bill for an act to provide for the publication and distribution of the laws of the Fifteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, as your committee deem it already provided for, in chapter 3 of the Code.

Ordered passed on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Appropriations, to whom was referred S. F. No. 256, A bill for an act to consolidate the soldiers' orphans' homes, and for other purposes; S. F. No. 236, A bill for an act to provide for an appropriation to the orphans' home at Davenport, Iowa; and S. F. No. 257, A bill for an act making certain appropriations for the western branch of the Iowa soldiers' orphans' home, beg leave to report that they have had the same under consideration, and have prepared a substitute therefor, and have instructed me to report the same back to the Senate, with the recommendation that said substitute do pass.

J. P. WEST, *Chairman.*

Ordered passed on file.

On motion of Senator Willett, H. F. No. 143, A bill for an act to legalize the independent district of Burr Oak, Winneshiek county, with report of committee recommending its passage, was taken up and considered.

Senator Willett offered the following amendment:

Insert after the word "Burr Oak," in the 2d line, the words "so far as relates to the territory of said independent district within the township of Burr Oak, but not that portion claimed by the said district from Hesper township," and after the word "levied," in the 4th line, the words "except as above."

The amendment was adopted.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—47.

The nays were—

Senator Miles—1.

Absent or not voting—

Senators Fairall, and Selby—2.

So the bill passed and the title was agreed to.

By leave, Senator McIntyre introduced S. F. No. 265, A bill for an act to amend chapter 11, title 24, and section 405 of the Code.

Read first and second time.

Senator McIntyre 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Cooley, Crary, Dashiell, Fairall, Fitch, Gault, Howland, Kephart, Kinne, Larrabee, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Pease, Rothert, Rumble, Shane, Smith, Stone, Stuart, Taylor, Thornburg, Willett, Wonn, Wood, and Young of Mahaska—39.

The nays were—

Senators Converse, Dague, Jessup, Newton, West, Williams, and Young of Cass—7.

Absent or not voting—

Senators Lovell, Perkins, Russell, and Selby—4.

So the bill passed and the title was agreed to.

Senator McIntyre was granted leave of absence until 10 A. M. tomorrow.

S. F. No. 17, A bill for an act to provide for the public printing and binding, was taken up.

By leave, Senator West presented the following communication:

DES MOINES, IOWA, March 9th, 1874.

To the General Assembly of the State of Iowa:

GENTLEMEN:—We are authorized by the directors of this Company to state that in the event of the enactment of a law authorizing the State Printing to be awarded to the lowest bidder, we will propose to do the work at a reduction of at least twenty per cent. from the prices now fixed by law, and we are prepared to enter into bonds for any rea-

sonable amount guaranteeing that the work shall be done as well and as promptly as it is done under the present system.

J. H. BROOKS, *Pres. State Printing Co.*

A. R. FULTON, *Secretary.*

The question being on the motion to reconsider the vote by which the bill (S. F. No. 17) failed to pass, the yeas and nays were demanded and the yeas were—

Senators Boomer, Chambers, Conaway, Converse, Cooley, Dague, Dashiell, Gault, Jessup, Larrabee, Lovell, Maxwell, McCormack, Merrell of Clinton, Murphy, Newton, Pease, Rothert, Selby, Stuart, Thornburg, West, Wood, and Young of Cass—24.

The nays were—

Senators Bailey, Bemis, Campbell, Crary, Fairall, Fitch, Howland, Kephart, Kinne, McCoid, McIntyre, Merrill of Wapello, Miles, Miller, Mitchell, Perkins, Rumple, Russell, Shane, Smith, Stone, Taylor, Willett, Williams, Wonn, and Young of Mahaska—26.

So the motion to reconsider did not prevail.

H. F. No. 19: A bill for an act to let the public printing and binding to the lowest responsible bidder, was taken up and considered.

Senator Kephart moved to lay the bill on the table.

On this question the yeas and nays were demanded, and the yeas were—

Senators Bemis, Crary, Fairall, Fitch, Howland, Kephart, Kinne, McCoid, Miller, Mitchell, Perkins, Rumple, Russell, Stone, Taylor, Willett, and Young of Mahaska—17.

The nays were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Dague, Dashiell, Gault, Jessup, Larrabee, Lovell, Maxwell, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Murphy, Newton, Pease, Rothert, Selby, Shane, Stuart, Thornburg, West, Williams, Wonn, Wood, and Young of Cass—32.

Absent or not voting—

Senator Smith—1.

So the motion did not prevail.

Senator Converse moved to strike out section 9.

Senator Campbell moved to refer the bill to the Committee on Printing, with instructions to report to-morrow morning.

On this question the yeas and nays were demanded, and the yeas were—

Senators Bemis, Campbell, Cooley, Crary, Dague, Fairall, Fitch, Howland, Kinne, McCoid, McCormack, Merrill of Wapello, Miles, Mitchell, Perkins, Rumple, Russell, Shane, Smith, Stone, Taylor, Willett, Williams, Wonn, Wood, and Young of Mahaska—26.

The nays were—

Senators Boomer, Chambers, Conaway, Converse, Dashiell, Gault, Jessup, Kephart, Larrabee, Lovell, Maxwell, Merrell of Clinton, Miller, Newton, Pease, Rothert, Shane, Stuart, Thornburg, West, and Young of Cass—21.

Absent or not voting—

Senators Bailey, McIntyre, and Murphy—3.

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, in which the concurrence of the Senate is asked:

House substitute for S. F. No. 212, A bill for an act to amend chapter 3, title 11, of the Code, in relation to domestic and other animals.

W. A. FULMER, *Second Clerk.*

By leave, Senator Shane, from the Committee on Judiciary, introduced S. F. No. 266, A bill for an act providing for a change in the office of Supreme Court Reporter, transferring the duties of the office to Judges of the Supreme Court, and providing for the publication of the Supreme Court Reports.

Read first and second time, and referred to Sifting Committee.

S. F. No. 183, A bill for an act to amend section 3072, chapter 2, title 18, of the Code, with report of committee recommending the adoption of a substitute, was taken up and considered.

The substitute was adopted.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rumpel, Selby, Shane, Smith, Stone, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—46.

The nays were—

Senator Taylor—1.

Absent or not voting—

Senators McIntyre, Rothert, and Russell—3.

So the bill passed and the title was agreed to.

Senator Boomer moved to reconsider the vote by which S. F. No. 216 was lost on engrossment this a. m.

The motion prevailed.

Senator Boomer moved to amend the bill by striking out all after the word "appropriated," in the fifth line, and inserting the following: "For the completion of the east wing, the sum of \$15,000; for the payment of the indebtedness, the sum of \$9,593.98: *provided*, that one warden, one clerk, and the necessary guards, shall receive pay in the same sum and manner as those at Fort Madison.

"The commissioners heretofore appointed shall receive per diem and expenses, a sum not to exceed \$50 each per annum."

Senator Smith moved to amend the amendment, by striking out "\$15,000" and inserting "\$5,000."

On this question the yeas and nays were demanded, and the yeas were—

Senators Campbell, Dague, Dashiell, Gault, Jessup, McCoid, McCormack, Merrill of Wapello, Newton, Pease, Rothert, Selby, Smith, Taylor, and Young of Cass—15.

The nays were—

Senators Bailey, Bemis, Boomer, Chambers, Conaway, Converse, Cooley, Crary, Fairall, Fitch, Howland, Kephart, Kinne, Larrabee, Lovell, Maxwell, Merrell of Clinton, Miles, Miller, Mitchell, Murphy, Perkins, Rumble, Russell, Shane, Stone, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Mahaska—34.

Absent or not voting—

Senator McIntyre—1.

So the amendment to the amendment was lost.

Senator Fitch moved to amend the amendment by adding the following: "And when the aforesaid sum of fifteen thousand dollars has been expended, any prisoners employed shall be returned to the penitentiary at Ft. Madison, and the term of office of all officers expire.

On this question the yeas and nays were demanded, and the yeas were—

Senators Campbell, Conaway, Dague, Dashiell, Fitch, Gault, Jessup, McCoid, McCormack, Merrill of Wapello, Miller, Mitchell, Newton, Pease, Perkins, Rothert, Selby, Smith, West, Williams, and Young of Cass—21.

The nays were—

Senators Bailey, Bemis, Boomer, Chambers, Converse, Cooley, Crary, Fairall, Howland, Kephart, Kinne, Larrabee, Lovell, Maxwell, Merrell of Clinton, Miles, Murphy, Rumble, Russell, Shane, Stone, Stuart, Taylor, Thornburg, Willett, Wonn, Wood, and Young of Mahaska—28.

Absent or not voting—

Senator McIntyre—1.

So the amendment to the amendment was lost.

Senator Boomer's amendment was then adopted.

Senator Merrell of Clinton, 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 Bailey, Bemis, Boomer, Chambers, Conaway, Converse, Cooley, Crary, Fairall, Howland, Kephart, Kinne, Larrabee, Lovell, Maxwell, Merrell of Clinton, Merrill of Wapello, Mitchell, Murphy, Perkins, Rumble, Russell, Shane, Stone, Stuart, Thornburg, Willett, Wonn, Wood, and Young of Mahaska—30.

The nays were—

Senators Campbell, Dague, Dashiell, Fitch, Gault, Jessup, McCoid, McCormack, Miles, Miller, Newton, Pease, Rothert, Selby, Smith, Taylor, West, Williams, and Young of Cass—19.

Absent or not voting—

Senator McIntyre—1

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Perkins, from the Committee on Printing, submitted the following report:

MR. PRESIDENT:—Your Committee on Printing, to whom was referred H. F. No. 19, A bill for an act entitled an act to let the public printing and binding to the lowest bidder by contract, beg leave to report that they 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 not pass.

PERKINS, *Chairman.*

The bill was taken up and considered.

Senator Dague moved to amend section 9 by adding thereto the following:

Provided, That no proposals shall be received for printing to be done for counties from parties not residing in counties where such printing is to be done.

The amendment was adopted.

Senator Stone moved to amend by adding the following as section 10:

No contract contemplated in this act shall be let to any person residing out of the State of Iowa, or to any person who will cause the work under such contract to be done out of this State. No compensation shall be paid to the contractor in case such work, or any part thereof, is done out of the State.

On this question the yeas and nays were demanded, and the yeas were—

Senators Dague, Dashiell, Fairall, Fitch, Howland, Kinne, McCoid, Merrill of Wapello, Miller, Mitchell, Perkins, Rumpel, Russell, Shane, Smith, Stone, Taylor, Willett, Williams, Wood, Young of Cass, and Young of Mahaska—22.

The nays were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Gault, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCormack, Merrell of Clinton, Miles, Newton, Pease, Rothert, Selby, Stuart, Thornburg, West, and Wonn—26.

Absent or not voting—

Senators McIntyre, and Murphy—2.

So the amendment was lost.

Senator Miller offered a substitute for the bill.

Senator West moved to strike out of section 1, substitute, "90 per cent." and insert "80 per cent."

The motion did not prevail.

Senator West moved to strike out "85 per cent.," in section 2, and insert "75 per cent."

On this question the yeas and nays were demanded, and the yeas were—

Senators Conaway, Converse, Gault, McCormack, Merrill of Wapello, Newton, Pease, Rothert, Selby, Smith, Thornburg, and West—12.

The nays were—

Senators Bailey, Bemis, Boomer, Campbell, Cooley, Crary, Dague,

Fairall, Fitch, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, Merrell of Clinton, Miles, Miller, Mitchell, Murphy, Perkins, Rumble, Russell, Shane, Stone, Stuart, Taylor, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—35.

Absent or not voting—

Senators Chambers, Dashiell, and McIntyre,—3.

So the amendment was lost.

The question being on the adoption of the substitute, the yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Campbell, Chambers, Conaway, Cooley, Crary, Dashiell, Fairall, Fitch, Howland, Kephart, Kinne, Maxwell, McCoid, Merrill of Wapello, Miles, Miller, Mitchell, Perkins, Rumble, Russell, Shane, Smith, Stone, Taylor, Willett, Williams, and Young of Mahaska—29.

The nays were—

Senators Boomer, Converse, Dague, Gault, Jessup, Larrabee, Lovell, McCormack, Merrell of Clinton, Murphy, Newton, Pease, Rothert, Selby, Stuart, Thornburg, West, Wonn, Wood, and Young of Cass—20.

Absent or not voting—

Senator McIntyre—1.

So the substitute was adopted.

Senator Kephart moved to suspend the rule and read the bill a third time now.

The motion prevailed and the bill was read a third time.

On the question, " Shall the bill pass? "

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Perkins, Rothert, Rumble, Russell, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—47.

The nays were—

Senators Pease and Selby—2.

Absent or not voting—

Senator McIntyre,—1.

So the bill passed and the title was agreed to.

Senator Shane moved that when the Senate adjourn it be until 9 A. M. to-morrow.

The motion was agreed to.

REPORTS OF COMMITTEES.

Senator Rothert, from the Committee on Penitentiary, submitted the following report:

MR. PRESIDENT:—Your Committee on Penitentiary, to whom was referred S. F. No. 213, A bill for an act to regulate convict labor in the 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 without recommendation.

H. W. ROTHERT, *Chairman pro tem.*

Ordered passed on file.

Senator Dague, from the Committee on Federal Relations, submitted the following report:

MR. PRESIDENT:—Your Committee on Federal Relations, to whom was referred the accompanying joint resolution: *Providing*, That our Senators in Congress be instructed, and our Representatives requested to use their influence, to secure such an amendment of the laws of the United States, that judgments rendered by the United States Courts shall not constitute liens on real property, situated beyond the limits of the county in which said courts may hold their session, till a transcript shall have been filed in the county in which such real property is situated, beg leave to report 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.*

Ordered passed on file.

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

MR. PRESIDENT:—Your Committee on Schools, to whom was referred H. F. No. 340, A bill for an act to legalize the appraisal of, and sale of certain school lands in Decatur 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 not pass.

E. B. KEPHART, *Chairman.*

Ordered passed on file.

Senator Cooley, from the Committee on Judiciary submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 360, A bill for an act to make cities and towns responsible for the value of buildings destroyed for the purpose of preventing the spread of conflagrations, beg leave to report 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.

D. N. COOLEY, *Chairman.*

Ordered passed on file.

On motion of Senator Taylor, the Senate at 4:50 adjourned until 9 o'clock to-morrow morning.

SENATE CHAMBER, }
DES MOINES, IOWA, March 17, 1874. }

Senate met at 9 A. M., and was called to order by the president.

Prayer by Rev. Mr. Welch.

On motion of Senator Kephart, 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 without amendment:

S. F. No. 22, A bill for an act to amend chapter 1, title 21 of the Code, relating to justices of the peace and their courts, etc.

S. F. No. 283, A bill for an act to amend section 2142 of chapter 8, of title 14 of the Code allowing assignments of mechanics' liens.

S. F. No. 41, A bill for an act to amend chapter 4 of the Code on taking private property for works of internal improvement.

S. F. No. 71, A bill for an act to amend chapter 2, title 6 of the Code, and redemption of property, in counties having two county seats.

S. F. No. 144, A bill for an act in relation to riparian owners on the Mississippi and Missouri rivers.

S. F. No. 21, A bill for an act to amend section 4254, chapter 12 of title 25 of the Code of 1873, relative to preliminary examinations.

S. F. No. 111, A bill for an act to amend section 1194 of the Code.

S. F. No. 36, A bill for an act to amend section 2815 of the Code, in relation to probate duties of clerks in vacation.

S. F. No. 108, A bill for an act to repeal section 3641 of chapter 1, title 22 of the Code, and to enact a substitute therefor.

Substitute for Senate Files Nos. 137 and 131, A bill for an act to amend chapter 2, title 9 of the Code, to authorize corporations other than those for pecuniary profit, to change their name or amend their articles of incorporation.

S. F. No. 90, A bill for an act for the relief of Arthur W. Richards.

S. F. No. 78, A bill for an act to amend section 4779, chapter 2, title 26 of the Code.

I am further 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. 223, a bill for an act authorizing the establishment of public ways to lands having stone and mineral thereon.

Add to section 1, "When said road shall be constructed it shall, where passing through enclosed lands, be fenced on both sides by the person or corporation causing said road to be established.

Also, the following bill failed to pass the House:

Substitute for S. F. No. 2, A bill for an act to amend sub-division 6 of

section 3793 of the Code, relating to the compensation of county treasurers.

JAMES M. WEART, *Chief Clerk.*

REPORT OF COMMITTEE.

Senator Young of Cass, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—The Committee on Enrolled Bills, respectfully report that they have examined H. F. No. 350, An act to legalize the charter, ordinances, etc., of Montrose, Lee county, Iowa.

H. F. No. 321: An act to legalize the incorporation of the Logan town company, in Harrison county, Iowa.

H. F. No. 248: An act making an appropriation for repairs to the Agricultural College.

H. F. No. 363: An act legalizing the acts of the Board of Directors of the district township of Table Mound, Dubuque county.

S. F. No. 261: An act legalizing the survey of the town of Cambridge, Story county, Iowa.

S. F. No. 191: An act to authorize the re-survey and platting of city or town plats, in certain cases.

S. F. No. 129: An act authorizing the sale of out lot No. 1, in Delhi, Iowa.

S. F. No. 228: An act to legalize the incorporation of the town of Victor, Iowa county, Iowa.

S. F. No. 209, An act to legalize certain judgment taxes levied by counties and other municipal corporations in the State of Iowa.

And find the same correctly enrolled.

LAFE YOUNG, *Chairman.*

By leave, Senator Perkins, from the Committee on Printing, introduced S. F. No. 267, A bill for an act providing for the election of State Printer and Binder.

Read first and second time and referred to Sifting Committee.

By leave, Senator Shane introduced joint resolution for the relief of F. A. Pyne, a student in the Agricultural College.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Perkins, Rothert, Rump, Russell, Selby, Shane, Smith, Stuart, Taylor, Thornburg, West, Willett, Wonn, Wood, Young of Cass, and Young of Mahaska—45.

The nays were—None.

Absent or not voting—

Senators Cooley, McIntyre, Pease, Stone, and Williams—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 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. 321, A bill for an act to legalize the incorporation of the Logan Town Company, Harrison county, Iowa.

H. F. No. 363, A bill for an act to legalize the acts of the board of directors of the district township of Table Mound, in the county of Dubuque.

S. F. No. 191, A bill for an act to authorize the resurvey and platting of city or town plats, or additions thereto, in cases where the original plats have been lost and not acknowledged or recorded.

S. F. No. 228, A bill for an act to legalize the incorporation of the town of Victor, Iowa county, Iowa, and the acts of the officers acting thereunder.

S. F. No. 179, A bill for an act authorizing the sale of out-lot No. 1 in Delhi, Iowa, to which a general law does not or cannot be made to apply.

S. F. No. 209, A bill for an act to legalize certain judgment taxes leased by counties and other municipal corporations in the State of Iowa.

S. F. No. 261, A bill for an act to legalize a survey of the town plat of the town of Cambridge, Story county, Iowa, heretofore made by M. C. Allen, county surveyor of Story county, Iowa.

H. F. No. 350, A bill for an act to legalize the charter, ordinances, etc., of the incorporated town of Montrose, Lee county, Iowa.

H. F. No. 248, A bill for an act to make an appropriation for repairs on the Iowa Agricultural College and Farm House, and for supplying furniture for the same.

BENJ. VAN STEINBURG,

First Assistant Clerk.

BILLS ON THIRD READING.

S. F. No. 205, A bill for an act to legalize the action of the city council of the city of Knoxville, Marion county, Iowa, with the House amendment, was taken up and considered.

On the question, "Shall the Senate concur in the House amendment?" the yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Gault, Howland, Kephart, Kiene, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Perkins, Rotherb, Rumpel, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Wonn, Wood and Young of Cass

The nays were—None.

Absent or not voting—

Senators Chambers, Fitch, Jessup, McIntyre, Pease, Williams, and Young of Mahaska—7.

So the Senate concurred in House amendment.

House substitute for S. F. No. 212, A bill for an act to amend chapter 3, title 11 of the Code in relation to domestic and other animals, was taken up and considered.

Senator Miller moved to refer the bill to the Committee on Agriculture with instructions to report at 2 p. m., and that it be made the special order for that hour.

Senator Campbell offered a substitute to accompany the bill.

The motion to refer did not prevail.

Senator Murphy presented a petition from Wm. Allen, President of the Scott County Agricultural Society, asking that the herd law be not repealed.

The Senate refused to adopt Senator Campbell's substitute.

Senator West moved to amend section 4 by adding thereto the following:

5th. "Shall horses and mules be restrained from running at large?"

The amendment was disagreed to.

The question being on the concurrence in House substitute for S. F. No. 212,

The yeas were—

Senators Bailey, Bemis, Campbell, Conaway, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Kinne, Larrabee, Maxwell, McCoid, McCormack, Merrill of Wapello, Miles, Mitchell, Perkins, Rothert, Rumple, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, Willett, Williams, Wood, Young of Cass, and Young of Mahaska—36.

The nays were—

Senators Boomer, Chambers, Converse, Jessup, Kephart, Lovell, Merrell of Clinton, Miller, Murphy, Newton, Pease, West, and Wonn—13.

Absent or not voting—

Senator McIntyre—1.

So the House substitute was concurred in.

On motion of Senator Kephart, S. F. No. 150, A bill for an act to amend section 1717, chapter 9, title 12, of the Code of 1873, with report of committee recommending its passage, was taken up and considered.

Senator Kephart 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 Bailey, Boomer, Campbell, Conaway, Cooley, Fitch, Gault, Howland, Jessup, Kephart, Larrabee, Lovell, Maxwell, McCoid, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Newton, Rothert, Rumple, Smith, Stone, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Mahaska—32.

The nays were—

Senators Converse, Dague, Fairall, Kinne, McCormack, Murphy, Perkins, Russell, Selby, Taylor, and Young of Cass—11.

Absent or not voting—

Senators Bemis, Chambers, Crary, Dashiell, McIntyre, Pease, and Shane—7.

So the bill passed and the title was agreed to.

Senator Kephart was granted leave of absence.

REPORT OF COMMITTEE.

Senator Boomer, 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. 102, A bill for an act to amend chapter 6, title 11, of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

A. BOOMER, *Chairman.*

Senator Boomer moved to take up and consider the report now.

The motion prevailed.

Senator Boomer moved to suspend the rule and read the bill a third time now.

The motion was disagreed to.

The bill was lost on engrossment.

On motion of Senator Conaway, S. F. No. 233, A bill for an act to legalize the annexation of certain territory contiguous to the town of Brooklyn, Iowa, and the acts of officers thereunder, with report of committee recommending its passage, was taken up and considered.

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

Senator Merrell of Clinton moved to reconsider the vote by which the rule was suspended.

The motion did not prevail.

The bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Boomer, Chambers, Conaway, Converse, Cooley, Crary, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Perkins, Rothert, Rumble, Russell, Smith, Stone, Stuart, Taylor, Thornburg, Williams, Wona, Wood, Young of Cass, and Young of Mahaska—40.

The nays were—

Senators Campbell, and Merrell of Clinton—2.

Absent or not voting—

Senators Bemis, Dague, McIntyre, Pease, Selby, Shane, West, and Willett—8.

So the bill passed and the title was agreed to.

On motion of Senator Merrell of Clinton, S. F. No. 226, A bill for an act to give circuit courts jurisdiction to appoint guardians of the property of non-resident insane persons, with report of committee recommending amendments, was taken up and considered.

The amendments were adopted.

Senator Merrell of Clinton, 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 Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—45.

The nays were—None.

Absent or not voting—

Senators Bemis, Dashiell, Kephart, McIntyre, and Pease—5.

So the bill passed and the title was agreed to.

On motion of Senator McCoid, H. F. No. 291, A bill for an act to amend section 1606, chapter 3, title 12 of the Code, was taken up and referred to Committee on Agricultural College and Farm.

Senator Boomer moved to reconsider the vote by which the Senate refused to order H. F. No. 102 to a third reading.

The motion prevailed.

Senator Boomer moved to suspend the rule and read the bill a third time now.

On this question, the yeas and nays were demanded and the yeas were—

Senators Bemis, Boomer, Campbell, Chambers, Converse, Dague, Dashiell, Fitch, Howland, Jessup, Kephart, Maxwell, McCoid, Merrell of Clinton, Miles, Miller, Mitchell, Pease, Rumpel, Selby, Shane, Smith, Stuart, Thornburg, West, and Young of Cass—26.

The nays were—

Senators Kinne, Lovell, Murphy, Rothert, Stone, Taylor, Willett, Williams, Wonn, and Wood—10.

Absent or not voting—

Senators Bailey, Conaway, Cooley, Crary, Fairall, Gault, Larrabee, McCormack, McIntyre, Merrill of Wapello, Newton, Perkins, Russell, and Young of Mahaska—14.

So the motion prevailed and the bill was read a third time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Converse, Cooley, Dague, Dashiell, Fitch, Howland, Jessup, Kephart, Larrabee, Maxwell, McCoid, Miles, Miller, Mitchell, Pease, Rumpel, Selby, Smith, Thornburg, West, Wood, Young of Cass, and Young of Mahaska—28.

The nays were—

Senators Crary, Fairall, Gault, Kinne, Lovell, McCormack, Merrell of Clinton, Merrill of Wapello, Murphy, Newton, Rothert, Russell, Shane, Stone, Stuart, Taylor, Willett, Williams, and Wonn—19.

Absent or not voting—

Senators Conaway, McIntyre, and Perkins—3.

So the bill passed and the title was agreed to.

Senator Bissell moved to take up and consider S. F. No. 254, A bill

for an act to provide for the insurance of the State Library and to make an appropriation therefor, with report of committee recommending its passage.

The motion prevailed.

Senator Bissell moved to suspend the rules 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 Bailey, Bemis, Boomer, Campbell, Conaway, Converse, Cooley, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Lovell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Shane, Smith, Stone, Taylor, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—39.

The nays were—

Senators Chambers, Crary, Maxwell, Miles, Miller, Stuart, and Thornburg—7.

Absent or not voting—

Senators Fairall, Larrabee, McIntyre, and Selby—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 passed the following bills, in which the concurrence of the Senate is asked:

H. F. No 317, A bill for an act to give notice to certain city or town officers before an action can be commenced.

H. F. No. 112, A bill for an act to amend section 1117 of the Code, in reference to the time and place of holding the annual meeting of the Iowa State Horticultural society.

Also the following:

S. F. No. 168, A bill for an act making an additional appropriation for the Iowa Hospital for the Insane at Independence, with the following amendments:

Add to section 2 the following:

The trustees shall, at the close of each month, present to the Auditor of State a certified exhibit of all amounts due for labor done or materials furnished during said month, and the Auditor shall thereupon deliver to them a warrant upon the State Treasurer for the amount, and no warrant shall issue except upon such exhibit.

Also by striking out, in line 3, of section 2, the word "five," and inserting "three."

In which the concurrence of the Senate is asked.

Also, the following:

S. F. No. 253, A bill for an act to appropriate money for the aid and maintenance of the State University, with an amendment striking out of the first section the words "fifty-five," and inserting the words "fifty-six."

In which the concurrence of the Senate is asked.

W. A. FULMER,
Second Assistant Clerk.

On motion of Senator West, substitute for S. F. Nos. 336, 256 and 257, A bill for an act in relation to Iowa Soldier's Orphans' Homes, and making certain appropriations for the same, with report of committee recommending its passage, was taken up and considered.

Senator Stone offered a substitute for the bill.

On the adoption of the substitute the yeas and nays were demanded, and the yeas were—

Senators Bemis, Conaway, Cooley, Dashiell, Fairall, Fitch, Howland, Kephart, Kinne, Larrabee, McCoid, McCormack, Merrill of Wapello, Mitchell, Pease, Perkins, Rothert, Russell, Shane, Smith, Stone, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—27.

The nays were—

Senators Bailey, Boomer, Campbell, Chambers, Crary, Dague, Gault, Jessup, Maxwell, Merrell of Clinton, Miles, Miller, Newton, Thornburg, and West—15.

Absent or not voting—

Senators Converse, Lovell, McIntyre, Murphy, Rumble, Selby, Stuart, and Taylor—8.

So the substitute was adopted.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kephart, Kinne, Larrabee, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Russell, Selby, Shane, Smith, Stone, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—46.

The nays were—None.

Absent or not voting—

Senators Lovell, McIntyre, Rumble, and Stuart—4.

So the bill passed and the title was agreed to.

By leave, the Committee on Appropriations introduced S. F. No. 268, A bill for an act to amend chapter 12 of the laws of the Fifteenth General Assembly.

Read first and second time, and passed on file.

HOUSE MESSAGES.

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

H. F. No. 379, A bill for an act to repeal section 135 of the acts of the Twelfth General Assembly, was taken up, read first and second time, and referred to Committee on Public Lands.

H. F. No. 381, A bill for an act to amend an act relative to taxes voted in aid of the construction of railroads, passed by the Fifteenth General Assembly, was taken up, read first and second time, and referred to Committee on Railroads.

H. F. No. 354, A bill for an act to release and confirm to the State University of Iowa any interest of the State of Iowa in certain town

lots and streets adjoining the same, 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Gault, Howland, Jessup, Kinne, Larrabee, Maxwell, McCoid, McCormack, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Smith, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—43.

The nays were—None.

Absent or not voting—

Senators Fitch, Kephart, Lovell, McIntyre, Merrell of Clinton, Stone, and Stuart—7.

So the bill passed and the title was agreed to.

H. F. No. 294, A bill for an act to amend section 3072, of the Code, was taken up.

Read first and second time

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

On the question being, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrill of Wapello, Miles, Miller, Mitchell, Newton, Pease, Perkins, Rumpel, Russell, Selby, Shane, Smith, Stone, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—43.

The nays were—

Senator Taylor—1.

Absent or not voting—

Senators Boomer, Kephart, McIntyre, Merrell of Clinton, Murphy, and Rothert—6.

So the bill passed and the title was agreed to.

On motion of Senator Shane, S. F. No. 216, A bill for an act providing for a change in the office of Supreme Court Reporter, transferring the duties of the office to the Judges of the Supreme Court and Secretary of State, and providing for the publication of the Supreme Court Reports, with report of committee recommending its passage, was taken up and considered.

On motion of Senator Shane, the last section was amended by striking out "\$500" and inserting "\$350."

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway,

Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—46.

The nays were—

Senators Merrill of Wapello and Young of Mahaska—2.

Absent or not voting—

Senators Kephart and McIntyre—2.

So the bill passed and the title was amended by inserting after the word "court" in fourth line the words "and Secretary of State."

H. F. No. 251: A bill for an act to repeal chapter 2, title 5 of the Code of 1873, relating to and providing for a registration of voters, was taken up and read first and second time.

Senator Cooley moved to lay the bill on the table.

On this question, the yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Howland, Jessup, Larrabee, Lovell, Maxwell, McCoid, Merrill of Wapello, Miles, Miller, Mitchell, Newton, Perkins, Rumpel, Russell, Smith, Stone, Taylor, Thornburg, West, Willett, Williams, and Wood—32.

The nays were—

Senators Fairall, Gault, Kinne, McCormack, Merrell of Clinton, Murphy, Pease, Rothert, Selby, Stuart, Young of Cass, and Young of Mahaska—12.

Absent or not voting—

Senators Chambers, Conaway, Kephart, McIntyre, Shane, and Wonn—6.

So the motion prevailed.

H. F. No. 221: A bill for an act to amend section 799, chapter 1, title 6 of the Code, 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 Bailey, Bemis, Boomer, Campbell, Chambers, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Larrabee, Lovell, McCoid, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Smith, Stone, Stuart, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—39.

The nays were—

Senators Converse, Kinne, Maxwell, McCormack, Taylor, and Young of Mahaska—6.

Absent or not voting—

Senators Conaway, Dashiell, Kephart, McIntyre, and Pease—5.

So the bill passed and the title was agreed to.

Senator McCoid, from the Committee on incorporations, introduced

S. F. No. 269, a bill for an act for the vacation of town plats in certain cases.

Read first and second time, and passed on file.

REPORT OF COMMITTEE.

Senator McCoid, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred S. F. No. 204, A bill for an act to authorize the sale of real estate by municipal corporations, 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 do pass.

McCOID, *by order of Chairman.*

The bill was taken up.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—46.

The nays were—None.

Absent or not voting—

Senators Conaway, Kephart, Larrabee, and McIntyre.—4.

So the bill passed and the title was agreed to.

H. F. No. 216, A bill for an act to regulate the leasing of the lands belonging to the Iowa State Agricultural College and Farm, was taken up.

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

On motion of Senator Fairall, S. F. No. 198, A bill for an act to amend section 308, sub-division 24, chapter 2, title 4, of the Code of 1873, with report of committee recommending the adoption of a substitute, was taken up and considered.

The substitute 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 Bailey, Bemis, Boomer, Campbell, Chambers, Converse, Cooley, Dague, Dashiell, Fairall, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, Newton, Rothert, Shane, Thornburg, West, Willett, Williams, and Young of Cass—24.

The nays were—

Senators Conaway, Crary, Fitch, Gault, McCoid, Merrell of Clinton,

Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Pease, Perkins, Rumble, Russell, Smith, Stone, Stuart, Taylor, Wonn, Wood, and Young of Mahaska—22.

Absent or not voting—

Senators Kephart, McCormack, McIntyre, and Selby—4.

So the bill having failed to receive a constitutional majority, was lost.

RESOLUTIONS.

Senator Rothert presented the following preamble and resolutions:

WHEREAS, It has pleased an All-Wise Providence to remove by death from the cares and trials of this transitory existence the Hon. Edward A. Layton, member elect to this, the Fifteenth General Assembly, from Lee county; therefore,

Resolved, That while we bow in humble submission to the mandates of "Him who doeth all things well," we sincerely regret and deeply deplore the loss of one, whose society we had hoped to enjoy, and whose faithful and conscientious discharge of the duties assigned him while in office; whose frank and generous disposition towards all his fellowmen, should be a source of emulation to all of us, either when holding positions of public trust, or in the active pursuits of life.

Resolved, That we tender our sincere sympathy to the friends and relatives of the deceased.

Resolved, 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.

The resolutions were unanimously adopted by a rising vote, and the Senate adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

The Senate met at 2 P. M. and was called to order by the President.

RESOLUTION.

Senator Stuart offered the following:

Resolved, That the regular order of business shall be adhered to, except by unanimous consent.

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 without amendment:

S. F. No. 216: A bill for an act to provide for the continuance of the work on the Additional Penitentiary at Anamosa, and to pay the indebtedness of the same.

S. F. No. 233: A bill for an act to legalize the annexation of certain territory contiguous to the town of Burlington, Iowa, and the acts of the officers thereunder.

Also, that the House has concurred in Senate amendments to H. F. No. 143, A bill for an act to legalize the independent district of Burr Oak, Winneshiek county.

W. A. FULMER,
Second Assistant Clerk.

BILLS ON THIRD READING.

S. F. No. 88: A bill for an act for the support of the State Reform School, together with the House amendments, was taken up and considered.

On motion of Senator Dashiell, the Senate refused to concur in the first amendment.

On the question, "Shall the Senate concur in the second amendment?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Crary, Dashiell, Fairall, Gault, Howland, Jessup, Kinne, Larrabee, Maxwell, McCoid, McCormack, Merrill of Wapello, Mitchell, Murphy, Newton, Perkins, Rothert, Rumble, Selby, Shane, Smith, Stuart, Taylor, Thornburg, Willett, Wonn, Wood, and Young of Mahaska—35.

The nays were—None.

Absent or not voting—

Senators Cooley, Dague, Fitch, Kephart, Lovell, McIntyre, Merrell of Clinton, Miles, Miller, Pease, Russell, Stone, West, Williams, and Young of Cass—15.

So the Senate concurred in the House amendment inserting section 2.

S. F. No. 168, A bill for an act making additional appropriation for Iowa Hospital for Insane at Independence, together with House amendments, was taken up and considered.

On the question, "Shall the Senate concur in the House amendments?" the yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Maxwell, McCoid, McCormack, Merrill of Wapello, Miles, Mitchell, Murphy, Newton, Perkins, Rothert, Rumble, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Wonn, Wood, and Young of Mahaska—41.

The nays were—None.

Absent or not voting—

Senators Kephart, Lovell, McIntyre, Miller, Pease, Russell, Williams, and Young of Cass—9.

So the House amendments were concurred in.

S. F. No. 223, A bill for an act authorizing the establishment of public ways to lands having stone and minerals thereon, together with House amendments, was taken up and considered.

On the question, "Shall the Senate concur in the House amendments?" the yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Gault, Howland, Jessup, Kinne, Larrabee, Maxwell, McCoid, McCormack, Merrill of Wapello, Miles, Mitchell, Murphy, Newton, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Wonn, Wood, and Young of Mahaska—39.

The nays were—None.

Absent or not voting—

Senators Dashiell, Fitch, Kephart, Lovell, McIntyre, Merrell of Clinton, Miller, Pease, Willett, Williams, and Young of Cass—11.

So the Senate concurred in the House amendments.

S. F. No. 253, A bill for an act to appropriate money for the aid and maintenance of the State University, together with the House amendments, was taken up and considered.

On the question, "Shall the Senate concur in the House amendments?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Maxwell, McCoid, McCormack, McIntyre, Merrill of Wapello, Miles, Mitchell, Murphy, Newton, Perkins, Rothert, Rumpel, Russell, Shane, Stone, Stuart, Taylor, Thornburg, West, Wonn, Wood, and Young of Mahaska—40.

The nays were—None.

Absent or not voting—

Senators Kephart, Lovell, Merrell of Clinton, Miller, Pease, Selby, Willett, Williams, and Young of Cass—10.

So the Senate concurred in the House amendments.

HOUSE MESSAGES.

Substitute for H. F. No. 307, A bill for an act to provide for the erection of two cottage buildings for the accommodation of the teachers of the mutes at the asylum for the deaf and dumb, and for other purposes, was taken up.

Read first and second time, and passed on file.

H. F. No. 233, A bill for an act to amend section 3814, chapter 23, title 3, was taken up, and read first and second time.

On motion of Senator Shane, the bill was indefinitely postponed.

H. F. No. 271, A bill for an act to legalize the attachment of certain territory to sub-district 7, Jackson township, Clarke county, Iowa, was taken up and read first and second time.

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

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway,

Converse, Cooley, Crary, Dague, Dashiell, Fairall, Gault, Howland, Jessup, Kinne, Larrabee, Maxwell, McCoid, McCormack, McIntyre, Merrill of Wapello, Miles, Mitchell, Murphy, Newton, Pease, Rothert, Rump, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Wonn, Wood, and Young of Mahaska—41.

The nays were—None.

Absent or not voting—

Senators Fitch, Kephart, Lovell, Merrell of Clinton, Miller, Perkins, Russell, Williams, and Young of Cass—9.

So the bill passed and the title was agreed to.

H. F. No. 273, A bill for an act to provide for the inspection of coal mines, was taken up, and read first and second time.

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 Bailey, Bemis, Boomer, Campbell, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Howland, Jessup, Kinne, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Mitchell, Pease, Perkins, Rump, Russell, Shane, Smith, Taylor, Thornburg, West, Willett, Williams, Young of Cass, and Young of Mahaska—32.

The nays were—

Senators Chambers, Fitch, Gault, Larrabee, Maxwell, McCoid, McIntyre, Murphy, Newton, Selby, Stuart, Wonn, and Wood—13.

Absent or not voting—

Senators Kephart, Lovell, Miller, Rothert, and Stone—5.

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:

Senate substitute for H. F. No. 19, A bill for an act to fix the compensation of State Printer and State Binder, with the following amendments:

Section 1, line nine, strike out the word "ninety" and insert "eighty." And by adding to the section the words and strike out in ninth line of section 3764 of the Code, the words "eight page form, octavo size," and insert "sixteen page form."

Section 2, line 5, by striking out "eighty-five" and inserting "seventy-five." And by adding to the section: *Provided*, That nothing in this act shall be so construed as will in any manner affect the compensation of the present State Printer and State Binder, during the unexpired term of their office, in which the concurrence of the Senate is asked.

Also the following without amendment:

S. F. No. 154, A bill for an act to complete the north wing of the college for the blind, to procure furniture for the same, and to build an engine-house and furnish heating apparatus for the college.

S. F. No. 259, A bill for an act making appropriation for the Institution for the Education of the Deaf and Dumb.

Also the following concurrent resolution authorizing the Committee on Enrolled Bills to employ clerks.

BENJ. VAN STEINBERG,
First Assistant-Clerk.

H. F. No. 358, A bill for an act to legalize the action of the board of directors of the district township of Des Moines, in Jasper county, was taken up.

Read first and second time.

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 Bemis, Boomer, Campbell, Chambers, Converse, Cooley, Dague, Dashiell, Fairall, Gault, Howland, Jessup, Maxwell, McCoid, McCormack, Merrill of Wapello, Miles, Mitchell, Pease, Rothert, Selby, Shane, Smith, Stuart, Taylor, West, Willett, Williams, Wonn, and Young of Cass—30.

The nays were—

Senators Conaway, Crary, Larrabee, McIntyre, Merrell of Clinton, Miller, Murphy, Newton, Russell, Stone, Thornburg, and Wood—12.

Absent or not voting—

Senators Bailey, Fitch, Kephart, Kinne, Lovell, Perkins, Rumble, and Young of Mahaska—8.

So the bill passed and the title was agreed to.

Substitute for H. F. No. 112, A bill for an act to amend section 1117 of the Code, in reference to the time and place of the Iowa State Historical Society, was taken up and 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 Bailey, Boomer, Campbell, Conaway, Crary, Dashiell, Fitch, Gault, Howland, Larrabee, Maxwell, McCoid, Merrell of Clinton, Miles, Miller, Mitchell, Murphy, Newton, Pease, Russell, Smith, Stone, Thornburg, and Williams—24.

The nays were—

Senators Chambers, Converse, Dague, Fairall, Jessup, Kinne, McCormack, McIntyre, Perkins, Rothert, Rumble, Shane, Stuart, Taylor, West, Wonn, Wood, Young of Cass, and Young of Mahaska—19.

Absent or not voting—

Senators Bemis, Boomer, Kephart, Lovell, Merrill of Wapello, Selby, and Willett—7.

So the bill having failed to receive a constitutional majority, was lost.

H. F. No. 317, A bill for an act to give notice to certain city or town officers before an action can be commenced, was taken up.

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

BILLS ON SECOND READING.

S. F. No. 181, a bill for an act to amend section 866 of the Code, with report of committee recommending its passage, was taken up and considered.

Senator Fairall moved to amend, by striking out all after the word "thereafter," in section 1.

The amendment was adopted.

Senator Converse moved to amend, by striking out "and three per cent. a month."

On this question, the yeas and nays were demanded and the yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Dague, Dashiell, Fairall, Gault, Jessup, McCormack, Miller, Mitchell, Newton, Rothert, Selby, Shane, Stuart, Thornburg, West, Williams, and Wood—23.

The nays were—

Senators Cooley, Crary, Fitch, Howland, Kinne, Larrabee, Maxwell, McCoid, Merrell of Clinton, Merrill of Wapello, Miles, Murphy, Pease, Perkins, Russell, Taylor, Willett, Wonn, Young of Cass, and Young of Mahaska—20.

Absent or not voting—

Senators Bemis, Kephart, Lovell, McIntyre, Rumble, Smith, and Stone—7.

So the amendment was adopted.

Senator Boomer moved that the rule be suspended and the bill 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 Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Dague, Dashiell, Fairall, Gault, Jessup, McCormack, Miller, Mitchell, Newton, Pease, Selby, Shane, Thornburg, West, and Wood—21.

The nays were—

Senators Cooley, Crary, Fitch, Howland, Kinne, Larrabee, Maxwell, McCoid, McCormack, Merrell of Clinton, Miles, Murphy, Perkins, Rothert, Rumble, Russell, Smith, Stuart, Taylor, Willett, Williams, Wonn, and Young of Mahaska—22.

Absent or not voting—

Senators Bemis, Kephart, Lovell, McIntyre, Merrill of Wapello, Stone, and Young of Cass—7.

So the bill having failed to receive a constitutional majority, 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:

H. F. No. 385: A bill for an act making appropriations for the payment of the salaries of the State and Judicial officers.

BENJ. VAN STEINBURG,
First Assistant Clerk.

Senator Miller moved to reconsider the vote by which substitute for S. F. No. 198, A bill for an act to repeal a part of section 303 of the Code, which was lost this A. M.

The motion prevailed.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Dague, Dashiell, Fairall, Gault, Howland, Jessup, Kinne, Maxwell, McCormack, Merrill of Wapello, Miller, Mitchell, Murphy, Newton, Pease, Selby, Shane, Stone, Thornburg, West, Willett, Williams, and Young of Cass—29.

The nays were—

Senators Bemis, Cooley, Crary, Fitch, Larrabee, McCoid, Merrell of Clinton, Miles, Perkins, Rotherth, Rumble, Russell, Stuart, Taylor, Wonn, Wood, and Young of Mahaska—17.

Absent or not voting—

Senators Kephart, Lovell, McIntyre, and Smith—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 receded from its amendment to section 1 of S. F. No. 88, A bill for an act for the support of the State Reform School.

BENJ. VAN STEINBURG,
First Assistant Clerk.

S. F. No 166, A bill for an act to amend section 525 of the Code, with report of committee recommending its passage, was taken up and considered.

Senator Larrabee 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 Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Maxwell, McCoid, McCormack, Merrell of Clinton, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rotherth, Rumble, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, Willett, Wonn, Wood, Young of Cass, and Young of Mahaska—42.

The nays were—None.

Absent or not voting—

Senators Bemis, Dague, Kephart, Lovell, McIntyre, Merrill of Wapello, West, and Williams—8.

So the bill passed and the title was agreed to.

H. F. No. 360, A bill for an act to make cities and towns responsible for the value of buildings destroyed for the purpose of preventing the spread of conflagrations, with report of committee recommending its passage, was taken up and considered.

Senator Smith 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 Bailey, Boomer, Chambers, Conaway, Cooley, Dague, Fairall, Fitch, Jessup, Kinne, Maxwell, McCormack, Merrill of Wapello, Miller, Mitchell, Pease, Rothert, Rumpel, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood and Young of Mahaska—30.

The nays were—

Senators Bemis, Campbell, Converse, Crary, Dashiell, Gault, Howland, Larrabee, McCoid, Merrell of Clinton, Miles, Murphy, Newton, Perkins, Russell, Selby, and Young of Cass—17.

Absent or not voting—

Senators Kephart, Lovell, and McIntyre—3.

So the bill passed and the title was agreed to.

Substitute for H. F. No. 90, A bill for an act to amend section 4064 of the Code, with report of committee recommending its passage 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 Bailey, Bemis, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Howland, Jessup, Kinne, Lovell, Maxwell, McCoid, Miles, Mitchell, Murphy, Newton, Pease, Rothert, Rumpel, Russell, Shane, Smith, Stuart, Taylor, Thornburg, Wood, Young of Cass, and Young of Mahaska—33.

The nays were—

Senators Boomer, Fitch, Gault, Larrabee, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Perkins, Selby, Stone, West, Willett, Williams, and Wonn—16.

Absent or not voting—

Senator Kephart—1.

So the bill passed and the title was agreed to.

Senator Bailey moved to reconsider the vote by which the bill passed.

Senator Taylor moved to lay the motion on the table, which was agreed to.

On motion of Senator Williams, S. F. No. 269, A bill for an act to provide for the vacation of town plats in certain cases, was taken up and considered.

Senator Smith 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumple, Russell, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—46.

The nays were—None.

Absent or not voting—

Senators Howland, Kephart, Selby, and Shane—4.

So the bill passed and the title was amended so as to read "A bill for an act in relation to town plats."

REPORT OF COMMITTEE.

Senator Young of Cass, 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.:

H. F. No. 321.

H. F. No. 363.

S. F. No. 191.

S. F. No. 228.

S. F. No. 179.

S. F. No. 209.

S. F. No. 261.

H. F. No. 350.

H. F. No. 248.

LAFE YOUNG, *Chairman.*

S. F. No. 244, A bill for an act to amend section 906 of the Code, with report of committee recommending its passage, was taken up and considered.

Senator McIntyre 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 Bailey, Boomer, Cooley, Crary, Howland, Jessup, Larrabee, McIntyre, Merrill of Wapello, Miles, Mitchell, Murphy, Rothert, Rumple, Russell, Smith, Stone, Taylor, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—25.

The nays were—

Senators Bemis, Campbell, Chambers, Conaway, Converse, Dague, Dashiell, Fitch, Gault, Kinne, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Newton, Pease, Perkins, Selby, Shane, Stuart, and Thornburg—22.

Absent or not voting—

Senators Fairall, Kephart, and Miller—3.

So the bill, having failed to receive a constitutional majority, was lost.

S. F. No. 174, A bill for an act providing for the payment of the claim of Carl Jaacks, with report of committee recommending amendments, was taken up and considered.

The amendments were adopted.

Senator Smith 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 Bailey, Boomer, Campbell, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Kinne, Larrabee, Lovell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Pease, Perkins, Rothert, Rumble, Russell, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wood, and Young of Mahaska—40.

The nays were—

Senators Chambers, Jessup, Maxwell, Newton, Wonn, and Young of Cass—6.

Absent or not voting—

Senators Bemis, Dashiell, Kephart, and Selby—4.

So the bill passed and the title was agreed to.

S. F. No. 94, A bill for an act to define the crime of swindling, and to punish the same, with report of committee recommending amendments, was taken up and considered.

The amendments reported by committee were adopted.

Senator Rumble 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 now.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Selby, Shane, Smith, Stone, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—48.

The nays were—None.

Absent or not voting—

Senators Kephart and Stuart—2.

So the bill passed and the title was agreed to.

Substitute for S. F. No. 107, A bill for an act to amend chapter 2, title 23, of the Code of 1873, relating to the compensation of certain officers, with report of committee recommending the adoption of a substitute, was taken up and considered.

Senator Campbell moved to amend the substitute by striking out of the first section all after the figures "1873."

The amendment was adopted.

Senator Boomer moved to lay the bill on the table.

On this question the yeas and nays were demanded, and

The yeas were—

Senators Bailey, Bemis, Boomer, Chambers, Converse, Crary, Fitch, Gault, Jessup, Larrabee, Maxwell, Merrill of Wapello, Miller, Newton, Pease, Selby, Shane, West, and Williams—19.

The nays were—

Senators Campbell, Conaway, Cooley, Dague, Fairall, Howland, Lovell, McCoid, McCormack, Merrell of Clinton, Miles, Mitchell, Perkins, Rothert, Rumpel, Smith, Stone, Stuart, Taylor, Thornburg, Willett, Wonn, Wood, Young of Cass, and Young of Mahaska—24.

Absent or not voting—

Senators Dashiell, Kephart, Kinne, McIntyre, Murphy, Russell, and Stuart—7.

So the motion to lay on the table did not prevail.

Senator Chambers moved to amend, by striking out all of section 1, after the enacting clause.

The amendment was agreed to.

The substitute was then 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Howland, Jessup, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Selby, Shane, Smith, Stone, Taylor, Thornburg, Willett, Williams, Wonn, Wood, and Young of Cass—40.

The nays were—

Senators Fitch, Gault, Larrabee, Miller, and West—5.

Absent or not voting—

Senators Kephart, Kinne, Russell, Stuart, and Young of Mahaska—5.

So the bill passed and the title was agreed to.

Senator Merrell of Clinton, filed a motion to reconsider the vote by which S. F. No. 224 failed to pass.

Senator Shane moved that when the Senate adjourn it be until 9 A. M. to-morrow.

The motion did not prevail.

On motion of Senator Miller the Senate adjourned until 7 P. M. this day.

EVENING SESSION.

SEVEN O'CLOCK P. M.

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

Senator Willett, President *pro tem* then took the chair.

On motion of Senator Young of Cass, the Senate took a recess until 7:30 P. M.

AFTER RECESS.

At 7:30 P. M. the Senate was called to order by the President.

H. F. No. 230: A bill for an act to legalize the issuing of the bonds of the independent school district of Union, Hardin county, Iowa, with report of committee recommending its passage, was taken up and considered.

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

On the question "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Gault, Howland, Jessup, Larabee, Maxwell, McCoid, McCormack, Merrell of Clinton, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpke, Russell, Selby, Shane, Smith, Taylor, West, Willett, Williams, Wonn, Wood, and Young of Cass—39.

The nays were—None.

Absent or not voting—

Senators Campbell, Fitch, Kephart, Kinne, Lovell, McIntyre, Merrill of Wapello, Stone, Stuart, Thornburg, and Young of Mahaska—11.

So the bill passed and the title was agreed to.

H. F. No. 300, A bill for an act to amend section 279 of the Code, with report of committee recommending its passage, was taken up and considered.

On motion of Senator Fairall, the bill was referred to Committee on Judiciary.

H. F. No. 245, A bill for an act to amend section 3812, chapter 3, title 23, with report of committee recommending its passage, 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 Bailey, Bemis, Boomer, Campbell, Chambers, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Howland, Jessup, Kinne, Maxwell,

McCormack, McIntyre, Mitchell, Smith, Taylor, West, Willett, Williams, Wonn, and Young of Cass—25.

The nays were—

Senators Conaway, Converse, Gault, Larrabee, McCoid, Merrell of Clinton, Miles, Miller, Murphy, Newton, Pease, Perkins, Rothert, Rumples, Russell, Shane, Stuart, and Wood—18.

Absent or not voting—

Senators Kephart, Lovell, Merrill of Wapello, Selby, Stone, Thornburg, and Young of Mahaska—7.

So the bill having failed to receive a constitutional majority, was lost.

H. F. No. 272, A bill for an act to legalize the sale of certain swamp lands by Carroll county to E. F. Burgin, with report of committee recommending its passage, was taken up and considered.

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 Bailey, Bemis, Boomer, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Howland, Jessup, Kinne, Larrabee, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Russell, Selby, Shane, Smith, Stuart, Taylor, West, Willett, Williams, Wonn, Wood, and Young of Cass—41.

The nays were—

Senators Campbell and Gault—2.

Absent or not voting—

Senators Kephart, Lovell, Rothert, Rumples, Stone, Thornburg, and Young of Mahaska—7.

So the bill passed and the title was agreed to.

On motion of Senator Rothert, the vote by which H. F. No. 245, was lost, was reconsidered.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Howland, Kinne, Maxwell, McCormack, McIntyre, Mitchell, Perkins, Rothert, Smith, Taylor, West, Willett, Williams, Wonn, and Young of Cass—26.

The nays were—

Senators Conaway, Converse, Gault, Jessup, Larrabee, McCoid, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Rumples, Russell, Shane, Stuart, and Wood—18.

Absent or not voting—

Senators Kephart, Lovell, Selby, Stone, Thornburg, and Young of Mahaska—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, with amendments, in which the concurrence of the Senate is asked:

Substitute for S. F. Nos. 236, 256, and 257, A bill for an act making appropriations for the soldiers' orphans' homes, and providing for the establishment of industrial employment at said homes.

Strike out all that relates to the Glenwood Home.

Also, H. F. No. 750, Relating to the Gymnasium at Cedar Falls, Iowa.

BENJ. VAN STEINBURG,
First Assistant-Clerk.

Substitute for H. F. No. 125, A bill for an act to repeal sections 1721, and 1802, of chapter 9, title 12, of the Code, and to enact certain sections in lieu thereof, with report of committee recommending its passage, 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 Bailey, Bemis, Boomer, Campbell, Chambers, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Howland, Jessup, Larrabee, Maxwell, McCoid, McCormack, McIntyre, Miles, Miller, Mitchell, Newton, Pease, Perkins, Rumble, Russell, Selby, Shane, Smith, Stuart, West, Williams, Wonn, Wood, and Young of Cass—36.

The nays were—

Senators Conaway, Gault, Kinne, Merrell of Clinton, Merrill of Wapello, Rothert, Taylor, and Willett—8.

Absent or not voting—

Senators Kephart, Lovell, Murphy, Stone, Thornburg, and Young of Mahaska—6.

So the bill passed and the title was agreed to.

H. F. No. 265, A bill for an act to remit the penalty and interest on delinquent personal property tax in certain cases, with report of committee recommending its passage, was taken up and considered.

Senator Converse 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Gault, Howland, Jessup, Kinne, Larrabee, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Selby, Smith, Taylor, West, Willett, Williams, Wonn, Wood, and Young of Cass—42.

The nays were—

Senator Fitch—1.

Absent or not voting—

Senators Kephart, Lovell, Shane, Stone, Stewart, Thornburg, and Young of Mahaska—7.

So the bill passed and the title was agreed to

H. F. No. 33, A bill for an act to legalize the platting of the town of Brooklyn, Iowa, and to legalize all conveyances of lots heretofore made by the number of lots and blocks as specified by the plats now on record of said town, with report of committee recommending that it do pass, was taken up and considered.

Senator Conaway 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rumpel, Selby, Shane, Smith, Taylor, West, Willett, Williams, Wonn, Wood, and Young of Cass—42.

The nays were—None.

Absent or not voting—

Senators Kephart, Lovell, Rothert, Russell, Stone, Stuart, Thornburg, and Young of Mahaska—8.

So the bill passed and the title was agreed to.

Substitute for H. F. Nos. 41 and 223, A bill for an act to repeal section 4048 of title 24, chapter 11 of the Code, and to enact a substitute in lieu thereof, with report of committee recommending amendments, was taken up and considered.

Amendments reported by committee were adopted.

Senator Taylor 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 Bailey, Bemis, Boomer, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Howland, Jessup, Kinne, Larrabee, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Russell, Shane, Smith, Taylor, West, Williams, Wonn, and Wood—35.

The nays were—

Senators Campbell, Dashiell, Fitch, Gault, Maxwell, Miller, Selby, Stuart, Willett, and Young of Cass—10.

Absent or not voting—

Senators Kephart, Lovell, Stone, Thornburg, and Young of Mahaska—5.

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

H. F. No. 193: A bill for an act allowing school districts lying in two adjoining counties, the right to vote mills in lieu of specific sums for school purposes.

Resolution relating to the publishing of all general laws in the Iowa Staats Anzeiger, and the compensation therefor, the same as when published in the State Register and Leader.

Also, the House has adopted joint resolution for the relief of E. A. Pyne, a student in the Iowa Agricultural College.

BENJ. VAN STEINBURG,
First Assistant Clerk.

S. F. No. 177, A bill for an act to provide for the election of boards of directors of district townships, and to abolish sub-districts and the office of sub-director, was taken up and considered.

Senator Miles 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.

The question being, "Shall the bill pass?"

The yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Dashiell, Howland, Jessup, Miles, Miller, Rothert, Rumples, Shane, Smith, Stuart, Taylor, West, and Wood—17.

The nays were—

Senators Conaway, Converse, Crary, Dague, Fairall, Fitch, Gault, Kinne, Larrabee, Maxwell, McCoid, Merrell of Clinton, Mitchell, Murphy, Pease, Perkins, Russell, Selby, Willett, Wonn, and Young of Cass—21.

Absent or not voting—

Senators Bemis, Cooley, Kephart, Lovell, McCormack, McIntyre, Merrill of Wapello, Newton, Stone, Thornburg, and Young of Mahaska—12.

So the bill having failed to receive a Constitutional majority was lost.

H. F. No. 256, A bill for an act to legalize the appraisement and sale of certain school lands in Ringgold county, Iowa, with report of committee recommending its passage, was taken up and considered.

Senator Smith 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 Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Kinne, Larrabee, Maxwell, McCoid, McCormack, Merrell of Clinton, Mitchell, Newton, Pease, Perkins, Rothert, Rumples, Shane, Smith, Stuart, Taylor, West, Willett, Williams, Wonn, Wood, and Young of Cass—35.

The nays were—None.

Absent or not voting—

Senators Bemis, Dashiell, Jessup, Kephart, Lovell, McIntyre, Merrill of Wapello, Miles, Miller, Murphy, Russell, Selby, Stone, Thornburg, and Young of Mahaska—15.

So the bill passed and the title was agreed to.

S. F. No. 227, A bill for an act to amend section 2223, of the Code, with report of committee recommending its indefinite postponement, was taken up, considered, and the report adopted.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT:—Your Committee on Railroads, to whom was referred H. F. No. 381, A bill for an act to amend an act relating to taxes voted in aid of 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.

F. T. CAMPBELL, *Chairman.*

Ordered passed on file.

Senator Willett, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT:—Your Committee on Constitutional Amendments, to whom was referred a 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 a majority of the Committee have instructed me to report the same back to the Senate with the recommendation that it do not pass.

G. R. WILLETT, *Chairman.*

Ordered that the report pass on file.

Senator Larrabee moved to extend the time of adjournment until 9:30, P. M.

The motion prevailed.

Senator Merrell of Clinton moved to adjourn.

The motion was not agreed to.

By leave, the Committee on Schools introduced S. F. No. 270, A bill for an act to legalize the acts of the board of directors of the district township of Atlantic in re-building a school-house in sub-district No. 5 in said township.

Read first and second time, and on motion of Senator Young of Cass, the rule was suspended and the bill read a third time.

On the question "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Newton, Pease, Perkins, Rothert, Russell, Selby, Shane, Smith, Taylor, West, Willett, Williams, Wonn, Wood, and Young of Cass—41.

The nays were—None.

Absent or not voting—

Senators Kephart, Lovell, McCormack, Murphy, Rumpel, Stone, Stuart, Thornburg, and Young of Mahaska—9.

So the bill passed and the title was agreed to.

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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. 260, A bill for an act entitled an act apportioning the State of Iowa into representative districts and declaring the ratio of representation.

I am also directed to inform your honorable body that the House of Representatives has passed, without amendment, substitute for S. F. No. 37, A bill for an act to divide counties into representative districts.

BENJ. VAN STEINBURG,
First Assistant Clerk.

S. F. No. 210, A bill for an act to amend section 2789, chapter 9, title 17 of the Code, was taken up, considered, and ordered engrossed for a third reading.

Senator Boomer moved to adjourn.

The motion did not prevail.

S. F. No. 200, A bill for an act to amend section 1144, chapter 4, title 9 of the Code, with report of committee recommending the adoption of a substitute, was taken up and considered.

The substitute was adopted.

Senator McIntyre 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 Bailey, Bemis, Conaway, Converse, Cooley, Crary, Dague, Fairall, Gault, Howland, Jessup, Kinne, Larrabee, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Selby, Shane, Smith, Taylor, West, Willett, Wonn, Wood, and Young of Cass—37.

The nays were—

Senators Boomer, Campbell, Chambers, Fitch, and Miller—5.

Absent or not voting—

Senators Dashiell, Kephart, Lovell, Stone, Stuart, Thornburg, Williams, and Young of Mahaska—8.

So the bill passed and the title was agreed to.

Senator Smith moved to reconsider the vote by which H. F. No. 245, was passed.

On this question the yeas and nays were demanded, and the yeas were—

Senators Boomer, Chambers, Conaway, Converse, Gault, Larrabee, McCoid, McIntyre, Merrell of Clinton, Miles, Murphy, Newton, Pease, Rumble, Russell, Shane, Smith, Wonn, and Wood—19.

The nays were—

Senators Bailey, Bemis, Campbell, Crary, Dague, Dashiell, Fairall,

Fitch, Howland, Jessup, Kinnee, Maxwell, McCormack, Merrill of Wapello, Miller, Mitchell, Perkins, Rothert, Selby, Taylor, West, Willett, Williams, and Young of Cass—24.

Absent or not voting—

Senators Cooley, Kephart, Lovell, Stone, Stuart, Thornburg, and Young of Mahaska—7.

So the motion did not prevail.

Senator Campbell moved that the Senate adjourn.

On this question the yeas and nays were demanded, and the yeas were—

Senators Boomer, Campbell, Conaway, Dashiell, Fitch, Howland, Kinne, McCoid, McCormack, McIntyre, Miles, Murphy, Pease, Shane, Smith, Taylor, and Young of Cass—17.

The nays were—

Senators Bailey, Bemis, Chambers, Converse, Cooley, Crary, Dague, Fairall, Gault, Larrabee, Maxwell, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Newton, Perkins, Rothert, Ruple, Russell, Selby, West, Willett, Williams, Wonn, and Wood—26.

Absent or not voting—

Senators Jessup, Kephart, Lovell, Stone, Stuart, Thornburg, and Young of Mahaska—7.

So the motion did not prevail.

Senator Dague moved a call of the Senate.

The Senate refused to second the call.

On motion, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 18, 1874. }

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

Prayer by the Rev. Mr. Ingalls.

On motion of Senator Larrabee, 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 and resolution, in which the concurrence of the Senate is asked:

H. F. No. 241, A bill for an act to amend section 1777, Code of 1873.

Substitute for H. F. No. 286, A bill for an act to repeal section 1433, chapter 2, title 11 of the Code of 1873.

Concurrent resolution relative to holding a joint convention to elect a State Printer, State Binder, and Trustees of various State Institutions.

Also, that the House has concurred in Senate amendments to substitute for House Files Nos. 41 and 243, A bill for an act to repeal section 4048, title 24, chapter 11 of the Code, and to enact a substitute in lieu thereof.

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

H. F. No. 369, A bill for an act to amend section 3077, Code of Iowa.

H. F. No. 240, A bill for an act to repeal section —, chapter 101 of the laws of the Ninth General Assembly.

H. F. No. 375, A bill for an act to provide for furnishing the rivers and lakes of the State with fish and fish spawn.

H. F. No. 349, A bill for an act to amend section 3049 of the Code of 1873.

Also, the House has adopted Senate resolution relative to furnishing certain books to Fayette county.

BENJ. VAN STEINBURG,
First Assistant Clerk.

Senator Cooley, from the Committee on Agricultural College, introduced S. F. No. 271, A bill for an act authorizing the Treasurer of State to invest the endowment fund of the Agricultural College in bonds of the State of Iowa, or of the United States.

Read first and second time.

Senator Cooley 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conoway, Converse, Cooley, Crary, Dague, Dashiell, Gault, Howland, Jessup, Kinne, Larrabee, Maxwell, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Newton, Pease, Rothert, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Wonn, Wood, Young of Cass, and Young of Mahaska—39.

The nays were—None.

Absent or not voting—

Senators Fairall, Fitch, Kephart, Lovell, McCoid, McIntyre, Murphy, Perkins, Ruple, Russell, and Williams—11.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Young of Cass, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have examined H. F. No. 358, An act to legalize the action of the Board of Directors of the district township of Des Moines, in Jasper county.

H. F. No. 360: An act to make cities and towns responsible for the

value of buildings destroyed for the purpose of preventing the spread of conflagrations.

Substitute for H. F. No. 90: An act to amend section 4164 of the Code.

H. F. No. 221: An act to amend section 799, chapter 1, title 11, Code of Iowa.

H. F. No. 102: An act to amend chapter 6, title 11 of the Code.

H. F. No. 294: An act to amend section 3072 of the Code.

H. F. No. 143: An act to legalize the independent district of Burr Oak, Winneshiek county.

H. F. No. 271: An act to legalize the attachment of certain territory to sub-district No. 7, Jackson township, Clark county, Iowa.

H. F. No. 354: An act to release and confirm to the State University of Iowa, any interests in the State of Iowa in certain town lots and streets adjoining the same.

S. F. No. 205: An act to legalize the acts of the city council of Knoxville, Marion county, Iowa.

S. F. No. 130: An act to legalize the sub-districting of the district township of Massena, Cass county, Iowa.

S. F. No. 78: An act to amend section 4779, chapter 2 of title 26 of the Code.

S. F. No. 108: An act to repeal section 3641 of chapter 1, title 22 of the Code, and to enact a substitute therefor.

S. F. No. 263: An act to amend section 2142 of chapter 8 of title 14 of the Code, allowing assignments of mechanics' liens.

S. F. No. 22: An act to amend chapter 1, title 21 of the Code of 1873.

S. F. No. 233: An act to legalize the annexation of certain territory to the town of Brooklyn.

S. F. No. 36: An act to amend section 2315 of the Code of 1873.

S. F. No. 259: An act making an appropriation for the institution for the education of the deaf and dumb.

S. F. No. 262: An act to legalize the organization of the independent school district of Altoona, Polk county.

House substitute for S. F. No. 212: An act to amend chapter 3, title 11 of the Code in relation to domestic and other animals, and find the same correctly enrolled.

LAFE YOUNG, *Chairman.*

Senator Perkins, 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. 168, A bill for an act making an additional appropriation for the Iowa Hospital for the Insane at Independence.

Also, S. F. No. 144: A bill for an act in relation to riparian owners on the Mississippi and Missouri rivers.

S. F. No. 253: A bill for an act to appropriate money for the aid and maintenance of the State University.

S. F. No. 216: A bill for an act to provide for the continuance of the work on the Additional Penitentiary at Anamosa, and pay the indebtedness of the same.

S. F. No. 154: A bill for an act to complete the north wing of the

College for the Blind, to procure furniture for the same, and to build an engine house and furnishing heating apparatus for the college.

S. F. No. 223: A bill for an act authorizing the establishment of public ways to lands having stone and mineral thereon.

S. F. No. 90: A bill for the relief of Arthur W. Richards.

S. F. No. 111, A bill for an act to amend section 1194 of the Code.

S. F. No. 88, A bill for an act for the support of the State Reform School.

And find the same correctly enrolled.

GEO. D. PERKINS, *Chairman.*

Senator Larrabee, from the Committee on Ways and Means, introduced S. F. No. 272, A bill for an act to amend section 866 of the Code. 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 Bailey, Bemis, Boomer, Campbell, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Newton, Pease, Perkins, Rothert, Rumple, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, Wonn, Wood, Young of Cass, and Young of Mahaska—40.

The nays were—None.

Absent or not voting—

Senators Chambers, Fairall, Kephart, Lovell, Miles, Murphy, Russell, West, Willett, and Williams—10.

So the bill passed and the title was agreed to.

RESOLUTION.

Senator Fitch offered the following:

Resolved by the Senate, the House concurring, That the Secretary of State be instructed to have printed six thousand copies of the report of J. M. Shaffer, Secretary of the State Agricultural Society, for the year 1873, submitted by the Governor.

Senator Stuart moved to amend by striking out "six thousand" and inserting "twelve thousand."

The motion was lost.

On the adoption of the resolution the yeas and nays were demanded, and the yeas were—

Senators Bailey, Conaway, Crary, Fitch, Gault, Lovell, McCoid, McIntyre, Miller, Perkins, Smith, Stuart, Taylor, West, Williams, and Wonn—16.

The nays were—

Senators Bemis, Boomer, Campbell, Chambers, Converse, Cooley, Dague, Dashiell, Howland, Jessup, Kinne, Larrabee, Maxwell, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Murphy, Newton,

Pease, Russell, Selby, Shane, Thornburg, Willett, Wood, and Young of Cass—27.

Absent or not voting—

Senators Fairall, Kephart, Mitchell, Rothert, Rumble, Stone, and Young of Mahaska—7.

So the resolution was lost.

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. 258, H. F. No. 326, and S. F. No. 3, 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.*

Ordered passed on file.

Also, the following:

The committee on Ways and Means, to whom was referred S. F. No. 75, A bill for an act in relation to revenue, and taxing the property of express and telegraph companies, have instructed me to report the same back, with the recommendation that the same be indefinitely postponed.

Your committee, under the belief that the subject matter of the bill is already amply provided for by existing laws, and deeming it only necessary that said laws should be enforced, have instructed me to report the accompanying resolution and recommend its passage:

Resolved, That the Auditor of State be requested to call the attention of county auditors, and through him the various assessors of the State, to the provisions of section 811 of the Code, and to urge upon these officers the necessity of strictly enforcing the provisions of said section.

ROTHERT, *for Committee.*

Senator Cooley, 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 petition of Jacob Richland for additional compensation for the erection of the Agricultural College building, beg leave to report that they have not had time to make the necessary investigation, and report that, at claimant's request, he be allowed to withdraw his claim without prejudice.

D. N. COOLEY, *Chairman.*

On motion of Senator Cooley, the report was adopted.

Senator Willett, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was re-

ferred H. F. No. 45, A bill for an act to amend section 812 of the Code, 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.

G. R. WILLETT, *Chairman.*

Ordered passed on file.

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. 86, A bill for an act to amend section 2315, chapter 1, title 16, of the Code of 1873.

S. F. No. 78, A bill for an act to amend section 4779, chapter 2, title 26, of the Code.

S. F. No. 130, A bill for an act to legalize the sub-districting of the district township of Massena, Cass county, Iowa.

S. F. No. 205, A bill for an act to legalize the action of the city council of the city of Knoxville, Marion county, Iowa.

S. F. No. 22, A bill for an act to amend chapter 1, title 21, of the Code of 1873, of Justices of the Peace and their courts in relation to forcible entry and detention of real property.

S. F. No. 263, A bill for an act to amend section 2142, of chapter 8, of title 14 of the Code, allowing assignments of mechanics' liens.

S. F. No. 233, A bill for an act to legalize the annexation of certain territory contiguous to the town of Brooklyn, Iowa, and the acts of the officers thereunder.

BENJ. VAN STEINBURG,

First Assistant Clerk.

On motion of Senator Kinne, H. F. No. 326, A bill for an act requiring the Executive Council to perform all the duties imposed by law on the late Census Board, with report of committee without recommendation, was 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Maxwell, McCoid, McCormack, McIntyre, Merrill of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—47.

The nays were—None.

Absent or not voting—

Senators Fairall, Kephart, and Lovell—3.

So the bill passed and the title was agreed to.

On motion of Senator Merrell of Clinton, H. F. No. 45, A bill for an act to amend section 812, chapter 1 title 6, Code of 1873, with report of committee recommending its passage, was taken up and considered.

Senator Merrell of Clinton, 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Gault, Howland, Jessup, Kinne, Lovell, Maxwell, McIntyre, Merrell of Clinton, Miles, Miller, Mitchell, Newton, Pease, Perkins, Rumble, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, and Wood—36.

The nays were—

Senators Fitch, Larrabee, McCoid, Merrill of Wapello, Rothert, Wonn, Young of Cass, and Young of Mahaska—8.

Absent or not voting—

Senators Kephart, McCormack, Murphy, Russell, Selby, and Shane—6.

So the bill passed and the title was agreed to.

On motion of Senator Merrell of Clinton, the vote by which substitute for S. F. No. 48, A bill for an act to provide for the organization and management of saving banks was lost, was reconsidered.

On the question " Shall the bill pass? "

The yeas were—

Senators Bailey, Bemis, Campbell, Chambers, Converse, Cooley, Crary, Dague, Fitch, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Pease, Rothert, Rumble, Smith, Stone, Taylor, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—36.

The nays were—

Senators Conaway, Fitch, Gault, McCoid, Newton, Perkins, Selby, Shane, Stuart, and Thornburg—9.

Absent or not voting—

Senators Boomer, Dashiell, Fairall, Kephart, and Russell—5.

So the bill passed and the title was agreed to.

RESOLUTION.

Senator Rumble offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That Concurrent Resolution No. 15, passed at the adjourned session of the Fourteenth General Assembly, be, and the same is hereby rescinded.

Which was agreed to.

REPORTS OF COMMITTEES.

Senator McCoid, from the Committee on Incorporations, submitted the following report:

MR. PRESIDENT:—Your Committee on Incorporations, to whom

was referred S. F. No. 24, A bill for an act to prevent frauds and mismanagement of corporations, companies or persons holding corporate powers in 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.

M. A. McCOID, *Chairman.*

Ordered passed on file.

Senator Fairall, from the Committee on Judiciary submitted the following report:

MR. PRESIDENT:—I am directed by the Committee on Judiciary, to whom was referred S. F. No. 239, A bill for an act to enlarge powers and duties of police courts, to report 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.

FAIRALL, *for the Committee.*

Ordered passed on file.

By leave, Senator McIntyre introduced S. F. No. 273, A bill for an act to amend section 4058 of the Code of 1873.

Read first and second time.

Senator McIntyre 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 Bailey, Conaway, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrill of Wapello, Miles, Mitchell, Murphy, Pease, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Smith, Stuart, Taylor, Thornburg, Wonn, Wood, and Young of Mahaska—33.

The nays were—

Senators Campbell, Converse, Crary, Newton, West, Williams, and Young of Cass—7.

Absent or not voting—

Senators Bemis, Boomer, Chambers, Cooley, Kephart, Kinne, Merrell of Clinton, Miller, Stone, and Willett—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 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. 108, A bill for an act to repeal section 3641 of chapter 1 of title 22 of the Code, and to enact a substitute therefor.

S. F. No. 212, A bill for an act to amend chapter 3, title 11 of the Code, in relation to domestic and other animals.

S. F. No. 262, A bill for an act to legalize the independent school district of Altoona, county of Polk.

S. F. No. 259, A bill for an act making an appropriation for the institution for the education of the deaf and dumb.

H. F. No. 354, A bill for an act to release and confirm to the State University of Iowa any interest of Iowa in certain town lots and streets adjoining the same.

H. F. No. 143, A bill for an act to legalize the independent district of Burr Oak, Winneshiek county.

H. F. No. 271, A bill for an act to legalize the attachment of certain territory to sub-district number 7, Jackson township, Clarke county, Iowa.

H. F. No. 358, A bill for an act to legalize the action of the board of directors of the district township of Des Moines, Jasper county.

H. F. No. 360, A bill for an act to make cities and towns responsible for the value of buildings destroyed for the purpose of preventing the spread of conflagrations.

H. F. No. 90, A bill for an act to amend section 4064 of the Code.

H. F. No. 221, A bill for an act to amend section 799, chapter 1, title 6 of the Code.

H. F. No. 102, A bill for an act to amend chapter 6, title 11 of the Code.

H. F. No. 294, A bill for an act to amend section 3072 of the Code of Iowa.

BENJ. VAN STEINBURG,

First Assistant Clerk.

On motion of Senator Gault S. F. No. 95, A bill for an act amending chapter 8, title 4 of the Code, in relation to the fees and duties of county surveyors, with report of committee recommending a substitute, was taken up and considered.

Senator Gault moved to amend the substitute by striking out "five," and inserting "four."

The motion was adopted.

The substitute as amended was then adopted.

Senator Williams 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Gault, Howland, Jessup, Kinne, Lovell, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—45.

The nays were—None.

Absent or not voting—

Senators Dashiell, Fitch, Kephart, Larrabee, and McCormack—5.

So the bill passed and the title was agreed to.

On motion of Senator Taylor, H. F. No. 222, A bill for an act to pro-

vide for the appointment of a Board of Fish Commissioners, for the construction of fishways, for the protection and propagation of fish, and to repeal sections 4052 and 4053, and to amend section 4054, was taken up and considered.

Senator Merrill of Wapello, 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, Chambers, Conaway, Cooley, Crary, Dashiell, Fairall, Gault, Howland, Jessup, Kiune, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Newton, Rothert, Rumble, Russell, Shane, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—39.

The nays were—

Senators Bailey, Converse, Dague, Fitch, Pease, Selby, and Young of Mahaska—7.

Absent or not voting—

Senators Kephart, Murphy, Perkins, and Smith—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 passed the following bills, in which the concurrence of the Senate is asked:

H. F. No. 303, A bill for an act for the relief of Allen Osborn.

H. F. No. 234, A bill for an act to provide for the election of additional justices and constables in any year.

H. F. No. 232, A bill for an act to repeal section 4640, chapter 50, title 22 of the Code.

Also, the House has failed to pass substitute for S. F. No. 4, A bill for an act requiring the recorders of deeds and mortgages of the several counties of the State of Iowa to procure and keep on file in their respective offices a certified abstract of the decrees and judgments rendered in the district and circuit courts of the United States of the district of Iowa.

BENJ. VAN STEINBURG,
First Assistant Clerk.

BILLS ON THIRD READING.

Senate Substitute for H. F. No. 19, A bill for an act to let the public printing and binding to the lowest bidder by contract, with House amendments to Senate Substitute, was taken up.

On concurring in the first House amendment, the yeas were—

Senators Converse, Lovell, Newton, Thornburg, West, Williams, and Wonn—7.

The nays were—

Senators Bemis, Boomer, Campbell, Crary, Dague, Dashiell, Fairall,

Fitch, Howland, Jessup, Kinne, Larrabee, Maxwell, McCoid, McIntyre, Merrell of Clinton, Miles, Miller, Mitchell, Murphy, Pease, Perkins, Rothert, Rumble, Russell, Shane, Stone, Stuart, Taylor, Willett, Wood, Young of Cass, and Young of Mahaska—33.

Absent or not voting—

Senators Bailey, Chambers, Conaway, Cooley, Gault, Kephart, McCormack, Merrill of Wapello, Selby, and Smith—10.

So the Senate refused to concur in the amendment.

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. 193: A bill for an act making appropriation for the State Reform School at Eldora, Hardin county, Iowa.

BENJ. VAN STEINBURG,
First Assistant Clerk.

The consideration of substitute for H. F. No. 19, was resumed.

On concurring in the second House amendment, the yeas and nays were as follows:

The yeas were—

Senators Bailey, Boomer, Chambers, Conaway, Converse, Cooley, Dague, Dashiell, Fitch, Gault, Jessup, Larrabee, Lovell, Maxwell, McCormack, Merrell of Clinton, Miles, Murphy, Newton, Pease, Selby, Smith, Stuart, Thornburg, West, and Williams—26.

The nays were—

Senators Bemis, Campbell, Crary, Fairall, Howland, Kinne, McCoid, McIntyre, Merrill of Wapello, Miller, Mitchell, Perkins, Rothert, Rumble, Russell, Shane, Stone, Taylor, Willett, Wonn, Wood, Young of Cass, and Young of Mahaska—23.

Absent or not voting—

Senator Kephart—1.

So the Senate concurred in the House amendment.

On concurring in the third House amendment the yeas and nays were as follows:

The yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Dague, Dashiell, Fitch, Gault, Jessup, Kinne, Maxwell, McCormack, McIntyre, Merrell of Clinton, Miles, Murphy, Newton, Pease, Selby, Smith, Stuart, Thornburg, West, Williams, and Wonn—27.

The nays were—

Senators Bemis, Cooley, Crary, Fairall, Howland, Larrabee, Lovell, McCoid, Merrill of Wapello, Miller, Mitchell, Rothert, Rumble, Russell, Shane, Stone, Taylor, Willett, Wood, Young of Cass, and Young of Mahaska—21.

Absent or not voting—

Senators Kephart, and Perkins—2.

So the Senate concurred in the amendment.

On concurring in the fourth House amendment, the yeas and nays were as follows:

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Perkins, Rothert, Rumble, Russell, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—42.

The nays were—

Senators Converse, Newton, Pease, and Selby—4.

Absent or not voting—

Senators Kephart, Maxwell, McIntyre, and Murphy—4.

So the Senate concurred in the House amendment.

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. 235, A bill for an act to provide for the improvement of the Penitentiary at Fort Madison, Iowa, and to provide for an increased salary of the clerk thereof.

BENJ. VAN STEINBURG,
First Assistant-Clerk.

S. F. No. 193, A bill for an act to make appropriation for the State Reform School at Eldora, Iowa, with House amendments thereto, was taken up and considered.

On motion of Senator Dashiell, the Senate refused to concur in the House amendments.

S. F. No. 210, A bill for an act to amend section 2789, chapter 9, title 17, of the Code.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Converse, Cooley, Crary, Fairall, Fitch, Howland, Jessup, Kinne, Larrabee, Lovell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Selby, Shane, Smith, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—41.

The nays were—

Senators Conaway, and Gault—2.

Absent or not voting—

Senators Dague, Dashiell, Kephart, Maxwell, McIntyre, Mitchell, 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:

Substitute for H. F. No. 368, A bill for an act to provide for the vacation of the Iowa Soldiers' Orphans' Home at Glenwood, and to provide for the maintenance of the soldiers' orphans at the homes of their parents or guardians.

W. A. FULMER, *Second Clerk.*

RESOLUTION.

Senator Smith offered the following concurrent resolution:

WHEREAS, It is proposed to organize in London, England, a bank, to be called the London and Great Western Bank, limited with an ordinary capital of £1,000,000, for banking purposes, and a preference capital of £3,000,000 for investment in State, county, and municipal bonds, railroad shares, and debentures, and bonds and mortgages, in this and other States of the west, and south; and,

WHEREAS, The objects of such bank as set forth in their prospectus, are, 1st, To unite or form a financial link between the money centres of Europe and the National, Joint Stock, and other private banks, and bankers, and other financial and industrial institutions of this and other States of the west and south. 2nd, To furnish banking facilities for the extension of direct trade and commercial intercourse between those States and Great Britain, and other European countries; and, 3d, To provide means for the safe and profitable employment of European capital in the industries of this country; and,

WHEREAS, Said bank proposes to act as financial agent in Europe for States, counties, and municipalities of the west and south, to negotiate their bonds and pay their interest, coupons, and transact such other financial business on their behalf as may be intrusted to it; and,

WHEREAS, in the opinion of this General Assembly, such a bank is much needed and that its establishment ought to be encouraged by this state, therefore be it

Be it resolved by the Senate, the House concurring, That his excellency the Governor, and State Treasurer be and are hereby authorized, if deemed at any time to be to the best interests of the State, to appoint said London and Great Western Bank, (limited) the financial agent in Europe of this State, on the same conditions as the State's financial agent in New York now acts. Such appointment to be made as soon as the said bank is duly organized, and satisfactory proof furnished that the whole of the ordinary capital of one million pounds sterling has been subscribed, and one-quarter thereof paid up in cash, and be it further

Resolved, That if such appointment be made, the principal and interest of all bonds thereafter issued by this State shall be made payable at the option of the holder at the banking house of said London and Great Western bank in London, in addition to the place or places at which such bonds are made payable in this country.

The resolution was adopted.

Substitute for Senate Files Nos. 236, 256, and 257, A bill for an act making certain appropriations for the Soldiers' Orphans' Homes, and

providing for the establishment of industrial employments at said Homes, with House amendments, was taken up and considered.

On concurring in the first House amendment, the yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Selby, Shane, Stone, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—42.

The nays were—

Senator Kinne—1.

Absent or not voting—

Senators Dashiell, Kephart, McIntyre, Merrell of Clinton, Smith, Stuart, and Taylor—7.

So the Senate concurred in the first House amendment.

On concurring in the second House amendment, the yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Crary, Gault, Howland, Jessup, Maxwell, Newton, Selby, Stuart, Thornburg, West, and Williams—17.

The nays were—

Senators Bemis, Cooley, Dague, Dashiell, Fairall, Fitch, Kinne, Lovell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Mitchell, Pease, Perkins, Rothert, Russell, Smith, Stone, Taylor, Willett, Wonn, Wood, Young of Cass, and Young of Mahaska—27.

Absent or not voting—

Senators Kephart, Larrabee, Miller, Murphy, Rumble, and Shane—6.

So the Senate refused to concur in the second House amendment.

REPORT OF COMMITTEE.

Senator Young of Cass, 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:

- S. F. No. 88.
- S. F. No. 111.
- S. F. No. 90.
- S. F. No. 223.
- S. F. No. 154.
- S. F. No. 216.
- S. F. No. 253.
- S. F. No. 144.
- S. F. No. 168.
- S. F. No. 263.
- S. F. No. 22.
- S. F. No. 205.
- S. F. No. 130.
- S. F. No. 78.
- S. F. No. 233.
- S. F. No. 36.

H. F. No. 360.
 H. F. No. 358.
 H. F. No. 271.
 H. F. No. 143.
 H. F. No. 354.
 H. F. No. 294.
 H. F. No. 102.
 H. F. No. 221.
 H. F. No. 90.
 S. F. No. 259.
 S. F. No. 262.
 S. F. No. 212.
 S. F. No. 108.

LAFE YOUNG, *Chairman.*

Senator McIntyre moved to reconsider the vote by which the Senate concurred in second House amendment to Senate substitute for H. F. No. 19.

Senator West moved to lay the motion to reconsider on the table.

On this question the yeas and nays were demanded, and the yeas were—

Senators Bailey, Boomer, Chambers, Conaway, Converse, Fitch, Gault, Jessup, Larrabee, Lovell, Miles, Murphy, Newton, Pease, Selby, Thornburg, West, and Williams—18.

The nays were—

Senators Bemis, Campbell, Cooley, Crary, Dague, Dashiell, Fairall, Howland, Kinne, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Perkins, Rothert, Rumpfle, Russell, Shane, Smith, Stone, Taylor, Willett, Wonn, Wood, Young of Cass, and Young of Mahaska—30.

Absent or not voting—

Senators Kephart, and Stuart—2.

So the motion to lay on the table did not prevail.

The motion to reconsider was then adopted.

Senator McIntyre moved to reconsider the vote by which the Senate concurred in House amendments to the bill, relating to the State binding.

On this question the yeas and nays were demanded, and the yeas were—

Senators Bailey, Bemis, Campbell, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Howland, Kinne, Larrabee, Lovell, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Perkins, Rothert, Rumpfle, Russell, Shane, Smith, Stone, Taylor, Willett, Wonn, Wood, Young of Cass, and Young of Mahaska—33.

The nays were—

Senators Boomer, Chambers, Conaway, Converse, Gault, Jessup, McCormack, Miles, Murphy, Newton, Pease, Selby, Stuart, Thornburg, West, and Williams—16.

Absent or not voting—

Senator Kephart—1.

So the motion to reconsider prevailed.

Senator Merrell of Clinton then moved that the Secretary be instructed to ask the return of the bill from the House.

So the motion prevailed.

On motion of Senator Merrill of Wapello, substitute for H. F. No. 286, A bill for an act to amend section 1433 of the Code of 1873, was taken up.

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 Bailey, Bemis, Boomer, Campbell, Conaway, Converse, Cooley, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumpel, Selby, Shane, Smith, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—43.

The nays were—

Senator Miller—1.

Absent or not voting—

Senators Chambers, Crary, Kephart, Lovell, Russell, and Stone—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:

S. F. No. 154, A bill for an act to complete the north wing of the College for the Blind and to procure furniture for the same, and to build an engine-house and furnish heating apparatus for the College.

S. F. No. 168, A bill for an act making an additional appropriation for the Iowa Hospital for the Insane at Independence.

S. F. No. 144, A bill for an act in relation to riparian owners on the Mississippi and Missouri rivers.

S. F. No. 253, A bill for an act to appropriate money for the aid and maintenance of the State University.

S. F. No. 88, A bill for an act for the support of the State Reform School.

S. F. No. 111, A bill for an act to amend section 1194 of the Code of Iowa of 1873.

S. F. No. 90, A bill for an act for the relief of Arthur W. Richards.

S. F. No. 223, A bill for an act authorizing the establishment of public ways to lands having stone and mineral thereon.

S. F. No. 216, A bill for an act to provide for the continuance of the work on the additional penitentiary at Anamosa and to pay the indebtedness of the same.

BENJ. VAN STEINBERG,
First Assistant Clerk.

REPORT OF COMMITTEE.

Senator Shane, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 300, 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.

Ordered that the report pass on file.

Also, the following:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred H. F. No. 317, A bill for an act to give notice to certain city or town officers before an action, beg leave to report 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 3, and so amended that the bill do pass.

SHANE, *Chairman.*

Ordered that the report pass 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, with amendment, in which the concurrence of the Senate is asked:

S. F. No. 219: A bill for an act making appropriation for the Agricultural College and Farm.

BENJ. VAN STEINBURG,
First Assistant Clerk.

On motion of Senator Merrell of Clinton, the vote by which S. F. No. 244, A bill for an act to amend section 906 of the Code, was lost yesterday, was reconsidered.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Cooley, Crary, Dague, Fairall, Fitch, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Perkins, Rothert, Rumble, Russell, Smith, Stone, Taylor, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—35.

The nays were—

Senators Campbell, Chambers, Conaway, Converse, Dashiell, Gault, Newton, Pease, Selby, Shane, Stuart, and Thornburg—12.

Absent or not voting—

Senators Kephart, McCormack, and Murphy—3.

So the bill passed and the title was agreed to.

At 12 m. the Senate stood adjourned until 2 o'clock p. m.

AFTERNOON SESSION.

TWO O'CLOCK P. M.

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 herewith return to your honorable body, substitute for H. F. No. 19, A bill for an act to fix the compensation of State printer and binder.

BENJ. VAN STEINBERG,
First Assistant-Clerk.

On motion of Senator Miles, S. F. No. 230, A bill for an act to amend 1386, 1392, 1436, and 1438 of chapter 2, title 11, of the Code, with report of committee recommending its passage, was taken up and considered.

Senator Miles 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Crary, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumple, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—43.

The nays were—None.

Absent or not voting—

Senators Converse, Cooley, Fairall, Kephart, Lovell, McCormack, and Willett—7.

So the bill passed and the title was agreed to.

On motion of Senator Maxwell, S. F. No. 219, A bill for an act making an appropriation for erecting a special laboratory building for the Agricultural College and Farm, and to cover into the treasury the proceeds of lands to be transferred to the State by the trustees of said college, with House amendments, was taken up and considered.

The question being on concurring in the House amendments.

The yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse,

Crary, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Larrabee, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Russell, Selby, Smith, Stone, Stuart, Taylor, West, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—38.

The nays were—None.

Absent or not voting—

Senators Bemis, Cooley, Fairall, Kephart, Kinne, Lovell, Merrill of Wapello, Miles, Shane, Thornburg, and Willett—12.

So the Senate concurred in the House amendments.

Senator Cooley was excused on account of sickness.

REPORT OF COMMITTEE.

Senator Young of Cass, 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. Nos. 12, 13, 25, 26, 49, 66, 73, and 104, An act to establish reasonable maximum rates of charges for the transportation of freight and passengers on the different railroads of this State.

Joint resolution for the relief of E. A. Pyne, a student in the Agricultural College.

S. F. No. 21, An act to amend section 4254, chapter 12, of the Code.

S. F. No. 41, An act to amend chapter 4, of the Code.

Substitute for S. F. No. 37, An act to divide counties into supervisor districts.

Substitute for S. F. Nos. 137, and 131, An act to amend chapter 2, title 9, of the Code of 1873.

S. F. No. 71, An act to amend chapter 2, of the Code.

And find the same correctly enrolled.

LAFE YOUNG, *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 has refused to recede from its amendments to S. F. No. 193, A bill for an act making an appropriation for the State Reform School at Eldora, Iowa, and ask a committee of conference; and has appointed Messrs. Leahy, Clark of Iowa, and Dayton, on part of the House.

BENJ. VAN STEINBURG,
First Assistant-Clerk.

REPORT OF COMMITTEE.

Senator Stone, from the Committee on Insurance, submitted the following report:

MR. PRESIDENT:—Your Committee on Insurance, to whom was re-

ferred S. F. No. 116, A bill for an act regulating mutual 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, after the adoption of the accompanying amendments.

JNO. Y. STONE, *Chairman.*

Ordered passed on file.

The President announced as a committee of conference on the part of the Senate on the disagreement of the two Houses on S. F. No. 193, Senators Dashiell, Jessup and Pease.

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:

Substitute for S. F. Nos. 12, 13, 25, 26, 49, 66, 73, and 104, A bill for an act to establish reasonable maximum rates of charges for the transportation of freight and passengers on the different railroads of this State.

Also the House has passed S. F. No. 114, A bill for an act making an appropriation for the Hospital for the Insane at Mt. Pleasant, with the following amendments:

In section one, seventh line, strike out "three" and insert in lieu thereof "one." In eighth line, strike out "three" and insert in lieu thereof "two." In thirteenth line, strike out "three" and insert in lieu thereof "four."

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

BENJ. VAN STEINBURG,

First Assistant Clerk.

On motion of Senator Stone, Substitute for H. F. No. 364, A bill for an act making appropriation for the Iowa Soldiers' Orphans' Homes, was taken up.

Read first and second time.

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 Bailey, Boomer, Converse, Gault, Newton, and Thornburg—6.

The nays were—

Senators Bemis, Campbell, Chambers, Conaway, Fairall, Howland, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Perkins, Rothert, Rumpel, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—36.

Absent or not voting—
Senators Cooley, Crary, Dague, Dashiell, Fitch, Jessup, Kephart,
and Pease—8.

So the bill having failed to receive a constitutional majority, was lost.

Senator Willett moved to reconsider the vote by which the concurrent resolution introduced by Senator Rumble this morning, in relation to resolution 15 of the Fourteenth General Assembly, was passed.

The motion to reconsider did not prevail.

Senator Murphy from the committee to investigate into the loss of S. F. No. 27, of the adjourned session of the Fourteenth General Assembly, submitted the following report, which was placed on file:

Your committee to whom was referred concurrent resolution for the appointment of a committee to inquire into the cause of the loss of S. F. No. 27, of the adjourned session of the Fourteenth General Assembly, would beg leave to submit the following report:

We are satisfied from a careful examination of the House and Senate Journals of the adjourned session of the Fourteenth General Assembly, and from a critical examination of witnesses, that said bill passed both branches of the General Assembly, and if it had been treated fairly it would have become a law.

We are further satisfied that the facts warrant the conclusion that said bill was lost, mislaid or stolen in the House by some person or persons to your committee unknown.

Hence we conclude that said bill has gone where the "woodbine twineth," and in as much as your committee are satisfied that life is short and death is certain, we do not deem it best to continue this investigation further.

All of which is respectfully submitted.

J. H. MURPHY,
On the part of the Senate.

H. B. WOOD,
E. B. BAIRD,
On the part of the House.

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. 135, A bill for an act making appropriation for the erection of the new capitol building.

BENJ. VAN STEINBURG,
First Assistant-Clerk.

HOUSE MESSAGES.

H. F. No. 260, A bill for an act apportioning the State into represent-

ative districts, and declaring the ratio of representation, was taken up and considered.

Senator Merrell of Clinton moved to refer the bill to the Committee on Representative Districts.

Senator Young of Cass moved to amend the motion by instructing the committee to report at 4:05 o'clock this P. M.

Senator Howland moved the previous question, which was not seconded.

The amendment to the motion was lost.

The motion to refer the bill prevailed.

REPORTS OF COMMITTEES.

Senator Dashiell, from the conference committee on the disagreement of the two Houses on S. F. No. 193 submitted the following report.

MR. PRESIDENT:—The Conference Committee appointed to consider the disagreeing vote on Senate File No. 193, have had the same under consideration and beg leave to report, after full and free conference, they unite in recommending:

1. That the Senate agree to the House amendment to strike out in third line of first section, the words "twenty-five thousand," and insert "twelve thousand, five hundred."

2. Also, to House amendment, to line four, to strike out the word "two," and insert "one."

3. Also, to House amendments, to line five of section one.

4. Also, to House amendment, to line six, striking out "six thousand," and inserting "four thousand, five hundred."

Also, to House amendment, to ninth line, striking out "two" and inserting "one."

Also, that the committee are unanimous in recommending that the House recede from its amendment, striking out the 13th, 14th, 15th, 16th, and 17th lines of section 1.

Also, that the Senate agree to House amendments to section 2.

All of which is respectfully submitted.

M. A. DASHIELL,

E. JESSUP,

J. B. PEASE,

Committee on part of Senate.

M. A. LEAHY,

J. C. CLARK,

HENRY DAYTON,

Committee on part of House.

On the question, "Shall the report of the Conference Committee be adopted?" the yeas and nays were as follows:

The yeas were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Maxwell, McCoid, McCormack, McIntyre, Merrell of

Clinton, Merrill of Wapello, Miller, Mitchell, Newton, Pease, Perkins, Rothert, Rumble, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—45.

The nays were—None.

Absent or not voting—

Senators Bemis, Kephart, Lovell, Miles, and Murphy—5.

So the report of the committee 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 receded from its amendments to substitute for S. F. Nos. 236, 256, and 257, A bill for an act making appropriation for the Soldiers' Orphans' Homes, and providing for the establishment of industrial employment at said Homes.

BENJ. VAN STEINBURG,

First Assistant Clerk.

On motion of Senator West, H. F. No. 385, A bill for an act making appropriation for the payment of the salaries of the State and judicial officers, was taken up, read first and second time, and on motion of Senator Rumble, was referred to Committee on Appropriations with instructions to strike out all relating to Register of State land office authorized by resolution number fifteen, passed at the adjourned session of the Fourteenth General Assembly.

Senator West, from the Committee on Appropriations, introduced S. F. No. 274, A bill for an act making appropriations for the incidental expenses of the Fifteenth General Assembly, and other purposes.

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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rumble, Russell, Selby, Smith, Stuart, Taylor, Thornburg, West, Willett, Wood, Young of Cass, and Young of Mahaska—43.

The nays were—

Senators Shane, and Williams—2.

Absent or not voting—

Senators Fairall, Kephart, Rothert, Stone, and Wonn—5.

So the bill passed and the title was agreed to.

On motion of Senator Mitchell, H. F. No. 381, A bill for an act to amend an act relating to taxes voted in aid of the construction of rail-

roads, passed by the Fifteenth General Assembly, with report of committee recommending its passage, was taken up and considered.

Senator Mitchell 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 Bailey, Bemis, Boomer, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Gault, Howland, Jessup, Kiune, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Miles, Mitchell, Murphy, Newton, Pease, Perkins, Rumble, Russell, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wood, Young of Cass, and Young of Mahaska—41.

The nays were—

Senators Campbell, Miller, Selby, and Wonn—4.

Absent or not voting—

Senators Fitch, Kephart, Merrill of Wapello, Rothert, and Shane—5.

So the bill passed and the title was agreed to.

On motion of Senator Perkins, H. F. No. 263, A bill for an act to amend section 796, title 3, chapter 1 of the Code of 1873, with report of committee recommending its passage, was taken up and considered.

Senator Perkins 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, Conaway, Converse, Crary, Dague, Dashiell, Fairall, Fitch, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrill of Wapello, Miller, Mitchell, Newton, Pease, Perkins, Rumble, Russell, Shane, Smith, Stuart, Taylor, Thornburg, West, Willett, Wood, Young of Cass, and Young of Mahaska—35.

The nays were—

Senators Boomer, Campbell, Chambers, Gault, Merrell of Clinton, Miles, and Wonn—7.

Absent or not voting—

Senators Bailey, Cooley, Kephart, Murphy, Rothert, Selby, Stone, and Williams—8.

So the bill passed and the title was agreed to.

On motion of Senator Rumble, H. F. No. 379, A bill for an act to repeal chapter 135 of the acts of the Twelfth General Assembly, was taken up.

Read first and second time.

Senator Rumble 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Miller, Mitchell, Murphy, Newton, Pease, Rumble, Russell, Selby, Shane, Smith, Stone, Stuart, Taylor, Thornburg,

West, Willett, Wonn, Wood, Young of Cass, and Young of Mahaska—43.

The nays were—None.

Absent or not voting—

Senators Kephart, Kinne, Merrill of Wapello, Miles, Perkins, Rothert, and Williams—7.

So the bill passed and the title was agreed to.

On motion of Senator Smith, H. F. No. 340, A bill for an act to legalize the appraisement and sale of certain school lands in Decatur county, Iowa, with report of committee recommending its passage, was taken up and considered.

Senator Smith, 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 Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rumble, Russell, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—43.

The nays were—

Senator Gault—1.

Absent or not voting—

Senators Kephart, McIntyre, Miles, Rothert, Selby, and Willett.—7.

So the bill passed and the title was agreed to.

On motion of Senator Stuart, H. F. No. 375, A bill for an act to provide for furnishing the rivers and lakes of the State with fish and fish spawn, was taken up.

Read first and second time.

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 time.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Boomer, Campbell, Conaway, Converse, Cooley, Crary, Fairall, Fitch, Gault, Howland, Kinne, Larrabee, Lovell, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Mitchell, Newton, Perkins, Rumble, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—35.

The nays were—

Senators Chambers, Dague, Jessup, McCormack, Miles, Miller, Pease, Selby, and Young of Mahaska—9.

Absent or not voting—

Senators Bemis, Dashiell, Kephart, Murphy, Rothert, and Russell—6.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Young of Cass, 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, to-wit :

S. F. Nos. 12, 13, 25, 26, 49, 66, 73, and 104, an act to regulate freights and fares on railroads.

Also, the following:

ME. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined H. F. No. 272, An act to legalize the sale of certain swamp lands by Carroll to E. F. Burgan.

H. F. No. 33, An act to legalize the platting of the town of Brooklyn, etc.

H. F. No. 245, an act to amend section 3812 of the Code.

H. F. No. 230, An act to legalize the issuing of bonds of the independent school district of Union, Hardin county, Iowa.

H. F. No. 265, An act to remit the penalty and interest on delinquent personal property tax in certain cases.

H. F. No. 273, An act to provide for the inspection of coal mines.

Substitute for H. F. No. 125, An act to repeal sections 1721 and 1802 of chapter 9, of the Code.

H. F. No. 326, An act requiring the Executive Council to perform all duties imposed by law on the late Census Board.

H. F. No. 45, An act to amend section 812 of the Code.

Substitute for H. F. Nos. 41 and 223, An act to repeal section 4048, and to enact a substitute therefor, and find the same correctly enrolled.

LAFE YOUNG, *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. 230: A bill for an act to legalize the issuing of the bonds of the independent school district of Union, Hardin county.

H. F. No. 265: A bill for an act to remit the penalty and interest on delinquent personal property taxes, in certain cases.

H. F. No. 272: A bill for an act to legalize the sale of certain swamp lands by Carroll county, Iowa, to E. F. Burgan.

H. F. No. 33: A bill for an act to legalize the platting of the town of Brooklyn, in Poweshiek county, Iowa, and to legalize all conveyances of lots heretofore made by the number of lots and blocks as specified by the plats now on record of said town.

H. F. No. 245: A bill for an act to amend section 8812, chapter 3, title 23 of the Code in relation to jury fees.

H. F. No. 273: A bill for an act to provide for the inspection of coal mines.

S. F. No. 21: A bill for an act to amend section 4254, chapter 12 of title 25 of the Code of 1873, relating to preliminary examinations.

A joint resolution for the relief of E. A. Pyne, a student in the Agricultural College.

S. F. Nos. 137, and 131, A bill for an act to amend chapter 2, title 9, of the Code of 1873, to authorize corporations other than those for pecuniary profit to change their name, and to amend articles of incorporation.

S. F. No. 71, A bill for an act to amend chapter 2, title 6, of the Code, in relation to tax sales and redemption of property in counties having two county seats.

S. F. No. 37, A bill for an act to divide counties into supervisor districts.

S. F. No. 41, A bill for an act to amend chapter 4, of the Code, on taking private property for works of internal improvement.

JAMES M. WEART, *Chief Clerk.*

On motion of Senator West, substitute for H. F. No. 19, A bill for an act to fix the compensation of State Printer and State Binder, with House amendments thereto, was taken up and considered.

Pending which, Senator West moved a call of the Senate, which was seconded.

The roll was called, and all Senators not excused were found present except Senator Smith.

Senator McCoid moved that further proceedings under the call be dispensed with, which motion prevailed.

On the question of concurring in the House amendments, the yeas and nays were demanded, which were as follows:

The yeas were—

Senators Bailey, Boomer, Conaway, Converse, Dague, Fitch, Gault, Jessup, Lovell, McCormack, Miles, Newton, Pease, Selby, Stuart, Thornburg, West, and Williams—18.

The nays were—

Senators Bemis, Campbell, Cooley, Crary, Fairall, Howland, Kinne, Larrabee, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Mitchell, Murphy, Perkins, Ruple, Russell, Shane, Stone, Taylor, Willett, Wonn, Wood, Young of Cass, and Young of Mahaska—27.

Absent or not voting—

Senators Chambers, Dashiell, Kephart, Rothert, and Smith—5.

So the Senate refused to concur 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, without amendment, S. F. No. 174, A bill for an act providing for the payment of Carl Jaacks.

BENJ. VAN STEINBURG,
First Assistant Clerk.

On motion of Senator Campbell the concurrent resolution relative to the joint convention for the purpose of electing State Printer, Binder, and various trustees, was taken up and 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 has concurred in the report of the Conference Committee relative to the disagreeing votes between the two houses on S. F. No. 193, an act making an appropriation for the State Reform School, at Eldora, Iowa.

BENJ. VAN STEINBURG,

First Assistant Clerk.

On motion of Senator Bailey, the joint resolution relative to publishing the school laws, with report of committee recommending its passage, was taken up, the rule suspended, and read a third time.

On the question "Shall the joint resolution pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Converse, Conaway, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rumples, Russell, Selby, Shane, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—44.

The nays were—None.

Absent or not voting—

Senators Cooley, Kephart, Lovell, Rothert, Smith, and Stone—6.

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

On motion of Senator Russell, H. F. No. 193, A bill for an act allowing school districts lying in two adjoining counties the right to vote mills instead of specific sums for school purposes, was taken up.

Read first and second time.

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—

Senator Bemis, Chambers, Converse, Crary, Dague, Dashiell, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rumples, Russell, Shelby, Shane, Stone, Taylor, Thornburg, West, Williams, Wood, Young of Cass, and Young of Mahaska—38.

The nays were—

Senators Boomer and Campbell—2.

Absent or not voting—

Senators Bailey, Conaway, Cooley, Kephart, Merrill of Wapello, Rothert, Smith, Stuart, Willett, and Wonn—10.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Young of Cass, 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:

H. F. No. 265.

H. F. No. 230.

H. F. No, 273.

H. F. No. 245.

S. F. No. 21.

S. F. No. 41.

S. F. No. 37.

S. F. No. 71.

S. F. No. 137.

H. F. No. 33.

H. F. No. 272.

Joint resolution for the relief of E. A. Pyne, a student in the Agricultural College.

LAFE YOUNG, *Chairman.*

HOUSE MESSAGES.

H. F. No. 303: A bill for an act for the relief of Allen Osborn, was taken up and read first and second time.

Senator Perkins 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 Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Crary, Dague, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCormack, McIntyre, Merrell of Clinton, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Ruple, Russell, Selby, Shane, Stone, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—40.

The nays were—

Senator McCoid—1.

Absent or not voting—

Senators Bailey, Cooley, Dashiell, Kephart, Merrill of Wapello, Miles, Rothert, Smith, and Young of Mahaska—9.

So the bill passed and the title was agreed to.

H. F. No. 135: A bill for an act making an additional appropriation for the erection of the new capitol building, was taken up and read first and second time.

Senator Maxwell moved to amend by striking out "one" and "fifty" and insert "one hundred and fifty," in third line of section 1.

The amendment prevailed.

Senator Shane moved to reconsider the vote by which the amendment was adopted, which was agreed to.

Senator Shane moved to amend the amendment by striking out "fifty."

The motion prevailed.

Senator Willett moved to amend the amendment by striking out "one hundred" and inserting "seventy-five."

The amendment did not prevail.

Senator West moved to amend the amendment by striking out "one hundred" and inserting "one hundred and twenty."

The motion prevailed. The amendment as amended was adopted.

Senator McIntyre 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 Bailey, Bemis, Campbell, Chambers, Conaway, Dashiell, Fairall, Howland, Jessup, Kinne, Lovell, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Newton, Pease, Perkins, Rumpel, Smith, Stone, Taylor, Thornburg, West, Williams, Wonn, and Young of Mahaska—31.

The nays were—

Senators Boomer, Converse, Crary, Dague, Fitch, Gault, Larrabee, McCormack, Murphy, Selby, Shane, Willett, Wood, and Young of Cass—14.

Absent or not voting—

Senators Cooley, Kephart, Rothert, Russell, and Stuart—5.

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. 274, A bill for an act making appropriations for the incidental expenses of the Fifteenth General Assembly, and for other purposes.

BENJ. VAN STEINBURG,
First Assistant-Clerk.

H. F. No. 349, A bill for an act to amend section 3049 of the Code of 1873 was taken up and read first and second time.

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 Converse, Crary, Fairall, Fitch, Howland, Larrabee, McCoid, Merrill of Wapello, and Perkins—9.

The nays were—

Senators Bemis, Boomer, Campbell, Chambers, Conaway, Dague,

Gault, Jessup, Kinne, Lovell, Maxwell, McCormack, Merrell of Clinton, Miles, Miller, Mitchell, Newton, Pease, Selby, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—29.

Absent or not voting—

Senators Bailey, Cooley, Dashiell, Kephart, McIntyre, Murphy, Rothert, Rumble, Russell, Shane, Smith, and Stone—12.

So the bill, having failed to receive a constitutional majority, was lost.

RESOLUTION.

Senator Gault offered the following:

Resolved, That the thanks of the Senate are hereby tendered to the President of the Senate, Lieutenant Governor Joseph Dysart, for the courteous, impartial and able manner in which he has discharged his duties as presiding officer of the Senate.

The resolution was adopted unanimously, by a rising vote.

Senator Wonn offered the following:

Resolved, That the Secretary of State be requested to furnish each of the Messengers of the Senate, and the reporters, with a copy of the bound volumes of legislative documents, the same as is now furnished to the other officers of the Senate.

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 refuses to recede from its amendment to substitute for H. F. No. 19, An act fixing the compensation of State Printer and State Binder, and ask a Committee of Conference, and has appointed Messrs. Hartshorn, Stedman, and Paul on the part of the House.

BENJ. VAN STEINBURG,
First Assistant Clerk.

The President announced as a committee of conference on the part of the Senate, on the disagreement of the two Houses on substitute for H. F. No. 19, Senators McIntyre, Shane, and Fairall.

On motion of Senator Williams, H. F. No. 99, A bill for an act to provide that all lands to be laid out into town or city lots shall be free from incumbrance, and that the same when thus laid out shall be accurately described relative to some established corner of the congressional division of which they are a part, with report of committee recommending its passage, was taken up and considered.

Senator Williams 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 Bailey, Bemis, Boomer, Campbell, Conaway, Crary, Dague,

Dashiell, Gault, Howland, Jessup, Kinne, Maxwell, McCoid, McCormack, McIntyre, Miles, Mitchell, Newton, Pease, Rumpel, Shane, Stuart, Thornburg, West, Williams, Wonn, Young of Cass, and Young of Mahaska—29.

The nays were—

Senators Larrabee, Lovell, Merrell of Clinton, and Merrill of Wapello—4.

Absent or not voting—

Senators Chambers, Converse, Cooley, Fairall, Fitch, Kephart, Miller, Murphy, Perkins, Rothert, Russell, Selby, Smith, Stone, Taylor, Willett, and Wood—17.

So the bill passed and the title was agreed to.

On motion of Senator Rumpel, S. F. No. 221, A bill for an act to amend section 1766, chapter 9, title 12, of the Code of 1873, with report of committee recommending amendments, was taken up and considered.

The committee amendments were adopted.

Senator Rumpel 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, Chambers, Conaway, Crary, Dague, Gault, Larrabee, Lovell, Maxwell, McCoid, McIntyre, Merrell of Clinton, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rumpel, Selby, Shane, Stone, Stuart, Thornburg, West, Willett, Wonn, Wood, Young of Cass, and Young of Mahaska—31.

The nays were—

Senators Howland, Jessup, Kinne, Merrill of Wapello, Selby, Shane, and Williams—7.

Absent or not voting—

Senators Bailey, Converse, Cooley, Dashiell, Fairall, Fitch, Kephart, McCormack, Rothert, Russell, Smith, and Taylor—12.

So the bill passed and the title was agreed to.

On motion of Senator Howland, the Senate adjourned at 5:10 P. M.

EVENING SESSION.

SEVEN O'CLOCK P. M.

Senate met at 7 o'clock, and was called to order by the President.

Senator Merrell of Clinton moved a call of the Senate.

The call was not seconded.

Senators Dague and Boomer were excused for the balance of the session after this evening.

Senator Young of Mahaska was excused.

Senator Dague moved to reconsider the vote by which S. F. No. 221, A bill for an act to amend section 1766, chapter 9, title 12, of the Code of 1873, passed.

The motion prevailed.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bailey, Boomer, Conaway, Crary, Dashiell, Maxwell, McCoid, McIntyre, Miles, Newton, Perkins, Rumble, Taylor, Thornburg, West, Willett, Wonn, and Wood—18.

The nays were—

Senators Bemis, Converse, Dague, Fitch, Gault, Howland, Kinne, Larrabee, McCormack, Merrell of Clinton, Merrill of Wapello, Mitchell, Pease, Rothert, Shane, Stuart, and Young of Cass—17.

Absent or not voting—

Senators Campbell, Chambers, Cooley, Fairall, Jessup, Kephart, Lovell, Miller, Murphy, Russell, Selby, Smith, Stone, Williams, and Young of Mahaska—15.

So the bill having failed to receive a constitutional majority was lost.

BILLS ON THIRD READING.

S. F. No. 274, A bill for an act making appropriations for the incidental expenses of the Fifteenth General Assembly, and other purposes, with House amendments, was taken up.

On concurring in House amendments, the yeas were—

Senators Bailey, Bemis, Boomer, Conaway, Converse, Crary, Dague, Dashiell, Fairall, Gault, Howland, Kinne, Larrabee, Lovell, Maxwell, McCormack, Merrell of Clinton, Miles, Murphy, Newton, Pease, Perkins, Rumble, Stone, Thornburg, West, and Willett—27.

The nays were—

Senators Fitch, Jessup, McCoid, Merrill of Wapello, Miller, Mitchell, Rothert, Russell, Shane, Stuart, Taylor, Wonn, Wood, and Young of Cass—14.

Absent or not voting—

Senators Campbell, Chambers, Cooley, Kephart, McIntyre, Selby, Smith, Williams, and Young of Mahaska—9.

So the Senate concurred in House amendments.

S. F. No. 114, A bill for an act making further appropriation for the hospital for the insane at Mount Pleasant, with House amendments thereto, was taken up.

On concurring in the House amendment, the yeas and nays were demanded, and the yeas were—

Senators Bemis, Boomer, Conaway, Converse, Crary, Fairall, Fitch, Gault, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rumble, Selby, Stone, Stuart, Taylor, Thornburg, West, Willett, Wonn, Wood, and Young of Cass—36.

The nays were—None.

Absent or not voting—

Senators Bailey, Campbell, Chambers, Cooley, Dague, Dashiell, Kephart, Merrill of Wapello, Rothert, Russell, Shane, Smith, Williams, and Young of Mahaska—14.

So the Senate concurred in the House amendments.

REPORT OF COMMITTEE.

Senator Young of Cass, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have examined substitute for H. F. No. 286, An act to amend section 1433, of the Code.

H. F. No. 256, An act to legalize the appraisement and sale of certain school lands in Ringgold county, Iowa.

S. F. No. 193, An appropriation for the State Reform School, at Eldora, Iowa.

And find the same correctly enrolled.

LAFE YOUNG, *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. 45, A bill for an act to amend section 812, chapter 1, title 6, of the Code of Iowa.

Substitute for H. F. Nos. 41, and 223, A bill for an act to repeal section 4048, title 24, chapter 11, of the Code, and to enact a substitute in lieu thereof.

H. F. No. 326, A bill for an act requiring the Executive Council to perform all duties imposed by law on the late Census Board.

H. F. No. 125, A bill for an act to repeal sections 1721, and 1802, of chapter 2, title 12, of the Code, and to enact substitutes therefor.

Substitute for H. F. No. 286, A bill for an act to amend section 1433, of the Code of 1873.

H. F. No. 256, A bill for an act to legalize the appraisement and sale of certain school lands in Ringgold county, Iowa.

Also, that the House of Representatives has passed the following bills without amendment:

S. F. No. 269, A bill for an act to provide for the vacation of town plats in certain cases.

Substitute for S. F. No. 70, A bill for an act to amend section 1260, chapter 4, title 10 of the Code.

I am further directed to inform your honorable body that the House of Representatives has concurred in Senate amendment to H. F. No. 135, A bill for an act making an additional appropriation for the erection of the new capitol building.

JAMES M. WEART, *Chief Clerk.*

REPORTS OF COMMITTEES.

Senator West, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT:—Your Committee on Appropriations, to whom

was referred H. F. No. 385, A bill for an act making appropriation for the payment of the salaries of the State and Judicial officers, beg leave to report 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 per accompanying amendment, and that when so amended it do pass

J. P. WEST, *Committee.*

On motion of Senator West, the bill and report was taken up, considered, and the committee amendments were 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 Bemis, Boomer, Chambers, Conaway, Converse, Crary, Dague, Dashiell, Fairall, Gault, Howland, Jessup, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Murphy, Newton, Pease, Perkins, Rothert, Rumble, Shane, Smith, Stuart, Taylor, Thornburg, West, Willett, Williams, Wonn, Wood, and Young of Cass—41.

The nays were—None.

Absent or not voting—

Senators Bailey, Campbell, Cooley, Fitch, Kephart, Russell, Selby, Stone, and Young of Mahaska—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 am directed to inform your honorable body that the House of Representatives has passed without amendment:

S. F. No. 125, A bill for an act to amend section 509 of the Code.

Substitute for S. F. No. 200, A bill for an act to amend section 1144 of chapter 4, of title 9 of the Code.

Also, the House has concurred in Senate resolution relative to the Superintendent of Public Instruction distributing the school law.

Also, struck out the amendment to substitute for S. F. No. 48, A bill for an act to provide for the management and organization of savings banks.

BENJ. VAN STEINBURG,

First Assistant Clerk.

A committee from the House appeared at the bar of the Senate and announced that the House was now ready to receive the Senate in joint convention for the purpose of electing State Printer and State Binder, and Trustees for certain State Institutions.

On motion of Senator Gault, concurrent resolution relating to documents remaining in the hands of the late Board of Immigration, with

report of committee recommending its passage, was taken up and considered.

The concurrent resolution was adopted.

Senator Fairall moved that the Senate now proceed to the Hall of the House, to go into joint convention.

The motion prevailed, and at 7 o'clock and 45 minutes the Senate proceeded to the Hall of the House.

JOINT CONVENTION.

The Door-Keeper announced the Honorable Senate, who came into the Hall and took seats assigned to them.

The President stated that the convention had met for the purpose of electing a State Printer and State Binder, and Trustees for the different State Institutions, and announced as tellers on the part of the Senate, Senators Rumpel and Merrill of Wapello.

The Speaker announced as tellers on the part of the House, Messrs. Horton and Defore.

STATE PRINTER.

Senator Shane moved that the convention proceed to the election of State Printer.

The motion prevailed.

Senator Campbell nominated R. P. Clarkson.

The roll was called, with the following result:

Whole number of votes cast.....	86
Of which R. P. Clarkson received.....	76
Scattering.....	10
Necessary to a choice.....	42

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

Those voting for R. P. Clarkson were—

Messrs. Anderson, Baily, Bemis, Boomer, Brandt, Campbell of Black Hawk, Campbell of Jasper, Case, Chambers, Chantry, Chapin, Clark of Iowa, Cowman, Crary, Dague, Darland, Dashiell, Dorr, Easton, Fitch, Gear, Gilliland, Hartshorn, Haskell, Heberling, Hopkirk, Horton, Howland, Jennings, Jessup, Lamme, Larrabee, Leahy, Litzenberg, Lyons, McCloud, McCoid, McIntyre, McNeill, Madden, Maxwell, Merrill of Wapello, Miles, Miller of Black Hawk, Miller of Sac, Mitchell of Polk, Moninger, Monroe, Moore of Poweshiek, Morley, Newbold, Parmelee, Peet, Perkins, Platter, Rothert, Rumpel, Russell, Secor, Shane, Siberell, Smith, Speer, Stedman, Stone, Svendsen, Taylor, Thompson, Tracy, Tufts, Wharton, Willett, Williams, Wilson, Wood of Clay, Wood of Muscatine, and Young of Cass—76.

Scattering—

Mr. Beach voted for Brick Pomeroy.

Mr. Birchard voted for Mr. Bolter.

Mr. Clark of Marion voted for Miller of Sac.

Mr. Connelly voted for Miller of Sac.
 Mr. Harper voted for Mr. Bolter.
 Mr. Hindman voted for Mr. Newbold.
 Mr. Hoggatt voted for F. R. Sprague.
 Mr. Mueller voted for Ben Butler.
 Mr. Murphy voted for Lowest Bidder.
 Mr. West voted for F. R. Sprague.

STATE BINDER.

Senator Taylor nominated H. A. Perkins for State Binder.
 The Clerk proceeded to call the roll, with the following result:

Whole number of votes cast.....	82
Necessary to a choice.....	42
Of which H. A. Perkins received.....	74
Scattering.....	8

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

Those voting for H. A. Perkins were—

Messrs Anderson, Bailey, Bemis, Bissell, Boomer, Brandt, Campbell of Black Hawk, Campbell of Jasper, Case, Chambers, Chantry, Chapin, Clark of Iowa, Cowman, Crary, Dague, Darland, Dashiell, Dorr, Easton, Fitch, Gear, Gilliland, Hartshorn, Heberling, Hopkirk, Horton, Howland, Jennings, Jessup, Lamme, Larrabee, Leahy, Litzenberg, Lyons, McCloud, McCoid, McIntyre, McNeill, Maxwell, Merrill of Wapello, Miles, Miller of Black Hawk, Miller of Sac, Mitchell of Polk, Moninger, Monroe, Moore of Poweshiek, Morley, Newbold, Parmelee, Peet, Platter, Rumpel, Russell, Secor, Shane, Siberell, Smith, Speer, Stedman, Stone, Svendsen, Taylor, Thompson, Tracy, Tufts, West, Wharton, Willett, Williams, Wilson, Wood of Clay, and Young of Cass—74.

Scattering—

Messrs. Bolter, Bonham, Clark of Marion, Dixon, Haskell, and Humeston voted for the lowest bidder.

Mr. Hoggatt voted for F. R. Sprague.

Mr. Latner voted for Mr. Tracy.

TRUSTEES.

The convention proceeded to the election of five trustees of the Agricultural College and Farm.

Senator Miles nominated A. Tracy, and C. C. Warden, for the short term, and J. W. McKenzie, S. J. Kirkwood, and M. L. Van Zandt, for the long term.

Senator Murphy nominated Laurell Summer, for the long term.

Mr. Hoggatt nominated C. E. Whiting, for the long term.

Senator McCormack nominated A. B. Lyman for the long term.

Senator Pease nominated Samuel Nixon, for the short term.

Mr. Cooper nominated S. R. Henderson, for the short term.

The roll was called with the following result:

Whole number of votes cast.....	131
Of which Mr. Tracy received	75
Mr. Warden received	78
Mr. Summer received.....	69
Mr. Whiting received.....	68
Mr. Lyman received	56
Mr. Nixon received	51
Mr. Henderson received.....	49
Mr. McKenzie received.....	68
Mr. Kirkwood received.....	81
Mr. Van Zandt received.....	67

Those voting for Mr. Tracy, were—

Messrs. Anderson, Bailey, Baird, Bemis, Boomer, Brandt, Brockway, Brown, Campbell of Black Hawk, Campbell of Jasper, Chambers, Chantry, Chapin, Clark of Iowa, Cowman, Crary, Dague, Darland, Dashiell, DeCow, Dorr, Easton, Fitch, Gear, Gilliland, Heberling, Hopkirk, Horton, Howland, Jennings, Jessup, Lamme, Larrabee, Leahy, Litzenberg, Lyons, McCloud, McCoid, McNeill, Maxwell, Merrell of Clinton, Merrill of Wapello, Miles, Miller of Black Hawk, Miller of Sac, Moninger, Monroe, Moore of Poweshiek, Morley, Murphy, Newbold, Parmelee, Paul, Peet, Perkins, Rothert, Rumple, Russell, Secor, Shane, Siberell, Smith, Speer, Stedman, Stone, Svendsen, Taylor, Thompson, Tracy, Tufts, West, Wharton, Willett, Williams, Wilson, and Wood of Clay—75.

Those voting for C. C. Warden, were—

Messrs. Anderson, Bailey, Bemis, Boomer, Brandt, Brockway, Brown, Campbell of Black Hawk, Campbell of Jasper, Chambers, Chantry, Chapin, Clark of Iowa, Cowman, Crary, Dague, Darland, Dashiell, Dixon, Dorr, Easton, Fitch, Gear, Gilliland, Hartshorn, Haskell, Heberling, Hopkirk, Horton, Howland, Jennings, Jessup, Lamme, Larrabee, Leahy, Litzenberg, Lyons, McCloud, McCoid, McIntyre, McNeill, Maxwell, Merrell of Clinton, Merrill of Wapello, Miles, Miller of Black Hawk, Miller of Sac, Mitchell of Polk, Moninger, Monroe, Moore of Poweshiek, Murphy, Newbold, Parmelee, Peet, Perkins, Platter, Rothert, Rumple, Russell, Secor, Shane, Siberell, Smith, Speer, Stedman, Stone, Svendsen, Taylor, Thompson, Tracy, Tufts, Wharton, Willett, Williams, Wilson, Wood of Clay, and Wood of Muscatine—76.

Those voting for Mr. Laurell Summers were—

Messrs. Archer, Baird, Beach, Bemis, Birchard, Bishop, Bissell, Bolter, Bonham, Breckenridge, Brockway, Brown, Burnet, Cardell, Clark of Marion, Conaway, Cone, Connelly, Cooper, Corey, DeCow, Defore, Fairall, Gault, Goodrich, Harper, Hartshorn, Haskell, Hindman, Hoggatt, Hollingsworth, Humeston, January, Johnston of Dubuque, Jordan, Kelly, Kinne, Lattner, Lovell, Lyons, McCormack, Malin, Mekeel, Merrell of Clinton, Mickelwait, Mitchell of Polk, Morley, Mueller, Murphy, Newton, Paul, Pease, Perkins, Platter, Roszell, Rounds, Runciman, Schröder, Schweer, Selby, Spangler, Speer, Stuart, Thornburg, West, Wilson, Wonn, Wood, of Muscatine, and Work—69.

Those voting for Mr. C. E. Whiting were:

Messrs. Archer, Baird, Beach, Bemis, Birchard, Bishop, Bissell, Bolter, Bonham, Breckenridge, Brockway, Brown, Burnet, Cardell, Clark of Marion, Conaway, Cone, Connelly, Cooper, Corey, DeCow, Defore, Dixon, Fairall, Gault, Gilliland, Goodrich, Harper, Hartshorn, Haskell, Hindman, Hoggatt, Hollingsworth, Humeston, January, Johnston of Dubuque, Jordan, Kelly, Kinne, Lattner, Lovell, McCormack, Malin, Mekeel, Merrell of Clinton, Mickelwait, Mitchell of Polk, Morley, Mueller, Murphy, Newton, Paul, Pease, Perkins, Roszell, Rounds, Runciman, Schræder, Schweer, Selby, Spangler, Speer, Stuart, Thornburg, Wilson, Wonn, Wood of Muscatine, and Work—68.

Those voting for A. B. Lyman were

Messrs. Archer, Beach, Birchard, Bishop, Bissell, Bolter, Bonham, Breckenridge, Burnet, Cardell, Chapin, Clark of Marion, Conaway, Cone, Connelly, Cooper, Corey, DeCow, Defore, Dixon, Fairall, Gault, Goodrich, Harper, Hindman, Hoggatt, Hollingsworth, Humeston, January, Johnston of Dubuque, Jordan, Kelly, Kinne, Lattner, Lovell, McCormack, McIntyre, Malin, Mekeel, Mickelwait, Mitchell of Polk, Mueller, Newton, Pease, Roszell, Rounds, Runciman, Schræder, Schweer, Selby, Stuart, Thornburg, West, Wonn, Wood of Muscatine, and Work—56.

Those voting for Mr. Samuel Nixon were—

Messrs. Archer, Beach, Birchard, Bishop, Bissell, Bolter, Bonham, Breckenridge, Burnet, Cardell, Clark of Marion, Conaway, Cone, Connelly, Cooper, Corey, DeCow, Defore, Dixon, Fairall, Gault, Goodrich, Harper, Hindman, Hoggatt, Hollingsworth, Humeston, January, Johnston of Dubuque, Jordan, Kelly, Kinne, Lattner, Lovell, Malin, Mekeel, Mickelwait, Mueller, Newbold, Newton, Pease, Roszell, Rounds, Runciman, Schræder, Schweer, Selby, Stuart, Thornburg, Wonn, and Work—51.

Those voting for L. R. Henderson were—

Messrs. Archer, Beach, Birchard, Bishop, Bissell, Bolter, Bonham, Breckenridge, Burnet, Cardell, Clark of Marion, Conaway, Cone, Connelly, Cooper, Corey, Defore, Fairall, Gault, Goodrich, Harper, Hindman, Hoggatt, Hollingsworth, Humeston, January, Johnston, of Dubuque, Jordan, Kelly, Kinne, Lattner, Lovell, McCormack, Malin, Mekeel, Mickelwait, Mueller, Newton, Pease, Roszell, Rounds, Runciman, Schræder, Schweer, Selby, Stuart, Thornburg, Wonn, and Work—49.

Those voting for J. W. McKenzie, were—

Messrs. Anderson, Bailey, Boomer, Brandt, Campbell of Black Hawk, Campbell of Jasper, Chambers, Chantry, Chapin, Clark of Iowa, Cowman, Crary, Dague, Darland, Dashiell, Dorr, Easton, Fitch, Gear, Hartshorn, Haskell, Heberling, Hopkirk, Horton, Howland, Jennings, Jessup, Lamme, Larrabee, Leahy, Litzenberg, Lyons, McCloud, McCoid, McIntyre, McNeill, Maxwell, Merrill of Wapello, Miles, Miller of Black Hawk, Miller of Sac, Moninger, Monroe, Moore of Poweshiek, Morley, Newbold, Parmelee, Peet, Platter, Rothert, Jumble, Russell, Secor, Shane, Siberell, Smith, Stedman, Stone, Svendsen, Taylor, Thompson, Tracy, Tufts, West, Wharton, Willett, Williams, and Wood of Clay—68.

Those voting for S. J. Kirkwood, were—

Messrs. Anderson, Bailey, Baird, Bemis, Boomer, Brandt, Brockway,

Brown, Campbell of Black Hawk, Campbell of Jasper, Chambers, Chantry, Chapin, Clark of Iowa, Cowman, Crary, Dague, Darland, Dashiell, Dorr, Easton, Fitch, Gear, Gilliland, Hartshorn, Haskell, Heberling, Hopkirk, Horton, Howland, Jennings, Jessup, Lamme, Larrabee, Leahy, Litzenberg, McCloud, McCoid, McIntyre, McNeill, Maxwell, Merrell of Clinton, Merrill of Wapello, Miles, Miller of Black Hawk, Miller of Sac, Mitchell of Polk, Moninger, Monroe, Moore of Poweshiek, Morley, Murphy, Newbold, Parmelee, Paul, Peet, Perkins, Platter, Rothert, Rumple, Russell, Secor, Shane, Siberell, Smith, Spangler, Speer, Stedman, Stone, Svendsen, Taylor, Thompson, Tracy, Tufts, West, Wharton, Willett, Williams, Wilson, Wood of Clay, and Wood of Muscatine—81.

Those voting for M. L. Van Zandt were—

Messrs. Anderson, Bailey, Baird, Boomer, Brandt, Campbell of Black Hawk, Campbell of Jasper, Chambers, Chantry, Chapin, Clark of Iowa, Cowman, Crary, Dague, Darland, Dashiell, Dorr, Easton, Fitch, Gear, Gilliland, Heberling, Hopkirk, Horton, Howland, Jennings, Jessup, Lamme, Larrabee, Leahy, Litzenberg, Lyons, McCloud, McCoid, McCormack, McIntyre, McNeill, Maxwell, Merrell of Wapello, Miles, Miller of Black Hawk, Miller of Sac, Moninger, Monroe, Moore of Poweshiek, Parmelee, Paul, Peet, Rothert, Rumple, Russell, Secor, Shane, Siberell, Smith, Stedman, Stone, Svendsen, Taylor, Thompson, Tracy, Tufts, Wharton, Willett, Williams, and Wood of Clay—67.

On motion of Senator Campbell, the four highest were declared elected.

Mr. Hoggatt nominated C. E. Whiting of the 9th district. Mr. Leahy nominated Mr. McKenzie of the 4th district. Senator McIntyre nominated Mr. Van Zandt of the 8th district.

The roll was called with the following result:

Whole number of votes cast.....	126
Necessary to a choice	64
Of which Mr. Whiting received.....	82
Mr. McKenzie received.....	25
Mr. Van Zandt received.....	19

Mr. Whiting having received a majority of the votes cast, was declared elected.

Those voting for C. E. Whiting, were—

Messrs. Archer, Baird, Beach, Bemis, Birchard, Bishop, Bissell, Bolter, Bonham, Brandt, Breckenridge, Brockway, Brown Burnet, Campbell of Black Hawk, Cardell, Clark of Marion, Conaway, Cone, Connelly, Cooper, Corey, Cowman, Dayton, DeCow, Defore, Dixon, Easton, Fairall, Gault, Goodrich, Harper, Hartshorn, Haskell, Heberling, Hindman, Hoggatt, Hollingsworth, Hopkirk, Humeston, January, Jennings, Johnston of Dubuque, Jordan, Larrabee, Lattner, Lovell, Lyons, McCormack, McIntyre, Malin, Mekeel, Merrell of Clinton, Mickelwait, Mitchell of Polk, Mueller, Murphy, Newbold, Newton, Paul, Pease, Platter, Roszell, Rounds, Runciman, Russell, Schræder, Schweer, Selby, Spangler, Speer, Stuart, Svendsen, Thompson, Thornburg, Tufts, West, Wilson, Wonn, Wood of Clay, Wood of Muscatine, and Work—82.

Those voting for Mr. M. L. Van Zandt were—

Messrs. Boomer, Campbell of Jasper, Chapin, Dashiell, Gear, Gilliland, Horton, Johnston of Ringgold, Lamme, McCoid, McNeill, Maxwell, Miles, Miller of Sac, Perkins, Stone, and Williams—17.

Those voting for Mr. McKenzie were—

Messrs. Anderson, Clark of Iowa, Crary, Darland, Dorr, Jessup, Leahy, Litzenberg, McCloud, Madden, Merrill of Wapello, Miller of Black Hawk, Moninger, Moore of Poweshiek, Parmelee, Rumpel, Secor, Shane, Siberell, Stedman, Wharton, and Willett—22.

REGENTS OF STATE UNIVERSITY.

The question being on the election of Regents for State University?

Senator Miles nominated S. W. Ross.

Mr. Bolter nominated Robert McGavern.

The roll was called with the following result:

Whole number of votes cast.....	120
Necessary to a choice.....	61
Of which Mr. Ross received.....	67
And Mr. McGavern received.....	53

Those voting for Mr. Ross, were—

Messrs. Anderson, Bemis, Boomer, Brandt, Campbell of Black Hawk, Campbell of Jasper, Case, Chantry, Chapin, Clark of Iowa, Cowman, Crary, Dague, Darland, Dashiell, Dorr, Easton, Fitch, Gear, Gilliland, Hartshorn, Heberling, Hopkirk, Horton, Howland, Jennings, Jessup, Lamme, Larrabee, Leahy, Litzenberg, Lyons, McCloud, McCoid, McIntyre, McNeill, Madden, Maxwell, Merrill of Wapello, Miller of Black Hawk, Miller of Sac, Moninger, Monroe, Moore of Poweshiek, Morley, Newbold, Parmelee, Peet, Perkins, Platter, Rumpel, Russell, Secor, Shane, Speer, Stedman, Stone, Svendson, Thompson, Tracy, Tufts, West, Wharton, Williams, Wilson, and Wood of Clay—67.

Those voting for Mr. McGavern were—

Messrs. Archer, Baird, Beach, Birchard, Bishop, Bissell, Bolter, Bonham, Breckenridge, Brockway, Brown, Burnet, Cardell, Clark of Marion, Conaway, Cone, Connelly, Cooper, Corey, DeCow, Defore, Dixon, Fairall, Gault, Goodrich, Harper, Hindman, Hoggatt, Hollingsworth, Humeston, January, Jordan, Lattner, Lovell, McCormick, Malin, Mekeel, Mickelwait, Mueller, Murphy, Paul, Pease, Roszell, Rounds, Runciman, Schroeder, Schweer, Spangler, Stuart, Thornburg, Wonn, Wood of Muscatine, and Work—53.

Senator Rumpel nominated Mr. C. P. Rogers.

Mr. Paul nominated John W. Henderson.

The roll was then called, with the following result:

Whole number of votes cast.....	120
Necessary to a choice.....	61
Of which Mr. Hendsen received.....	60
Mr. Rogers received.....	60

No choice.

Those voting for John W. Henderson were—

Messrs. Anderson, Archer, Baird, Beach, Bemis, Birchard, Bishop, Bissell, Bolter, Bonham, Breckenridge, Brockway, Brown, Burnet, Cardell, Clark of Marion, Conaway, Cone, Connelly, Corey, DeCow, Defore, Dixon, Gault, Goodrich, Harper, Hartshorn, Hindman, Hoggatt, Hollingsworth, Humeston, January, Jordan, Lattner, Lovell, Lyons, McCormack, McIntyre, Malin, Mekeel, Mickelwait, Mitchell of Polk, Morley, Mueller, Murphy, Paul, Pease, Platter, Roszell, Rounds, Runciman, Schroeder, Schweer, Spangler, Stuart, Thornburg, Tracy, Wonn, Wood of Muscatine, and Work—60.

Those voting for C. P. Rogers were—

Messrs. Boomer, Brandt, Campbell of Black Hawk, Case, Chambers, Chantry, Chapin, Clark of Iowa, Cowman, Crary, Darland, Dashiell, Dorr, Easton, Fitch, Gear, Gilliland, Heberling, Hopkirk, Horton, Howland, Jennings, Jessup, Lamme, Leahy, Litzenberg, McCloud, McCoid, McNeill, Madden, Maxwell, Merrill of Wapello, Miles, Miller of Black Hawk, Miller of Sac, Moninger, Monroe, Moore of Poweshiek, Newbold, Parmelee, Peet, Perkins, Rumble, Russell, Secor, Shane, Siberell, Speer, Stedman, Stone, Svendsen, Thompson, Tufts, West, Wharton, Willett, Williams, Wilson, Wood of Clay, and Young of Cass—60.

The roll was again called with the following result:

Whole number of votes cast	121
Necessary to a choice	61
Of which Mr. Henderson received	61
And Mr. Rogers	60

Mr. Henderson receiving a majority of the votes cast, was declared duly elected.

Those voting for Mr. Henderson were—

Messrs. Anderson, Archer, Baird, Beach, Bemis, Birchard, Bishop, Bissell, Bolter, Bonham, Brockway, Breckinridge, Brown, Burnet, Cardell, Case, Clark of Marion, Conaway, Cone, Connelly, Cooper, Corey, DeCow, Defore, Dixon, Fairall, Gault, Goodrich, Harper, Hindman, Hoggatt, Hollingsworth, Humeston, January, Jordan, Lattner, Lovell, Lyons, McCormack, McIntyre, Malin, Mekeel, Mickelwait, Morley, Mueller, Murphy, Newton, Paul, Roszell, Rounds, Runciman, Schroeder, Schweer, Selby, Spangler, Speer, Stuart, Thornburg, Tracy, Wonn, Wood of Muscatine, and Work—61.

Those voting for Mr. Rogers were—

Messrs. Bailey, Boomer, Brandt, Campbell of Black Hawk, Campbell of Jasper, Chantry, Chapin, Clark of Iowa, Cowman, Crary, Dague, Darland, Dashiell, Dorr, Easton, Fitch, Gear, Gilliland, Hartshorn, Haskell, Heberling, Hopkirk, Horton, Howland, Jennings, Jessup, Johnston of Ringgold, Lamme, Leahy, Litzenberg, McCoid, McNeill, Maxwell, Merrill of Wapello, Miles, Miller of Black Hawk, Miller of Sac, Moninger, Monroe, Moore of Poweshiek, Parmelee, Peet, Perkins, Platter, Rothert, Rumble, Secor, Shane, Siberell, Stedman, Stone, Svendsen, Thompson, Tufts, West, Wharton, Willett, Wilson, Wood of Clay, and Young of Cass—60.

RESOLUTIONS.

Mr. Brandt offered the following Resolution:

Resolved, That Samuel J. Kirkwood, C. C. Warden, and Laurell Summers, be declared elected Trustees of the Agricultural College for four years, and Messrs A. Tracy, and C. E. Whiting be declared elected for two years.

The resolution was adopted.

Senator Fairall offered the following:

Resolved by the Joint Convention, That A. K. Campbell, of the Sixth Congressional District, be declared duly elected Regent of the State University.

The roll was then called with the following result:

Whole number of votes cast	73
Of which Mr. Campbell received	73

Those voting for Mr. Campbell were—

Messrs. Anderson, Baird, Beach, Bemis, Birchard, Bissell, Bolter, Bonham, Boomer, Brandt, Breckenridge, Brockway, Brown, Burnet, Campbell of Black Hawk, Cardell, Case, Chapin, Clark of Iowa, Cone, Connelly, Corey, Cowman, Darland, Dashiell, Defore, Dixon, Dorr, Easton, Fairall, Gault, Gear, Goodrich, Hartshorn, Haskell, Heberling, Hindman, Hoggatt, Hollingsworth, Hopkirk, Horton, Howland, Humeston, January, Jennings, Jessup, Jordan, Lamme, Litzenberg, Lovell, Lyons, McCloud, McCoid, Madden, Maxwell, Mekeel, Merrill of Wapello, Mickelwait, Miles, Miller of Black Hawk, Monroe, Moore of Poweshiek, Newbold, Newton, Paul, Pease, Perkins, Platter, Rothert, Schweer, Secor, Shane, Siberell, Stedman, Stone, Stuart, Svendsen, Thompson, Thornburg, Tracy, Tufts, Willett, Wilson, Wood of Clay, and Wood of Muscatine—82.

Senator Miles offered the following resolution:

Resolved, That the following named persons be appointed Trustees of the Iowa Soldiers' Orphans' Homes, for the ensuing two years, and until their successors are elected and qualified:

For State at large, W. H. Lease.

For Scott county, S. P. Bryant.

For Mills county, J. C. Otis.

For Black Hawk county, Geo. B. Van Saunn.

The resolution was adopted.

Senator Shane offered the following resolution, which was adopted:

Resolved by the General Assembly of the State of Iowa, That the following named persons be appointed Trustees of the College for the Blind, for two years, and until their successors are elected and qualified, to-wit:

Hon. H. C. Piatt, of Cedar county; C. S. Flint, of Delaware county; and Jacob Springer, of Benton county.

NOTE.—The certificate of election of Jacob Springer was not signed in presence of Joint Convention.—[SECRETARY.]

Senator Jessup offered the following resolution:

Resolved, That Eleazer Andrews and John A. Parvin be elected Trustees of the State Reform School, for the term of six years.

The resolution was adopted.

Senator Miles offered the following resolution:

Resolved, That R. H. Moore, of Louisa county, be appointed Trustee of Hospital for the Insane, at Mt. Pleasant.

Mr. Lyon moved to amend by striking out "R. H. Moore," and inserting "Mrs. E. M. Elliott," which amendment was agreed to.

The resolution as amended was adopted.

The Joint Convention then proceeded to the election of three Trustees for Deaf and Dumb Asylum.

Mr. Dixon nominated J. W. Cattell.

Mr. Bolter nominated William Orr.

Mr. Brown moved to insert the name of Paul Lange instead of Mr. Cattell, which motion prevailed.

Mr. Brown moved that Messrs. Orr and Lange be elected by acclamation, which was agreed to.

Mr. Dixon moved to nominate Mr. Cattell by acclamation.

The motion did not prevail.

The roll was then called, with the following result:

Whole number of votes cast.....	76
Necessary to a choice.....	39
Of which Mr. Cattell received.....	67
And Mr. Morse received.....	9

Those voting for Mr. Cattell were—

Messrs. Anderson, Baird, Beach, Bissell, Bolter, Bonham, Brandt, Breckenridge, Brockway, Brown, Campbell of Black Hawk, Cardell, Clark of Iowa, Cone, Connelly, Corey, Darland, Dashiell, Defore, Dixon, Easton, Fairall, Fitch, Gault, Gear, Goodrich, Harper, Haskell, Heberling, Hindman, Hoggatt, Hollingsworth, Hopkirk, Jennings, Jessup, Johnston of Dubuque, Johnston of Ringgold, Jordan, Lamme, Lattner, Lyons, McCoid, McNeil, Madden, Maxwell, Mekeel, Merrill of Wapello, Miles, Miller of Black Hawk, Monroe, Moore of Powsheik, Parmelee, Paul, Pease, Peet, Perkins, Platter, Rothert, Schroeder, Schweer, Secor, Speer, Stuart, Svendsen, Thompson, Thornburg, Tracy, Tufts, West, Wharton, Williams, and Wood of Clay—72.

Those voting for Mr. Morse, were—

Messrs. Case, Chantry, Dorr, Hartshorn, Leahy, Litzenburg, Lovell, Miller of Sac, and Siberell—9.

Certificates were then made out and signed in the presence of the Joint Convention as follows:

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 18, 1874. }

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 18th day of March, A. D. 1874, for the purpose of electing a

State Printer, Richard 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 18th day of March, A. D. 1874.

JOSEPH DYSART,

President of the Senate.

JNO. H. GEAR,

Speaker of the House of Representatives.

ATTEST:

J. H. MERRILL,

Teller of the Senate.

JAS. N. MILLER,

Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 18, 1874. }

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 18th day of March, A. D. 1874, for the purpose of electing a State Binder, H. A. Perkins, having received a majority of all the votes cast for said office, was declared duly elected State Binder for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of March, A. D. 1874.

JOSEPH DYSART,

President of the Senate.

JNO. H. GEAR,

Speaker of the House of Representatives.

ATTEST:

J. H. MERRILL,

Teller of the Senate.

JAS. N. MILLER,

Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 18, 1874. }

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 18th day of March, A. D. 1874, for the purpose of electing a trustee for the State Agricultural College and Farm, S. J. Kirkwood, having received a majority of all the votes cast for said office, was declared duly elected Trustee of the Agricultural College and Farm for the

term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, this 18th day of March, A. D. 1874.

JOSEPH DYSART,

President of the Senate.

JOHN H. GEAR,

Speaker of the House of Representatives.

ATTEST:

J. H. MERRILL,

Teller of the Senate.

JAS. N. MILLER,

Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 18, 1874. }

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 18th day of March, A. D. 1874, for the purpose of electing trustees of the Agricultural College, C. C. Warden, having received a majority of all the votes cast for said office, was declared duly elected Trustee of the Agricultural College for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of March, A. D. 1874.

JOSEPH DYSART,

President of the Senate.

JOHN H. GEAR,

Speaker of the House of Representatives.

ATTEST:

J. H. MERRILL,

Teller of the Senate.

JAS. N. MILLER,

Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March, 18, 1874. }

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 18th day of March, A. D. 1874, for the purpose of electing trustees for the Agricultural College, C. E. Whiting having received a majority of all the votes cast for said office, was declared duly elected trustee for the Agricultural College 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 March, A. D., 1874.

JOSEPH DYSART,
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

J. H. MERRILL,
Teller of the Senate.

JAS. N. MILLER,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 18, 1874. }

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 18th day of March, A. D. 1874, for the purpose of electing Trustees of the Agricultural College, Laurel Summers having received a majority of all the votes cast for said office, was declared duly elected Trustee of the Agricultural College for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of March, A. D. 1874.

JOSEPH DYSART,
President of the Senate.

JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

J. H. MERRILL,
Teller of the Senate.

JAS. N. MILLER,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 18, 1874. }

This is to certify, that at election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 18th day of March A. D. 1874, for the purpose of electing Trustees for the Agricultural College, A. Tracy having received a majority of all the votes cast for said office, was declared duly elected Trustee of the Agricultural College 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 March A. D. 1874.

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

ATTEST :

J. H. MERRILL,
Teller of the Senate.

JAS. N. MILLER,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 18, 1874. }

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 18th day of March A. D. 1874, for the purpose of electing Regents of the State University, L. W. Ross having received a majority of all the votes cast for said office, was declared duly elected Regent of the State University for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of March A. D. 1874.

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

ATTEST :

J. H. MERRILL,
Teller of the Senate.

JAS. N. MILLER,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 18, 1874. }

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 18th day of March A. D. 1874, for the purpose of electing Regents of the State University, John W. Henderson having received a majority of all the votes cast for said office, was declared duly elected Regent of the State University for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of March, A. D. 1874.

JOSEPH DYSART,
President of the Senate.

JOHN H. GEAR,
Speaker of the House of Representatives.

ATTEST:

J. H. MERRILL,
Teller of the Senate.

JAS. N. MILLER,
Teller of the House of Representatives

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 18, 1874. }

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 18th day of March A. D. 1874, 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 Regent of the State University for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of March A. D. 1874

JOSEPH DYSART,
President of the Senate.

JOHN H. GEAR,
Speaker of the House of Representatives.

ATTEST:

J. H. MERRILL,
Teller of the Senate.

JAMES N. MILLER,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 18, 1874. }

This is to certify, that at an election of the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday, the 18th day of March, A. D. 1874, for the purpose of electing Trustees for the Iowa Soldiers' Orphans' Home, W. H. Leas, having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Orphans' Home, 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 March, A. D. 1874.

JOSEPH DYSART,
President of the Senate.

JOHN H. GEAR,
Speaker of the House of Representatives.

ATTEST:

J. H. MERRILL,
Teller of the Senate.

JAS N. MILLER,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 18, 1874. }

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 18th day of March, A. D. 1874, for the purpose of electing Trustees of the Iowa Soldiers' Orphans' Homes, S. P. Bryant, having received a majority of all the votes cast for said office, was declared duly elected Trustee of the Soldiers' Orphans' Homes, 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 March, A. D. 1874.

JOSEPH DYSART,
President of the Senate.

JOHN H. GEAR,
Speaker of the House of Representatives.

ATTEST:

J. H. MERRILL,
Teller of the Senate.

JAS N. MILLER,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 18, 1874. }

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 18th day of March, A. D. 1874, for the purpose of electing trustees for the Iowa Soldiers' Orphans' Home, J. C. Otis, having received a majority of all the votes cast for said office, was declared duly elected trustee for the Iowa Soldiers' Orphans' Home, 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 March, A. D. 1874.

JOSEPH DYSART,
President of the Senate.
JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

J. H. MERRILL,
Teller of the Senate,
JAS. N. MILLER,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 18, 1874. }

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 18th day of March, A. D. 1874, for the purpose of electing trustees of the Iowa Soldiers' Orphans' Homes, Geo. B. Van Saun, having received a majority of all the votes cast for said office, was declared duly elected trustee of the Iowa Soldiers' Orphans' Homes, 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 March, A. D. 1874.

JOSEPH DYSART,
President of the Senate.
JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

J. H. MERRILL,
Teller of the Senate.
JAS. N. MILLER,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 18, 1874. }

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 18th day of March, A. D. 1874, for the purpose of electing Trustees for the College for the Blind, H. C. Piatt having received a majority of all the votes cast for said office, was declared duly elected Trustee for the College for the Blind, for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of March, A. D. 1874.

JOSEPH DYSART,
President of the Senate.
JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

J. H. MERRILL,
Teller of the Senate.

JAS. N. MILLER,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 18, 1874. }

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 18th day of March, A. D. 1874, for the purpose of electing Trustees for the College for the Blind, C. L. Flint having received a majority of all the votes cast for said office, was declared duly elected Trustee for the College for the Blind for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of March, A. D. 1874.

JOSEPH DYSART,
President of the Senate.
JNO. H. GEAR,
Speaker of the House of Representatives.

ATTEST:

J. H. MERRILL,
Teller of the Senate.

JAS. N. MILLER,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 18, 1874. }

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 18th day of March, A. D. 1874, for the purpose of electing Trustees for the Reform School, Eleazer Andrews, having received a majority of all the votes cast for said office, was declared duly elected Trustee of the Reform School, for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convection, this 18th day of March, A. D. 1874.

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

ATTEST:

J. H. MERRILL,
Teller of the Senate.

JAS. N. MILLER,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 18, 1874. }

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 18th day of March, A. D. 1874, for the purpose of electing Trustees of the Reform School, J. A. Parvin, having received a majority of all the votes cast for said office, was declared duly elected Trustee of the Reform School, for the term of six years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of March, A. D. 1874.

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

ATTEST:

J. H. MERRILL,
Teller of the Senate.

JAS. N. MILLER,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 18, 1874. }

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 18th day of March, A. D. 1874, for the purpose of electing a Trustee of the Hospital for the Insane at Mt. Pleasant, Mrs. E. M. Elliott, having received a majority of all the votes cast for said office, was declared duly elected Trustee of the Hospital for the Insane at Mt. Pleasant for the term of four years from and after the expiration of the term of the present incumbent, and until her successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of March, A. D. 1874.

JOSEPH DYSART,
President of the Senate.

JNO. H. GEAR,
Speaker of House of Representatives.

ATTEST:

J. H. MERRILL,
Teller of the Senate.

JAS. N. MILLER,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 18, 1874. }

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 18th day of March, A. D. 1874, for the purpose of electing Trustees of Deaf and Dumb Institute, William Orr, having received a majority of all the votes cast for said office, was declared duly elected Trustee of the Deaf and Dumb Institute for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of March, A. D. 1874.

JOSEPH DYSART,
President of the Senate.

JNO. H. GEAR,
Speaker of House of Representatives.

ATTEST:

J. H. MERRILL,
Teller of the Senate.

JAS. N. MILLER,
Teller of House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 18, 1874. }

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 18th day of March A. D. 1874, for the purpose of electing Trustees of the Deaf and Dumb Institute, Paul Lange having received a majority of all the votes cast for said office, was declared duly elected Trustee of the Deaf and Dumb Institute for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of March A. D. 1874.

JOSEPH DYSART,
President of the Senate.

JOHN H. GEAR,
Speaker of the House of Representatives.

ATTEST:

J. H. MERRILL,
Teller of the Senate.

JAS. N. MILLER,
Teller of the House of Representatives.

REPRESENTATIVE HALL, }
DES MOINES, IOWA, March 18, 1874. }

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 18th day of March A. D. 1874, for the purpose of electing Trustees for the Asylum for the Deaf and Dumb, J. W. Cattell having received a majority of all the votes cast for said office, was declared duly elected Trustee for the Deaf and Dumb Asylum for the term of four years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 18th day of March A. D. 1874.

JOSEPH DYSART,
President of the Senate.

JOHN H. GEAR,
Speaker of House of Representatives.

ATTEST:

J. H. MERRILL,
Teller of the Senate.

JAS. N. MILLER,
Teller of House of Representatives.

On motion the Joint Convention dissolved.

AFTER JOINT CONVENTION.

At ten o'clock and fifty minutes the Senate returned to its chamber.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am further 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 Chief Clerk of the House be instructed to make out certificates of payment for the postmistress and assistant, dating from January 15, 1874.

I am also directed to inform your honorable body that the House of Representatives has passed the following bills, without amendment:

S. F. No. 199, A bill for an act to provide for the creation and enforcement of liens in certain cases where corporations have issued bonds in excess of the amount allowed by law.

S. F. No. 230, A bill for an act to amend sections 1386, 1392, and 1438 of chapter 2, title 12 of the Code.

JAMES M. WEART, Chief Clerk.

REPORT OF COMMITTEE.

Senator McIntyre, from the Conference Committee on H. F. No. 19, submitted the following report:

MR. PRESIDENT:—Your Committee on Conference, to whom was referred H. F. No. 19, on the disagreeing vote of the two Houses, beg leave to report that they have had the same under consideration, and that the Committee recommend that the House recede from its amendments to said bill.

J. S. MCINTYRE,
SAM. H. FAIRALL,
JNO. SHANE,

On part of Senate.

E. J. HARTSHORN,
GEO. PAUL,
E. M. STEDMAN,

On part of House.

On the adoption of the report:

The yeas were—

Senators Bemis, Boomer, Chambers, Conaway, Dashiell, Fairall, Fitch, Gault, Jessup, Lovell, Maxwell, McCoid, McIntyre, Merrell of

Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Perkins, Rothert, Selby, Stuart, West, Willett, Wonn, and Young of Cass—28.

The nays were—None.

Absent or not voting—

Senators Bailey, Campbell, Converse, Cooley, Crary, Dague, Howland, Kephart, Kinne, Larrabee, McCormack, Mitchell, Rumpel, Russell, Shane, Smith, Stone, Taylor, Thornburg, Williams, Wood, and Young of Mahaska—22.

So the report of the Conference Committee was adopted.

On motion of Senator McCoid, the concurrent resolution of the House in relation to the pay of the Postmistress and Assistant Postmistress, was taken up and concurred in.

On motion of Senator Fairall, S. F. No. 138, A bill for an act to amend sections 3181 and 3182 of the Code of 1873, with report of committee recommending its passage, 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 Bemis, Boomer, Chambers, Conaway, Dashiell, Fairall, Fitch, Gault, Jessup, Lovell, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Perkins, Rothert, Selby, Stuart, West, Willett, Wonn, and Young of Cass—28.

The nays were—

Senator Thornburg—1.

Absent or not voting—

Senators Bailey, Campbell, Converse, Cooley, Crary, Dague, Howland, Kephart, Kinne, Larrabee, McCormack, Mitchell, Rumpel, Russell, Shane, Smith, Stone, Taylor, Williams, Wood, and Young of Mahaska—21.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Bailey, from the Committee on Representative Districts, submitted the following report:

MR. PRESIDENT:—Your Committee on Representative Districts, to whom was referred H. F. No. 260, A bill for an act apportioning the State into representative districts and declaring the ratio of representation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when so adopted, that it do pass.

H. BAILEY, *Chairman.*

Senator Willett moved to reconsider the vote by which the Senate concurred in the resolution in regard to Postmaster and Assistant Postmaster:

The motion 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 has concurred in report of Conference Committee on substitute H. F. No. 19, A bill for an act to fix the compensation of State Printer and Binder.

Also, I am directed to recall concurrent resolution relative to Postmaster and Assistant Postmaster.

BENJ. VAN STEINBURG,
First Assistant Clerk.

On motion of Senator Gault, S. F. No. 224, A bill for an act to amend sections 2131, 2133, 2134, and 2135 of the Code in relation to mechanics' liens, 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 Bailey, Bemis, Boomer, Chambers, Conaway, Dashiell, Fairall, Fitch, Gault, Jessup, Lovell, Maxwell, McCoid, McIntyre, Merrill of Clinton, Miles, Miller, Murphy, Newton, Pease, Perkins, Rothert, Selby, Shane, Stuart, Thornburg, West, Willett, Williams, Wonn, and Young of Cass—31.

The nays were—None.

Absent or not voting—

Senators Campbell, Converse, Cooley, Crary, Dague, Howland, Kephart, Kinne, Larrabee, McCormack, Merrill of Wapello, Mitchell, Rumble, Russell, Smith, Stone, Taylor, Wood, and Young of Mahaska—19.

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 has refused to concur in Senate amendment to H. F. No. 385, A bill for an act making appropriation for the payment of State and judicial officers, and for other purposes.

BENJ. VAN STEINBURG,
First Assistant-Clerk.

REPORTS OF COMMITTEES.

Senator Young of Cass, 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. 219, an act making an appropriation for erecting a physical laboratory building for the Agricultural College and Farm, etc.

S. F. 174, An act providing for the payment of the claim of Carl Jaacks.

Substitute for Senate Files Nos. 236, 256, and 257, An act making certain appropriations for the Orphans' Homes.

Substitute for S. F. No. 199, An act to provide for the creation and enforcement of liens in certain cases, and find the same correctly enrolled.

Also 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 viz:

H. F. No. 256.

H. F. No. 286.

H. F. No. 125.

H. F. No. 328.

H. F. No. 223.

H. F. No. 45.

LAFE YOUNG, *Chairman.*

The Senate insisted on its amendments to H. F. No. 385, and, on motion of Senator Shane, a committee of conference was appointed on the disagreeing votes of the two houses on that bill.

The President appointed Senators Shane, McCoid, and Merrell of Clinton, as such committee.

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. 129, A bill for an act to authorize cities and towns to provide for the improvement of alleys.

BENJ. VAN STEINBURG,
First Assistant Clerk.

REPORTS OF COMMITTEES.

Senator Young of Cass, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have examined H. F. No. 263, An act to amend subdivision 2, of section 796, of the Code.

H. F. No. 375, An act to provide for furnishing the rivers and lakes of the State with fish and fish spawn.

H. F. No. —, An act in relation to town and city lots.

H. F. No. 135, An act making an additional appropriation for the new capitol building.

H. F. No. 379, An act to repeal section 135, of the acts of the Twelfth General Assembly.

H. F. No. 381, An act relating to taxes voted in aid of the construction of railroads.

H. F. No. 303, An act for the relief of Allen Osborn.

H. F. No. 340, An act to legalize the appraisement and sale of certain school lands in Decatur county.

And find the same correctly enrolled.

LAFE YOUNG, *Chairman.*

Senator Miller, from the Committee on Agricultural College, submitted the following report:

MR. PRESIDENT:—Your Committee on Agricultural College, to whom was referred H. F. No. 216, A bill for an act to regulate the leasing of lands belonging to the Iowa State Agricultural College, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it do pass.

E. G. MILLER, *for the Committee.*

On motion of Senator Miller, the bill and report was taken up and considered.

Senator Miller 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 Bailey, Bemis, Boomer, Chambers, Conaway, Dashiell, Fairall, Fitch, Jessup, Maxwell, McCoid, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Perkins, Rothert, Stuart, Thornburg, West, Willett, Williams, and Wonn—26.

The nays were—

Senators Lovell, Selby, Shane, and Young of Cass—4.

Absent or not voting—

Senators Campbell, Converse, Cooley, Crary, Dague, Gault Howland, Kephart, Kinne, Larrabee, Lovell, McCormack, McIntyre, Mitchell, Rumble, Russell, Smith, Stone, Taylor, Wood, and Young of Mahaska—20.

So the bill passed and the title was agreed to.

RESOLUTION.

The following concurrent resolution from the House was taken up: *Resolved by the House of Representatives, the Senate concurring,* That all the general laws published in the "State Register" and "Leader," be also published in the "Iowa Staats Anzeiger," a German

newspaper published in the city of Des Moines, and that the same compensation be paid to the said "Iowa Staats Anzieger" as is paid to the "State Register" and "Leader:" *Provided*, No extra compensation be allowed for the translation of the said laws.

On the question of concurring, the yeas and nays were demanded,¹ and the yeas were—

Senators Bailey, Bemis, Boomer, Conaway, Fairall, Maxwell, McCoid, McIntyre, Merrell of Clinton, Murphy, Newton, Pease, Perkins, Rother, Stuart, Thornburg, Williams, and Wonn—18.

The nays were—

Senators Chambers, Dashiell, Jessup, Lovell, Miller, Selby, and West—7.

Absent or not voting—

Senators Campbell, Converse, Cooley, Crary, Dague, Fitch, Gault, Howland, Kephart, Kinne, Larrabee, McCormack, Merrill of Wapello, Miles, Mitchell, Rumble, Russell, Shane, Smith, Stone, Taylor, Willett, Wood, Young of Cass, and Young of Mahaska—25.

So the Senate concurred in the resolution.

On motion of Senator Perkins, S. F. No. 175, A bill for an act to authorize counties to use swamp lands to aid in the erection of public buildings, etc., with report of committee recommending its passage, was taken up and considered.

Senator Perkins 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 Bailey, Bemis, Boomer, Chambers, Dashiell, Fairall, Fitch, Jessup, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Murphy, Newton, Pease, Perkins, Rother, Selby, Shane, Stuart, Thornburg, West, Wonn, and Young of Cass—26.

The nays were—

Senator Williams—1.

Absent or not voting—

Senators Campbell, Conaway, Converse, Cooley, Crary, Dague, Gault, Howland, Kephart, Kinne, Larrabee, Lovell, McCormack, Miller, Mitchell, Rumble, Russell, Smith, Stone, Taylor, Willett, Wood, and Young of Mahaska—23.

So the bill passed and the title was agreed to.

On motion of Senator Bailey, H. F. No. 260, A bill for an act apportioning the State into Representative districts, and declaring the ratio of representation, with report of committee recommending a substitute, was taken up and considered.

Senator Young of Cass, raised a point of order, that the substitute was re-enacting a law already upon the statutes.

The Chair decided the point of order not well taken.

The substitute was adopted, and the bill ordered engrossed for a third reading.

RESOLUTION.

Senator Miller offered the following:

Resolved, That the thanks of the Senate are due to the Hon. Geo.

R. Willett, for the able and impartial manner in which he has discharged his duties as President *pro tem.*, of this body.

The resolution was unanimously adopted, by a rising vote.

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 agrees to a Committee of Conference on the disagreeing votes on H. F. No. 385, and have appointed Messrs. Brandt, Leahy, and Dixon, such committee on the part of the House.

I am further 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. 334, A bill for an act to amend section 800, of the Code of 1873.

BENJ. VAN STEINBURG,
First Assistant Clerk.

Senator Shane moved that the thanks of the Senate be tendered to George Johnson, Janitor of the Senate, for the faithful, impartial, and gentlemanly manner in which he has performed the duties of that office.

The motion prevailed.

On motion of Senator Fairall, H. F. No. 334, A bill for act to amend section 800, of the Code of 1873, was taken up and read first and second time.

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 Bemis, Boomer, Chambers, Dashiell, Fairall, Gault, Jessup, Lovell, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Perkins, Rothert, Shane, Stuart, Thornburg, West, Williams, Wonn, and Young of Cass—27.

The nays were—None.

Absent or not voting—

Senators Bailey, Campbell, Conaway, Converse, Cooley, Crary, Dague, Fitch, Howland, Kephart, Kinne, Larrabee, McCormack, Mitchell, Rumble, Russell, Selby, Smith, Stone, Taylor, Willett, Wood, and Young of Mahaska—23.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Young of Cass, 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:

H. F. No. 381.
 H. F. No. 340.
 S. F. No. 199.
 H. F. No. 303.
 H. F. No. 135.
 H. F. No. 99.
 H. F. No. 379.
 H. F. No. 263.
 H. F. No. 375.
 S. F. No. 193.

LAFE YOUNG, *Chairman.*

REPORT OF CONFERENCE COMMITTEE.

Senator Shane submitted the following:

The Committee of Conference appointed to canvass the disagreeing vote of the two houses on H. F. No. 385, beg leave to report that they agree to strike out the word "three," in the 28th line of section 4, and insert the word "two."

JOHN SHANE,
 N. A. MERRELL,
 M. A. McCOID,

Managers on part of the Senate.

M. A. LEAHY,
 ISAAC BRANDT,
 J. W. DIXON,

Managers on Part of the House.

On the question, "Shall the report of the committee be adopted?"

The yeas were—

Senators Bemis, Boomer, Chambers, Dashiell, Fairall, Gault, Jessup, Lovell, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Murphy, Newton, Pease, Perkins, Rothert, Selby, Shane, Stuart, Thornburg, West, Willett, Wonn, and Young of Cass—28.

The nays were—None.

Absent or not voting—

Senators Bailey, Campbell, Conaway, Converse, Cooley, Crary, Dague, Fitch, Howland, Kephart, Kinne, Larrabee, McCormack, Mitchell, Rump, Russell, Smith, Stone, Taylor, Williams, Wood, and Young of Mahaska—22.

So the report was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I herewith present for your signature the follow-

ing 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. 199: A bill for an act to provide for the creation and enforcement of liens in certain cases.

H. F. No. 303: A bill for an act for the relief Allen Osborn.

H. F. No. 326: A bill for an act requiring the Executive Council to perform all duties imposed by law on the late Census Board.

H. F. Nos. 41, and 223: A bill for an act to repeal section 4048, title 24, chapter 11 of the Code, and to enact a substitute in lieu thereof.

H. F. No. 45: A bill for an act to amend section 812, chapter 1, title 6, Code of Iowa.

H. F. No. 125: A bill for an act to repeal sections 1721, and 1802, chapter 9, title 12 of the Code, and to enact substitutes therefor.

H. F. No. 99: A bill for an act to provide that lands to be laid out into town or city lots, shall be free from incumbrance, and that the same when thus laid out, shall be accurately described relative to some established corner of the congressional district of which they are a part.

H. F. No. 379: A bill for an act to repeal chapter 135 of the acts of the Twelfth General Assembly.

H. F. No. 340: A bill for an act to legalize the appraisement of and sale of certain school lands in Decatur county, Iowa.

H. F. No. 381: A bill for an act to amend an act relating to the taxes voted in aid of the construction of Railroads, passed by the Fifteenth General Assembly.

H. F. No. 263: A bill for an act to amend section 796, title 6, chapter 1, of the Code of 1873.

H. F. No. 375: A bill for an act to provide for furnishing the rivers and lakes of the State with fish and fish spawn.

S. F. No. 193: A bill for an act to make appropriation for the State Reform School, at Eldora, Iowa.

H. F. No. 135: A bill for an act making an additional appropriation for the erection of the new capitol building.

H. F. No. 256: A bill for an act to legalize the appraisement and sale of certain school lands in Ringgold county, Iowa.

H. F. No. 286: A bill for an act to amend section 1433 of the Code of 1873.

JAMES M. WEART, *Chief Clerk.*

RESOLUTION.

Senator Maxwell offered the following resolution:

Resolved, That in grateful acknowledgment of the pleasant and efficient services of Lieutenant Governor Jos. Dysart, as presiding officer of this body, we request him to take with him the chair he has occupied so creditably.

The resolution was adopted unanimously.

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. 224, A bill for an act to amend section 2131, 2133, 2134, and 2135 of the Code.

BENJ. VAN STEINBURG,
First Assistant-Clerk.

On motion of Senator Shane, S. F. No. 212, A bill for an act relating to evidence taken by the authority of the General Assembly, with report of committee recommending its passage, 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 Chambers, Fairall, Gault, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miller, Murphy, Newton, Pease, Rothert, Selby, Thornburg, Willett, Wonn, and Young of Cass—17.

The nays were—

Senators Boomer, Fitch, Jessup, Lovell, Maxwell, Miles, Perkins, Shane, Stuart, and Williams—10.

Absent or not voting—

Senators Bailey, Bemis, Campbell, Conaway, Converse, Cooley, Crary, Dague, Dashiell, Howland, Kephart, Kinne, Larrabee, McCormack, Mitchell, Rumble, Russell, Smith, Stone, Taylor, West, Wood, and Young of Mahaska—23.

The bill having failed to receive a constitutional majority, was lost.

RESOLUTION.

Senator Young of Cass, offered the following:

Resolved, That the thanks of the Senate are hereby tendered to J. A. T. Hull, of Davis county, Secretary; W. L. Vestal, of Buena Vista county, First Assistant Secretary; and R. B. Baird, of Muscatine county, Second Assistant Secretary, for the competent and satisfactory manner in which they have discharged their duties. Also, that we extend our thanks to the Enrolling and Engrossing Clerks, Door-keeper, Sergeant-at-Arms, and Messengers, for the manner in which they have performed their duties.

The resolution was adopted.

On motion of Senator Miles, at 12:45, A. M., the Senate adjourned until 9 o'clock, A. M.

SENATE CHAMBER,
DES MOINES, IOWA, March 19, 1874. }

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

Prayer by Rev. Dr. Murphy.

Reading of the journal was dispensed with.

PETITION.

Senator Kinne presented a petition from citizens of Lansing, Iowa, asking for a license law.

The petition was passed on file.

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. 334, A bill for an act to amend section 800 of the Code of 1873.

H. F. No. 385, A bill for an act making appropriations for the payment of State and judicial officers.

H. F. No. 193, A bill for an act allowing school districts lying in two adjoining counties the right to vote mills instead of specific sums.

H. F. No. 19, A bill for an act to fix the compensation of State Printer and State Binder.

MR. PRESIDENT:—I am also directed to inform your honorable body that the House of Representatives has passed the following bill, without amendment:

S. F. No. 138, A bill for an act to amend sections 3181 and 3182 of the Code of 1873.

Also, that the House has concurred in the report of the conference committee on the disagreeing votes of the two houses on H. F. No. 385.

Also, that the House has concurred in resolution for the distribution of documents printed by the Board of Immigration.

Also, that the House has passed, without amendment, S. F. No. 244, A bill for an act to amend section 906 of the Code.

S. F. No. 121, A bill for an act to prohibit the encouragement of minors to remain in certain buildings.

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. 222, A bill for an act to provide for the appointment of a board of fish commissioners, for the construction of fishways for the

protection and propagation of fish, and to repeal sections 4052 and 4053, and to amend section 4054.

S. F. No. 28, A bill for an act for the organization and management of savings banks.

S. F. No. 119, A bill for an act to provide for holding teachers' normal institutes.

Also joint resolution relative to printing school laws.

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. 230, A bill for an act to amend sections 1386, 1392, 1436, and 1438, of chapter 2, title 11 of the Code.

JAMES M. WEART, *Chief Clerk.*

BILLS ON THIRD READING.

Substitute for H. F. No. 260, A bill for an act apportioning the State into representative districts and declaring the ratio of representation, was taken up.

On the question "Shall the bill pass?"

The yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Cooley, Crary, Dashiell, Fairall, Jessup, Larrabee, Maxwell, McCoid, McCormack, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Newton, Pease, Rothert, Rumpel, Shane, Smith, Stuart, Willett, Wonn, Wood, and Young of Mahaska—32.

The nays were—

Senators Converse, Fitch, Howland, Perkins, Russell, Stone, Taylor, Thornburg, and Young of Cass—9.

Absent or not voting—

Senators Dague, Gault, Kephart, Kinne, Lovell, Murphy, Selby, West, and Williams—9.

So the bill passed and the title was agreed to.

RESOLUTIONS.

Senator Lovell offered a concurrent resolution, relative to the transfer of stone masons and stone cutters from Fort Madison to Anamosa Penitentiary.

The resolution was adopted.

Senator Shane offered a concurrent resolution, distributing the report of the Investigating Committee on Agricultural College to the members of the Fifteenth General Assembly, etc.

The resolution was 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. 129, A bill for an act to authorize cities and town to provide for the improvement of alleys.

S. F. Nos. 236, 256 and 257, A bill for an act making certain appropriations for the Soldiers' Orphan's Homes.

S. F. No. 200, A bill for an act to amend section 1144, of chapter 4, of title — of the Code.

S. F. 219, A bill for an act making an appropriation for erecting a Physical Laboratory at Agricultural College.

BENJ. VAN STEINBURG,
First Assistant-Clerk.

By leave, Senator Larrabee introduced S. F. No. 276, A bill for an act to amend section 866, of the Code of 1873.

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 Bailey, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Fairall, Fitch, Howland, Kinne, Larrabee, Lovell, Maxwell, McCoid, McCormack, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Newton, Perkins, Rotherg, Shane, Smith, Stone, Stuart, Taylor, Thornburg, West, Wonn, Wood, Young of Cass, and Young of Mahaska—35.

The nays were—None.

Absent or not voting—

Senators Bemis, Dague, Dashiell, Gault, Jessup, Kephart, McIntyre, Mitchell, Murphy, Pease, Rumble, Russell, Selby, Willett, and Williams—15.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Young of Cass, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Enrolled Bills respectfully report that they have examined H. F. No. 334, A bill for an act to amend section 800 of the Code.

Substitute for H. F. No. 19, An act to fix the compensation of State Printer and Binder.

H. F. No. 222, An act providing for Fish Commissioners, etc.

H. F. No. 193, An act allowing school districts certain privileges.

H. F. No. 385, An act making appropriations for the salaries of State and Judicial officers.

Joint resolution authorizing the Superintendent of Public Instruction to have the school laws printed.

S. F. 119, An act to provide for the holding of teachers' normal institutes.

Substitute for S. F. No. 28, An act to provide for the organization of savings banks.

S. F. No. 200, An act to amend section 1144 of the Code.

Substitute for Senate Files Nos. 236, 256, and 257, An act making appropriations for the orphans' homes.

S. F. No. 129, An act to authorize cities and towns to provide for the improvement of alleys.

S. F. No. 174, An act providing for the pay of Carl Jaacks.

S. F. No. 219, An act making an appropriation for a physical laboratory, etc., for the Agricultural College.

S. F. No. 274, An act making an appropriation for the incidental expenses of the Fifteenth General Assembly, and other purposes.

S. F. No. 125, An act to amend section 509 of the Code of 1873.

S. F. No. 230, An act to amend sections 1386, 1392, 1436, and 1438, of chapter 2, title 11, of the Code.

S. F. No. 70, An act to amend section 1260, chapter 4, title 10, of the Code of Iowa.

S. F. No. 114, An act making further appropriations for the hospital for the insane, at Mt. Pleasant.

S. F. No. 244, An act to amend section 906 of the Code

S. F. No. 269, An act in relation to the vacation of town plats.

S. F. No. 235, an act to provide for the improvement of the penitentiary at Fort Madison, and to provide for the increased salary of the clerk thereof, and find the same correctly enrolled.

Also, 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, viz:

S. F. No. 28.

Joint resolution providing for the publication of the school laws.

H. F. No. 222.

H. F. No. 334.

H. F. No. 19.

H. F. No. 193.

H. F. No. 385.

S. F. No. 219.

S. F. No. 129.

S. F. No. 200.

Substitute for Senate Files Nos. 236, 256, and 257.

LAFE YOUNG, *Chairman.*

CONCURRENT RESOLUTION.

Senator Converse introduced a concurrent resolution relative to the certification of lands by the Commissioner of the General Land Office and the Secretary of the Interior.

On the adoption of the resolution, the yeas and nays were demanded and the yeas were—

Senators Bailey, Boomer, Campbell, Conaway, Converse, Cooley, Crary, Dashiell, Jessup, Kinne, Lovell, Maxwell, McCoid, McCormack,

Merrell of Clinton, Merrill of Wapello, Miller, Murphy, Newton, Pease, Perkins, Rumpel, Smith, Stuart, Taylor, Thornburg, West, Wood, and Young of Cass—29.

The nays were—

Senators Bemis, Chambers, Dague, McIntyre, Miles, Rothert, Shane, Wonn, and Young of Mahaska—9.

Absent or not voting—

Senators Fairall, Fitch, Gault, Howland, Kephart Larrabee, Mitchell, Russell, Selby, Stone, Willett, and Williams—12.

So the resolution was adopted.

On motion of Senator Miller, H. F. No. 318, A bill for an act in relation to delinquent taxes, with report of committee recommending its passage, was taken up and considered.

Senator Miller 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 Bailey, Converse, Cooley, Crary, Fairall, Kinne, Larrabee, Lovell, Miller, Rothert, Stone, Willett, and Williams—13.

The nays were—

Senators Boomer, Campbell, Chambers, Conaway, Dashiell, Fitch, Howland, Jessup, Maxwell, McCoid, McCormack, Merrell of Clinton, Mitchell, Newton, Pease, Perkins, Rumpel, Russell, Shane, Stuart, Taylor, Thornburg, Wonn, Wood, and Young of Cass—25.

Absent or not voting—

Senators Bemis, Dague, Gault, Kephart, McIntyre, Merrill of Wapello, Miles, Murphy, Selby, Smith, West, and Young of Mahaska—12.

So the bill not having received a constitutional majority was lost.

REPORT OF COMMITTEE.

Senator Young of Cass, 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. 121, An act to prohibit the encouragement of minors to remain in certain buildings, and find the same correctly enrolled.

Also, 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, viz:

S. F. No. 269.

S. F. No. 244.

S. F. No. 119.

S. F. No. 114.

S. F. No. 70.

S. F. No. 230.

S. F. No. 235.

S. F. No. 125.

S. F. No. 174.

S. F. No. 274.

LAFE YOUNG, *Chairman.*

Senator Shane moved to reconsider the vote by which H. F. No. 349, A bill for an act to amend section 3049 of the Code of 1873, was lost.

The motion prevailed.

On the question, "Shall the bill pass?"

The yeas were—

Senators Bemis, Converse, Fairall, Howland, Kinne, McCormack, Perkins, Russell, Stone, Thornburg, and Young of Mahaska—11.

The nays were—

Senators Bailey, Boomer, Campbell, Chambers, Conaway, Cooley, Dashiell, Jessup, Lovell, Maxwell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Mitchell, Newton, Pease, Shane, Smith, Stuart, Willett, Wonn, Wood, and Young of Cass—25.

Absent or not voting—

Senators Crary, Dague, Fitch, Gault, Kephart, Larrabee, Miller, Murphy, Rothert, Rumple, Selby, Taylor, West, and Williams—14.

So the bill, having failed to receive a constitutional majority, was declared 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, with amendment, in which the concurrence of the Senate is asked:

S. F. No. 170, A bill for an act to establish and maintain industrial expositions in public schools of the State.

JAMES M. WEART, *Chief Clerk.*

On motion of Senator Cooley, S. F. No. 170, with House amendments, was taken up.

On concurring in the House amendments, the yeas were—

Senators Bailey, Bemis, Boomer, Campbell, Chambers, Conaway, Converse, Cooley, Crary, Dashiell, Fairall, Howland, Jessup, Larrabee, Lovell, McCoid, McIntyre, Merrell of Clinton, Merrill of Wapello, Miles, Miller, Mitchell, Perkins, Rothert, Rumple, Smith, Stone, Thornburg, Williams, Wonn, Wood, Young of Cass, and Young of Mahaska—33.

The nays were—

Senators McCormack, Newton, Pease, Shane, Stuart, and Taylor—6.

Absent or not voting—

Senators Dague, Fitch, Gault, Kephart, Kinne, Maxwell, Murphy, Russell, Selby, West, and Willett—11.

So the House amendments were concurred in.

Senator Cooley moved that a committee of two be appointed to wait upon the Governor and ask him if he has anything further to lay before the Senate.

The motion prevailed, and the President appointed Senators Cooley and Merrell of Clinton said 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:

S. F. No. 70, A bill for an act to amend section 1260, chapter 4, title 10, of the Code of Iowa.

S. F. No. 114, A bill for an act making an appropriation for the hospital for the insane at Mt. Pleasant.

S. F. No. 244, A bill for an act to amend section 906 of the Code.

S. F. No. 269, A bill for an act in relation to the vacation of town plats.

S. F. No. 279, A bill for an act making an appropriation for incidental expenses of the Fifteenth General Assembly, and for other purposes.

S. F. No. 174, A bill for an act for the payment of the claim of Carl Jaacks.

S. F. No. 125, A bill for an act to amend section 509, of the Code of 1873.

S. F. No. 230, A bill for an act to amend sections 1386, 1392, 1436, and 1438, of chapter 2, title 11, of the Code.

S. F. No. 235, A bill for an act to provide for the improvement of the Penitentiary at Ft. Madison.

JAMES M. WEART, *Chief Clerk.*

The committee appointed to wait upon the Governor reported that they had discharged the duty assigned them, and that he had nothing further to communicate to the Senate.

The committee was discharged.

Senator Miles moved that all bills on the files be indefinitely postponed.

The motion prevailed.

Senator Shane moved that a committee of three be appointed to wait upon the House and inform it that the Senate is now ready to adjourn.

The motion prevailed, and the President appointed as said committee Senators Shane, Pease, and Miller.

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. 121, A bill for an act to prohibit the encouragement of minors to remain in certain buildings.

H. F. No. 216, A bill for an act to regulate the leasing of the lands belonging to the Iowa State Agricultural College.

S. F. No. 224, A bill for an act to amend sections 2131, 2133, 2134, and 2135, of the Code.

S. F. No. 138, A bill for an act to amend sections 3181, and 3182, of the Code.

JAMES M. WEART, *Chief Clerk.*

Senator Young of Cass, 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.:

S. F. No. 138.

S. F. No. 224.

H. F. No. 216.

S. F. No. 121.

Also, the following:

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have examined S. F. No. 224, An act to amend sections 2131, 2133, 2134, and 2135 of the Code.

S. F. 138, An act to amend sections 3181, and 3182 of the Code, and find the same correctly enrolled.

LAFE YOUNG, *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.

S. F. No. 170: A bill for an act to establish and maintain industrial expositions in public schools of the State.

JAMES M. WEART, *Chief Clerk.*

Senator Young, of Cass, 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. 170, and find the same correctly enrolled.

Also, 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 :

S. F. No. 170.

LAFE YOUNG, *Chairman.*

The committee appointed to notify the House that the Senate was ready to adjourn, reported that they had performed that duty, and were discharged.

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:

Senate substitute for H. F. No. 260, A bill for an act apportioning the State into Representative Districts, and declaring the ratio of representation.

JAMES M. WEART, *Chief Clerk.*

REPORT OF COMMITTEE.

Senator Young of Cass, from the Committee on Enrolled Bills, submitted the following report:

MR. PRESIDENT:—The Committee on Enrolled Bills respectfully report that they have examined substitute for H. F. No. 260, An act apportioning the State into Representative Districts, and find the same correctly enrolled.

LAFE YOUNG, *Chairman.*

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. 260, A bill for an act apportioning the State into Representative Districts, and declaring the ratio of representation.

JAMES M. WEART, *Chief Clerk.*

REPORT OF COMMITTEE.

Senator Young of Cass, 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:

Substitute for H. F. No. 260.

LAFE YOUNG, *Chairman.*

A committee from the House announced that that body is now ready to adjourn, *sine die*.

At 10 o'clock, A. M., the President declared the Senate adjourned, without date.



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ERRATA.

On page 48, after the adoption of Senator Rothert's amendment, it was moved to insert the words "Postmaster and Assistant Postmaster" after the word "Warden;" on this the yeas and nays were demanded.

On page 67, insert the word "not" before the word "germane."

On page 75, "45" should be "34."

On page 81 "S. F. No. 53" should be "S. F. No. 9."

On page 165, "H. F. No. 92" should be "S. F. No. 92."

On page 168, "S. F. No. 59" should be "S. F. No. 159."

On page 183, "S. F. No. 92" should be "S. F. No. 72."

On page 199, "S. F. No. 2" should be "S. F. No. 102."

On page 199, the word "discussion" should be "division."

On page 232, in S. F. No. 71, "25" should be "2."

On page 236, "H. F. No. 174" should be "S. F. No. 174."

On page 251, "S. F. Nos. 41 and 223" should be "H. F. Nos. 41 and 223."

On page 260, "S. F. No. 104," should be "S. F. No. 101."

On page 286, "S. F. No. 23," should be "S. F. No. 231."

On page 319, "S. F. No. 237" should be "S. F. No. 231."

On page 319, "S. F. No. 148" should be "H. F. No. 148."

On page 328, "S. F. No. 156" should be "S. F. No. 56."

On page 333, "Murry" should be "Ramsay."

On page 347, "H. F. No. 31, should be "H. F. No. 61."

On page 348, Senator's Miller's motion should read, "after the enacting clause."

On page 350, "S. F. No. 8" should be "H. F. No. 8."

On page 355, "S. F. No. 289" should be "H. F. No. 248."

On page 358, "H. F. No. 223" should be "H. F. No. 233."

On page 359, "H. F. No. 236" should be "H. F. No. 336."

On page 382, "Bissell" should be "Russell."

On page 383, "Bissell" should be "Russell."

On page 385, "S. F. No. 216" should be "S. F. No. 266."

On page 401, "H. F. No. 750" should be "H. F. No. 368."

On page 470, "S. F. No. 212" should be "S. F. No. 217."