

JOURNAL

OF

THE SENATE

OF THE

SEVENTEENTH GENERAL ASSEMBLY

UNIV. OF
OF THE
CALIFORNIA

STATE OF IOWA,

WHICH CONVENEED AT THE CAPITOL AT DES MOINES, JANUARY 14, 1878.

DES MOINES:
B. P. CLARKSON, STATE PRINTER.
1878.

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JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, January 14th, 1878. }

Pursuant to law, the Senate of the Seventeenth General Assembly convened at 2 o'clock P. M., and was called to order by Hon. H. W. Rothert, President, *pro tempore*, of the Senate.

Prayer by Rev. Mr. Lucas.

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

On motion of Senator Hartshorn, temporary assistant secretaries were dispensed with.

Nominations for temporary Sergeant-at-Arms being in order, Senator Gilmore nominated W. H. Needham.

Senator Harmon nominated W. B. Mayes.

Senator Gallup nominated E. H. Kenyon.

Senator Miller nominated C. S. Byrkit.

Senator Dwelle nominated G. E. Hathaway.

Senator Teale nominated Andrew Day.

On motion of Senator Arnold it was resolved to vote by ballot.

On motion of Senator Woolson, all except the three receiving the greatest number of votes were to be dropped after the first ballot.

The Chair appointed Senators Gallup, Harmon and Miller as tellers.

A ballot was then had with the following result :

Whole number of votes cast.....	43
Of which C. S. Byrkit received.....	9
Of which W. B. Mayes received.....	13
Of which G. E. Hathaway received.....	4
Of which Andrew Day received.....	4
Of which William Needham received.....	5
Of which E. H. Kenyon received.....	6
Of which T. G. Milligan received.....	1
Blank.....	1

There being no choice, the Senate proceeded to another ballot, with the following result:

Whole number of votes cast.....	44
Of which C. S. Byrkit received.....	12
Of which W. B. Mayes received.....	20
Of which E. H. Kenyon received.....	12

There being no choice the Senate proceeded to a third ballot, with the following result:

Whole number of votes cast.....	44
Of which W. B. Mayes received.....	25
Of which C. S. Byrkit received.....	4
Of which E. H. Kenyon received.....	10
Scattering.....	5

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

The question being on the election of a temporary Door-Keeper, Senator McCoid nominated Theodore Schreiner.

Senator Webb nominated Thomas Morgan.

The vote being taken, Mr. Schreiner was declared duly elected temporary door-keeper.

The question of electing temporary messengers of the Senate being in order, on motion of Senator Nichols, of Guthrie, the President was authorized to appoint, and the chair appointed Frank Brady, James Hinsley, and Phil Baker as such officers.

For temporary Janitor, Senator Miller nominated Geo. H. Johnson, and Senator Dashiell nominated G. L. Berry.

The vote being taken, Mr. Johnson was declared duly elected temporary Janitor.

Senator Rumble moved that the chair appoint a Committee of five on Credentials, which was agreed to and the chair appointed Senators Rumble, Dows, Bestow, Wonn, and Kinne as such committee.

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

2nd District—Horatio A. Wonn.
 3d District—Joshua Miller.
 4th District—Henry L. Dashiell.
 5th District—Samuel L. Bestow.
 6th District—Fred Teale.
 8th District—Alfred Hebard.
 11th District—Moses A. McCoid.
 15th District—Thos. R. Gilmore.
 17th District—Wm. Graham.
 19th District—Geo. F. Wright.
 23rd District—Henry C. Carr.
 24th District—Wm. A. Maginnis.
 25th District—Ezekiel Clark.
 26th District—John N. W. Rumble.
 27th District—Stephen L. Dows.
 31st District—Samuel D. Nichols.
 32nd District—Delos Arnold.
 33rd District—W. H. Gallup.
 39th District—M. W. Harmon.
 40th District—John T. Stoneman.
 41st District—Samuel Kinne.
 43rd District—Wm. Larrabee.
 47th District—Lemuel Dwelle.
 49th District—Eldin J. Hartshorn.

Absent:

14th District—William Wilson.
 16th District—John L. McCormack.

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

1st District—Jas. M. Shelley.
 7th District—P. W. Lewellen.
 9th District—John Patterson.
 10th District—John S. Woolson.
 12th District—Sanford Harned.

18th District—Gregg A. Madson.
18th District—Lafayette Young.
20th District—Thomas Hanna.
21st District—Wm. A. Foster.
22d District—Nathaniel A. Merrell.
28th District—John D. Nichols.
29th District—John Meyer.
30th District—Robert C. Webb.
34th District—Augustin W. Ford.
35th District—Moses M. Ham.
36th District—Chas. Bronson.
37th District—Daniel D. Chase.
38th District—H. C. Hemenway.
42d District—Martin N. Johnson.
44th District—Aaron Kimball.
45th District—Robert M. Haines.
46th District—W. W. Blackman.
48th District—J. J. Russell.
50th District—Albert H. Lawrence.

At 3 o'clock P. M., on motion of Senator Wright, the Senate adjourned until 10 o'clock A. M. to-morrow.

DES MOINES, IOWA, January 15, 1878.

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

Prayer by Rev. Mr. O'Neal.

Journal of yesterday read and approved.

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

TO THE PRESIDENT OF THE SENATE :

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—J. M. Shelley.
7th District—P. W. Lewellen.
9th District—John Patterson.
10th District—John S. Woolson.
12th District—Sanford Harned.
13th District—G. A. Madson.
18th District—Lafayette Young.
20th District—Thomas Hanna.
21st District—W. A. Foster.
22d District—N. A. Merrell.
28th District—J. D. Nichols.
29th District—John Meyer.
30th District—R. C. Webb.

34th District—A. W. Ford.
 35th District—M. M. Ham.
 36th District—C. E. Bronson.
 37th District—D. D. Chase.
 38th District—H. C. Hemenway.
 42d District—M. N. Johnson.
 44th District—Aaron Kimball.
 45th District—R. M. Haines.
 46th District—W. W. Blackman.
 48th District—J. J. Russell.
 50th District—A. H. Lawrence.

[Signed.]

J. N. W. RUMPLE,
 S. L. DOWS,
 S. L. BESTOW,
 H. A. WONN,
 S. H. KINNE,
Committee.

On motion of Senator Rumble, Senator McCormack was excused until the 21st inst.

The newly elected Senators then took and subscribed the following oath: You, and each of you, do solemnly swear to support the constitution of the United States and the constitution of the State of Iowa, and that you will faithfully discharge the duties of Senators to the best of your abilities.

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

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

Senator Wonn nominated T. O. Walker, of Davis county, for the same office.

The roll was then called. Those voting for J. A. T. Hull, were:

Senators Arnold, Bestow, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Teale, Webb, Woolson, Wright, and Young—38.

Those voting for T. O. Walker, were:

Senators Bronson, Ham, Harned, Kinne, Madson, Maginnis, Merrell, Shelley, Stoneman, Wilson, and Wonn—11.

J. A. T. Hull having received a majority of the votes cast, was declared duly elected Secretary of the Senate.

Senator Hartshorn nominated A. T. McCargar, of Clay county, for First Assistant Secretary.

Senator Ham nominated Isaac W. Baldwin, of Dubuque county, for the same position.

The roll was then called. Those voting for A. T. McCargar, were:

Senators Arnold, Bestow, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Teale, Webb, Woolson, Wright, and Young—38.

Those voting for Isaac W. Baldwin, were:

Senators Bronson, Ham, Harned, Kinne, Madson, Maginnis, Merrell, Shelley, Stoneman, Wilson, and Wonn—11.

Mr. McCargar having received a majority of the votes cast, was declared duly elected First Assistant Secretary of the Senate.

Senator Rumble nominated Ed. E. Merritt, of Iowa county, for Second Assistant Secretary.

Senator Stoneman nominated Chas. M. McElroy, of Clayton county, for the same position.

The roll was then called. Those voting for Ed. E. Merritt, were:

Senators Arnold, Bestow, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Teale, Webb, Woolson, Wright, and Young—38.

Those voting for Chas. M. McElroy, were:

Senators Bronson, Ham, Harned, Kinne, Madson, Maginnis, Merrell, Shelley, Stoneman, Wilson, and Wonn—11.

Mr. Ed. Merritt having received a majority of all the votes cast, was declared duly elected Second Assistant Secretary of the Senate.

Senator Bestow nominated Andrew Day, of Lucas county, for Sergeant at Arms.

Senator Stoneman nominated D. F. Bickell, of Clayton county, for the same office.

The roll was then called. Those voting for Andrew Day, were:

Senators Arnold, Bestow, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, Meyer, Miller, Nichols of Benton, Nichols, of Guthrie, Patterson, Rumble, Russell, Teale, Webb, Woolson, Wright, and Young—38.

Those voting for D. F. Bickell, were:

Senators Bronson, Ham, Harned, Kinne, Madson, Maginnis, Merrell, Shelley, Stoneman, Wilson, and Wonn—11.

Andrew Day having received a majority of all the votes cast, was declared duly elected Sergeant-at-Arms of the Senate.

Senator Dows nominated Miss L. Rehkopf, of Van Buren county, for Postmaster of the Senate.

Senator Kinne nominated E. D. Purdy, of Allamakee county, for the same office.

The roll was then called. Those voting for Miss Rehkopf, were:

Senators Arnold, Bestow, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Teale, Webb, Woolson, Wright, and Young—38.

Those voting for E. D. Purdy, were:

Senators Bronson, Ham, Kinne, Madson, Maginnis, Merrell, Shelley, Stoneman, Wilson, and Wonn—10.

Miss L. Rehkopf, having received a majority of all the votes cast, was

declared duly elected Postmaster of the Senate of the Seventeenth General Assembly.

Senator Woolson nominated Theo. Shreiner, of Henry county, for Door-Keeper.

Senator Shelley nominated Andy Brown, of Lee county, for the same place.

The roll was then called. Those voting for Theo. Shreiner were :

Senators Arnold, Bestow, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Teale, Webb, Woolson, Wright, and Young—38.

Those voting for Andy Brown were :

Senators Bronson, Ham, Harned, Kinne, Madson, Maginnis, Merrell, Shelley, Stoneman, Wilson, and Wonn—11.

Theo. Shreiner having received a majority of all the votes cast was declared elected door-keeper of the Senate.

Senator Harmon nominated Miss S. M. Hallett, of Buchanan county, for Enrolling Clerk.

Senator Shelley nominated S. McQuillen, of Lee county, for the same office.

The roll was then called. Those voting for Miss S. M. Hallett were :

Senators Arnold, Bestow, Blackman, Carr, Chase, Dashiell, Dows, Dwelle, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Teale, Webb, Woolson, Wright, and Young—36.

Those voting for S. McQuillen were :

Senators Bronson, Ham, Harned, Kinne, Madson, Maginnis, Merrell, Shelley, Stoneman, Wilson, and Wonn—11.

Miss S. M. Hallett having received a majority of all the votes cast, was declared duly elected Enrolling Clerk of the Senate.

Senator Larabee nominated Miss Hattie Raybourne of Dallas county, for Engrossing Clerk.

Senator Merrell nominated Miss Kate Hudson of Clinton county, for the same position.

The roll was then called. Those voting for Miss Hattie Raybourne were:

Senators Arnold, Bestow, Blackman, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Teale, Webb, Woolson, Wright and Young—37.

Those voting for Miss Kate Hudson were:

Senators Bronson, Ham, Harned, Kinne, Madson, Maginnis, Merrell, Shelley, Stoneman, Wilson, and Wonn—11.

Miss Hattie Raybourne having received a majority of all the votes cast was declared elected Engrossing Clerk of the Senate.

Senator Webb nominated George H. Johnson, of Polk county, for Janitor.

Senator Stoneman nominated Henry Cravens, of Clayton county, for the same office.

The roll was then called. Those voting for Geo. H. Johnson were:

Senators Arnold, Bestow, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Teale, Webb, Woolson, Wright, and Young—38.

Those voting for Henry Cravens were:

Senators Bronson, Ham, Harned, Kinne, Madson, Maginnis, Merrell, Shelley, Stoneman, Wilson and Wonn—11.

Geo. H. Johnson having received a majority of all the votes cast was declared duly elected Janitor of the Senate.

RESOLUTIONS.

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

Resolved by the Senate, the House concurring, that J. D. McGarraugh be appointed mail carrier for the Seventeenth General Assembly.

Senator Dows offered the following resolution, which was adopted:

Resolved, That Phil Baker, Philo Coombs and Frank Brady be appointed messengers of the Senate.

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

Resolved, That Mrs. J M Dixon and Fred. Rumsey be appointed paper folders of the Senate.

Senator Teale offered the following:

Resolved, That the office of assistant doorkeeper is hereby abolished. Which was agreed to.

Senator Teale moved that a committee of two be appointed to notify the House that the Senate was organized and ready for business.

The motion prevailed, and Senators Teale and Stoneman were appointed such committee.

Senator Dows moved that a committee of two be appointed on the part of the Senate to act with a like committee on the part of the House to notify the Governor that the General Assembly was organized and ready to proceed to business.

The motion was adopted.

Senator Larrabee offered the following:

Resolved, That the printed rules of last session shall govern the Senate during this session.

The resolution was agreed to.

Senator Wonn offered the following resolution, which was adopted:

Resolved, That the Secretary of State be requested to furnish each member of the Senate with a copy of the Code of 1873, and also with a copy of the laws of the Fifteenth and Sixteenth General Assemblies.

The newly elected officers of the Senate appeared before the bar of the Senate and took the oath of office.

The committee appointed to wait upon the House reported that they had performed that duty.

On motion of Senator Wright, the Senate, at 11 o'clock, took a recess for ten minutes.

AFTER RECESS.

At 11:10 o'clock the Senate was called to order by the President.

RESOLUTION.

Senator Meyer offered the following resolution:

Resolved by the Senate, the House concurring, That the Senate will meet the House in the hall of the House of Representatives in joint convention, for the purpose of canvassing the vote for Governor and Lieutenant Governor, on Wednesday, January 16, 1878, at 10:30 o'clock A. M.

The resolution was adopted.

Senator Woolson was excused until Tuesday next.

Senator Young moved that the Senate proceed to the election of a temporary President of the Senate, pending which, a committee from the House appeared before the bar of the Senate, and informed the Senate that the House was organized and ready for business.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that a committee of three has been appointed on the part of the House of Representatives to co-operate with a similar committee on the part of the Senate, to notify His Excellency, the Governor, that the General Assembly is duly organized and ready to proceed to business.

J. W. LOGAN, *Temporary Clerk.*

HOUSE MESSAGES.

Senator Woolson moved to take up House Messages, which was agreed to, and House resolution to appoint a joint committee to wait upon the Governor, was taken up and concurred in.

Senators Dows, Merrell and Woolson were appointed such committee on the part of the Senate.

The committee appointed on the part of the Senate to wait upon the Governor, reported that the Governor would communicate with the Senate in twenty minutes.

MESSAGE FROM THE GOVERNOR.

The Governor, by his Private Secretary W. H. Fleming, presented to the Senate his Biennial Message.

The consideration of the motion of Senator Young to elect a temporary President was resumed.

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

The yeas were:

Senators Carr, Chase, Dashiell, Ham, Hanna, Hartsborn, Johnson, Kimball, Madson, Maginnis, Meyer, Nichols of Benton, Russell, Stone-man, Teale, Webb, Wilson and Young—18.

The nays were:

Senators Arnold, Bestow, Blackman, Bronson, Clark, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Harmon, Hebard, Hemenway, Larrabee, Lawrence, Lewellen, McCoid, Merrell, Miller, Nichols of Guthrie, Patterson, Rumble, Wonn, Woolson, and Wright—28.

Absent or not voting:

Senators Harned, Kinne and McCormack—3.

Senator Shelley was excused from voting, so the motion did not prevail.

On motion of Senator Woolson, the Governor's Message was taken up.

Pending reading, Senator Woolson moved that further reading of the Governor's Message be dispensed with, and that the same be ordered printed and passed on file to be referred to the appropriate committee when such committees are appointed, which motion prevailed.

On motion of Senator Arnold, at 11:55 o'clock the Senate adjourned till to-morrow at 10 o'clock A. M.

DES MOINES, IOWA, Jan. 16, 1878.

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

Prayer by Rev. Mr. Houts.

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:

Concurrent resolution relative to the appointment of Postmaster and Assistant Postmaster.

Also, the House has passed, without amendment, the resolutions to meet in joint convention at 10:30 o'clock, January 16, to canvass the votes for Governor and Lieutenant Governor,

And for the appointment of J. D. McGarragh as mail-carrier.

BEN. VAN STEINBURG, *Assistant Clerk.*

CONCURRENT RESOLUTION.

Senator Dows offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That a committee of three from the Senate, and three from the House, be appointed on inauguration of the Governor and Lieutenant-Governor elect; and that said committee be instructed to secure the use of a building suitable for inauguration ceremonies, and to make such other arrangements as the committee may deem necessary.

The resolution was adopted, and Senators Dows, Webb and Wilson appointed as such committee, on the part of the Senate.

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

The President announced as teller on the part of the Senate, for counting the votes for Governor and Lieutenant Governor, Senator Hartshorn.

HOUSE MESSAGES.

No objection being made, House messages were taken up, and the resolution relative to the appointment of Postmaster and Assistant Postmaster, was concurred in.

RESOLUTION.

Senator Arnold offered the following resolution, which was adopted:

Resolved, That a committee of three be appointed, to ascertain and report the mileage due to members of the Senate.

Senators Arnold, Shelley and Lawrence were appointed such committee.

At 10:30 o'clock, A. M., the Senate repaired to the Hall of the House of Representatives.

JOINT CONVENTION.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 16, 1878.

The Sergeant-at-Arms announced the Honorable Senate, who took seats assigned them.

President Rothert, on part of the Senate, appointed Senator Hartshorn as teller.

The Speaker appointed as teller, on part of the House, Mr. Lyon.

Senator Dows moved that Senator Russell be appointed as assistant teller, on part of the Senate. The motion prevailed.

Mr. Ure moved that Mr. Calvin be appointed as assistant teller, on the part of the House. The motion prevailed.

The returns from Chickasaw county not being properly attested, on motion of Senator Hartshorn the votes were counted.

The returns from Emmet county not being properly attested, on motion of Mr. Wright, of Warren county, the votes were counted.

Mr. Gleason moved that the Joint Convention take a recess until two o'clock P. M. The motion prevailed.

AFTER RECESS.

2 O'CLOCK P. M.

Joint Convention called to order by H. W. Rothert, President of the Senate.

In the returns from Buchanan county it appeared that there was an excess of votes polled over the actual number of votes, in two precincts of the county, and upon motion of Senator Harmon, the vote was counted according to the returns of the Board of Supervisors of said county.

The returns from Marshall county not being properly attested, on motion of Mr. Parker the same were received and the votes counted.

The returns from Mitchell county not being properly attested, on motion of Mr. Ure the same were received and the votes counted.

The returns from Poweshiek county not being properly attested, it was moved by Mr. McCartney that the same be received and the votes counted, which motion prevailed.

The President then announced the following as the result of the canvass:

FOR GOVERNOR.

Whole number of votes cast.....	245,745
Of which John H. Gear received.....	121,516
Of which John P. Irish received.....	78,995
Of which Daniel Stubbs received	34,347
Of which Elias Jessup received	10,545
Of which there were, scattering.....	124

FOR LIEUTENANT GOVERNOR.

Whole number of votes cast.....	246,233
Of which Frank T. Campbell received.....	133,824
Of which W. C. Jarvis received	80,994
Of which A. McCready received	32,205
Of which there were, scattering.....	307

Whereupon the President declared John H. Gear elected Governor, and Frank T. Campbell elected Lieutenant-Governor of the State for the term of two years from the second Monday in January, A. D., 1878, they having received a majority of the votes cast at the election in October last (1877), and certificates of their election were read and signed as follows:

HALL OF HOUSE OF REPRESENTATIVES, }
Des Moines, January 16, 1878. }

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., 1877, for the office of Governor of the State of Iowa, it appeared that John H. Gear received the highest number of 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 16th day of January, 1878.

HENRY W. ROTHERT,
Lieutenant-Governor and President of the Senate.
JOHN Y. STONE,
Speaker of the House of Representatives.

ATTEST:

E. J. HARTSHORN,
Teller of the Senate.
O. H. LYON,
Teller of the House.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, January 16, 1878. }

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., 1877, for the office of Lieutenant-Governor of the State of Iowa, it appeared that Frank T. Campbell 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 16th day of January, 1878.

HENRY W. ROTHERT,
Lieutenant-Governor and President of the Senate.
JOHN Y. STONE,
Speaker of the House of Representatives.

ATTEST:

E. J. HARTSHORN,
Teller of the Senate.
O. H. LYON,
Teller of the House.

Mr. McCartney moved that a committee of five be appointed to wait upon the Governor and Lieutenant-Governor elect and notify them of their election.

The motion prevailed.

Lieutenant Governor Rothert appointed Messrs. McCartney, Hoag and Fast, and Senators McCoid and Ham, such committee.

On motion of Mr. Stone, the joint Convention dissolved.

At 4:35 o'clock P. M. the Senate returned to its chamber 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, without amendment, concurrent resolution for the appointment of a committee on inauguration ceremonies, and has appointed Messrs. Wilson, of Polk, Bliedung and Bloom on part of the House.

BEN. VAN STEINBURG, *Assistant Clerk.*

Senator Arnold, from the Special Committee on Mileage, submitted the following report, which was adopted:

MR. PRESIDENT—The Special Committee to whom was referred the question of mileage of senators, have performed that duty and respectfully submit the following report of the amount due each senator in accordance with law:

Arnold.....	\$ 36.00
Bestow.....	42.00
Blackman.....	79.00
Bronson.....	81.00
Carr.....	60.00
Chase.....	33.00
Clark.....	38.00
Dashiell.....	26.00
Dews.....	53.00
Dwelle.....	56.00
Ford.....	54.00
Foster.....	54.00
Gallup.....	15.00
Gilmore.....	21.00
Graham.....	6.00
Haines.....	18.00
Ham.....	82.00
Hanna.....	52.00
Harmon.....	66.00
Harned.....	27.00
Hartshorn.....	74.40
Hebard.....	71.00
Hemenway.....	63.00
Johnson.....	83.00
Kimball.....	78.30
Kinne.....	111.00
Larrabee.....	80.00
Lawrence.....	60.60
Lewellen.....	78.50
McCoid.....	39.00
McCormack.....	17.00
Madson.....	27.00
Maginnis.....	81.00
Merrell.....	63.00
Meyer.....	12.00
Miller.....	45.00
Nichols of Benton.....	60.00
Nichols of Guthrie.....	15.00
Patterson.....	51.00
Rumple.....	27.00
Russell.....	18.00
Shelley.....	48.30
Stoneman.....	98.00
Teale.....	54.00
Webb.....	3.00
Wilson.....	60.00
Wonn.....	36.00
Woolson.....	42.00
Wright.....	42.00
Young.....	24.00
H. W. Rothert, President, <i>pro tem</i>	48.30
F. T. Campbell, Lieutenant-Governor.....	12.00

DELOS ARNOLD,
J. M. SHELLEY,
A. H. LAWRENCE, } Committee.

On motion of Senator Carr, Senator Nichols, of Benton, was granted leave of absence.

Senator Dows, from the joint committee on inauguration ceremonies, submitted the following report, which was adopted:

MR. PRESIDENT—Your committee on inauguration beg leave to submit that they have secured the use of Lewis' Opera-house, and made all other necessary arrangements for the inaugural ceremonies. Admission by tickets to be furnished members through the post-office to-morrow morning.

S. L. Dows, *Chairman Committee.*

Senator Young moved that when the Senate adjourns to-morrow evening it be till Tuesday, January 22, at 10 o'clock A. M.

On this motion the yeas and nays were demanded, and

The yeas were:

Senators Arnold, Carr, Clark, Ford, Gallup, Gilmore, Graham, Ham, Harmon, Hemenway, Kimball, Lewellen, McCoid, Madsen, Nichols of Benton, Patterson, Russell, Shelley, Wright, and Young—20.

The nays were:

Senators Blackman, Bronson, Chase, Dashiell, Dows, Dwelle, Haines, Hanna, Harned, Hartshorn, Johnson, Lawrence, Maginnis, Miller, Stoneman, Teale, Webb, Wilson, and Wonn—19.

Absent or not voting:

Senators Bestow, Foster, Hebard, Kinne, Larrabee, McCormack, Newell, Meyer, Nichols of Guthrie, Ruple, and Woolson—11.

So the motion prevailed.

At 4:40 o'clock P. M. the Senate, on motion of Senator Dows, adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER,
DES MOINES, IOWA, January 17, 1878. }

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

Prayer by Rev. W. A. Cain.

Journal of yesterday read and approved.

RESOLUTION.

Senator Shelley offered the following resolution:

Resolved by the Senate, That the doorkeeper be authorized to so adjust and secure the door that the continuous draft to which the members immediately in front are exposed may be shut off, thereby rendering them more comfortable.

Senator McCoid moved to amend by adding "and that we elect an associate doorkeeper," which was disagreed to.

The resolution was adopted.

COMMUNICATION FROM THE GOVERNOR.

The Governor, by his private secretary, W. H. Fleming, presented to the Senate the following communication in writing:

STATE OF IOWA,
EXECUTIVE DEPARTMENT,
DES MOINES, January 17, 1878. }

Gentlemen of the Senate and House of Representatives:

In accordance with the requirements of the constitution, I transmit herewith a report of each case of commutation or pardon granted, and the reasons therefor, during the past two years; and also of all persons in whose favor remission of fines and forfeitures have been made, and the several amounts remitted, during the same period.

J. G. NEWBOLD.

On motion of Senator Bestow the reading of the accompanying documents was dispensed with, and they were ordered to lie on the table and be printed:

RESOLUTION.

Senator Young offered the following resolution:

Resolved by the Senate, That the Senate Committee on Inauguration be instructed to endeavor to have the inauguration programme so changed as to omit the march from the Capitol to the Savery House, and from the Savery House to the Opera House, and that they endeavor to dispense with all street parade except the walk from the State House to the Opera House.

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

The yeas were:

Senators Carr, Chase, Dashiell, Foster, Gallup, Graham, Haines, Hanna, Harned, Hemenway, Johnson, Kimball, Maginnis, Meyer, Miller, Nichols of Benton, Russell, Teale, Wonn, Wright, and Young—21.

The nays were:

Senators Arnold, Bestow, Bronson, Clark, Dows, Dwelle, Ford, Gilmore, Ham, Harmon, Hartshorn, Hebard, Kinne, Lawrence, Lewellen, McCoid, Madson, Merrell, Patterson, Rumble, Shelley, Webb, and Wilson—28.

Absent or not voting:

Senators Blackman, Larrabee, McCormack, Nichols of Guthrie, Stoneman, and Woolson—8.

So the resolution was not adopted:

Senator Rumble moved to excuse Senator Nichols of Guthrie, till Thursday, which motion prevailed.

Senator Gallup moved to reconsider the vote by which the Senate agreed that when it adjourn, it adjourn till Tuesday morning at 10 o'clock, A. M.

Senator Kinne moved to lay the motion on the table, on which motion the yeas and nays were demanded, and

The yeas were:

Senators Arnold, Gilmore, Graham, Ham, Harmon, Kimball, Kinne,

Lewellen, McCoid, Madson, Patterson, Rumble, Russell, Shelley, Wright, and Young—17.

The nays were:

Senators Bestow, Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Haines, Hanna, Harned, Hartshorn, Hemenway, Johnson, Lawrence, Maginnis, Merrell, Meyer, Miller, Stoneman, Teale, Webb, Wilson, and Wonn—27.

Absent or not voting:

Senators Blackman, Larrabee, McCormack, Nichols of Benton, Nichols of Guthrie, and Woolson—6.

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

The motion to reconsider was then adopted.

The question recurring on the original motion, to adjourn until Tuesday next, Senator Hartshorn moved to amend by striking out the words "this evening," and inserting the words "to-morrow morning." The amendment was adopted, and the motion as amended was then agreed to.

CONCURRENT RESOLUTION.

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

Resolved by the Senate, the House concurring, That the two Houses of the Seventeenth General Assembly meet at 11:30, A. M., in joint convention, for the purpose of inaugurating the Governor and Lieutenant-Governor, elect.

On motion of Senator Carr, at 11:05 o'clock the Senate took a recess for fifteen minutes.

AFTER RECESS.

The Senate was called to order at 11:20 o'clock, A. M.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has concurred in the Senate resolution to meet in joint convention at 11:30 o'clock, A. M.

W. V. LUCAS, *Chief Clerk.*

A committee from the House informed the Senate that that body was now ready to receive the Senate in joint convention.

At 11:30 o'clock, A. M., the Senate proceeded to the hall of the House of Representatives.

JOINT CONVENTION.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, JAN. 17, 1878.

At 11:30 o'clock, A. M., the Sergeant-at-Arms announced the Honorable Senate, who were assigned seats.

President Rothert announced that the joint convention was ready to proceed with inaugural ceremonies.

Senator Larrabee, at 11:30 o'clock, A. M., moved that the joint convention take a recess until 2 o'clock, P. M., to meet at Lewis' Opera House, which motion was adopted.

AFTER RECESS.

2 O'CLOCK, P. M.

Joint Convention assembled and was called to order by the President.

The Supreme, District, and Circuit Judges, ex-Governors and ex-Lieutenant-Governors, State Officers and Clergymen of the city, were invited to seats upon the platform.

Music by the band.

INAUGURAL CEREMONIES.

Prayer by Rev. Mr. Oneal.

Music by the band.

The oath of office was then administered to the Governor elect, John H. Gear, and to the Lieutenant-Governor elect, Frank T. Campbell, by Chief Justice Rothrock.

Governor Gear then delivered his Inaugural address.

Music by the band.

Mr. O'Donnell moved to take a recess and meet again immediately in the Hall of the House of Representatives, which motion prevailed.

At four o'clock P. M., Joint Convention was called to order by Lieutenant Governor Rothert, and on motion of Senator Bestow the Joint Convention dissolved.

At 4:05 P. M., the Senate returned to its chamber.

Senator Clark moved that a committee be appointed to wait upon the Lieutenant-Governor elect, and to notify him that the Senate is now ready to induct him into the chair, and that said committee be further instructed to introduce him to the presiding officers of this body for that purpose.

The motion prevailed, and Senators Clark and Merrell were appointed such committee.

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

The retiring Lieutenant-Governor, Henry W. Rothert, then addressed the Senate as follows:

SENATORS—The parting hour has come. The time when I am to sever my connection with this honorable body is at hand. The over ready indulgences and forbearances manifested towards me in the past prompt the assurance that you will kindly bear with me in any personal allusions that I may make on this occasion. Honored at our last session by the undeserved compliment received at your hands, circumstances in the past have called me to be with you until the present. The recollections of the by-gone days are pleasant; indeed, the remembrance of our generous good will and kindly expressions of confidence will ever influence the sensitive chords of a grateful heart. The asso-

ciations consequent upon the daily intercourse with you in this chamber have, toward all, called forth my highest regard and sincerest esteem. With some it has been more than an agreeable acquaintance, and with others it has been ripened and crystalized in an intimate and devoted friendship, all of which I pray and trust will continue, based upon each other's mutual esteem, until the time shall come when the keen influences of such generous and magnanimous treatment as I have here enjoyed will be paralyzed by the cold and chilly atmosphere surrounding the quiet and silent tomb.

In thus parting, I may be permitted briefly to express the hope that your deliberations for the present session may result in such enactments as will benefit the whole people of this great commonwealth. May the spirit of liberality, fairness and equity pervade every requirement you, by authority, elevate to the dignity of law. May no one faction, party, belief or opinion prevail, but may all centre in the one grand aim "the greatest good to the greatest number."

And now, Senators, in thus bidding you farewell to retire to the welcome shades of private life, I with pleasure perform my last duty, that of introducing to you the distinguished and honorable gentleman whom the sovereign citizens of Iowa have selected to preside over your deliberations. He really needs no introduction to this Senate, having so long occupied a prominent position among its members and having by his long and zealous attachment to duty well earned the proud position as one of its ablest and wisest counselors, Hon. Frank T. Campbell, Lieutenant Governor of Iowa and your President.

Lieutenant-Governor Campbell then addressed the Senate in the following words:

SENATORS—In the rapid march of events in the history of our State, the Seventeenth General Assembly is convened and organized. Having been called by the suffrages of the people (under a constitutional provision in which this right is reserved to them), to the position of presiding officer of this body, I assume its duties and responsibilities with a full appreciation of its arduous labors and my own weakness, relying upon your patience and forbearance and that generous sympathy which will so greatly aid me and lighten the burdens of the position.

To you, as one branch of the General Assembly, the people of our great commonwealth have delegated the power to legislate on questions affecting public interests; in you they have reposed confidence that your action here will be such as will advance the interests of the State, sustain the public credit, secure more fully the rights of the masses, and redound to your own honor. It has been well said, that "too much legislation is one of the growing evils of the day." Fewer laws, and a better acquaintance with them, is urgently demanded.

Our financial interests require prompt attention and decided action, that the credit of our State may remain unimpaired; that the great humane and other State institutions may be properly supported, and the public enterprises now inaugurated be pushed to speedy completion, and yet our people be not burdened with additional taxation. Your constituents have placed these great interests in your keeping and expect you to be faithful guardians of them. The work of this General Assembly is looked forward to with great interest and no little

anxiety, but I feel assured that by your prudence in legislation, your broad and liberal views of public matters, with wise economy control, ing all your actions, you will fully justify the confidence reposed in you.

In committees, the work of the session will be digested, shaped and partially perfected. In framing these committees I have consulted first, the public interest, and yet sought, as far as practicable, to assign each individual member to such positions as his experience and qualifications adapt him, and where his labors can best be applied. I have also sought, in making up committees, to look after the different State institutions, to divorce, as far as possible, these institutions from all personal or local interest, and to recognize them as "the institutions of the State," believing that the interests of all these great humane and benevolent enterprises are identical, and their welfare desired by all.

To expedite business, order is essential; and while you, Senators, may entertain views widely different upon public matters coming before you, I am confident, that even in the heat of discussion the dignity of this body will be preserved, and the usual courtesies of debate not forgotten. Parliamentary law and rulings are usually prompt and positive, and are designed, and shall be, I trust, exercised to facilitate and not obstruct business; to subserve the will of this body and not restrain it.

Anticipating a pleasant session with you here, and a profitable one for your constituency, I assume the duties of the position to which I have been called.

Senator Rumble then offered the following resolutions, which were adopted, unanimously, by a rising vote:

Resolved, That it is with great pleasure that this Senate tenders to the Hon. H. W. Rothert, our retiring presiding officer, and hereby spreads upon the records its thanks 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 as a presiding officer, as well as his gentlemanly and statesman-like demeanor, in his capacity as a Senator upon the floor of this Senate, are as feelingly and heartily reciprocated as it has been generously bestowed.

Resolved, That in his retirement the State has lost an able and competent legislator, and this Senate a wise and honest counselor, and we hereby tender to him in again assuming the duties and station of a private citizen, our best wishes and kindest regards.

The Secretary is hereby ordered to forward to Hon. H. W. Rothert a copy of these resolutions.

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

SENATE STANDING COMMITTEES.

Ways and Means—Senators Larrabee, Hebard, Harmon, Madson, Gilmore, Hemenway, Kimball, Webb, Lawrence, Patterson, and Shelley.

Judiciary—Senators McCoid, Rumble, Woolson, Wright, Nichols

of Guthrie, Dashiell, Stoneman, Chase, Foster, Merrell, Hanna, Nichols of Benton, Russell, and Bronson.

Federal Relations—Senators Miller, Blackman, Maginnis, Graham, Lewellen, Gallup, and Ham.

Constitutional Amendments—Senators Dashiell, Carr, Hemenway, Haines, Kinne, Johnson, and Wilson.

Appropriations—Senators Arnold, Clark, Dows, Teale, Blackman, Ford, McCormack, Merrell, and Harned.

Normal Schools—Senators Carr, Rumble, Haines, Lawrence, Stoneman, Wilson, and Russell.

Schools—Senators Woolson, Arnold, Harmon, Dashiell, Miller, Hemenway, Meyer, Ford, and Ham.

Agriculture—Senators Dwelle, Gilmore, Teale, Wonn, Graham, Patterson, and Wilson.

County and Township Organization—Senators Harmon, Nichols of Guthrie, Kinne, Madson, Young, Lewellen, and Blackman.

Railways—Senators Young, Clark, McCormack, Hanna, Dows, Hartshorn, Bestow, Meyer, Foster, Ham, Patterson, Webb, and Lewellen.

State University—Senators Rumble, Wright, Teale, McCoid, Johnson, Haines, and Ham.

Military—Senators Teale, McCormack, Nichols of Guthrie, Meyer, and Madson.

Elections—Senators Lawrence, Miller, Kinne, Hanna, and Bronson.

Claims—Senators Hebard, Woolson, Gilmore, Larrabee, and Hemenway.

Banks—Senators Clark, Larrabee, Kimball, Ford, and Patterson.

Commerce—Senators Webb, Clark, Shelley, Arnold, and Foster.

Public Buildings—Senators Dows, Bestow, Graham, Wonn, and Harned.

Municipal Corporations—Senators Foster, Wright, Hanna, Webb, and Shelley.

Manufactures—Senators Patterson, Dows, Foster, Madson, and Shelley.

Printing—Senators Gallup, Young, McCormack, Ham, and McCoid.

Public Lands—Senators Merrell, Dwelle, Maginnis, Hartshorn, Bestow, and Ford.

Internal Improvements—Senators Meyer, Carr, Gallup, Lewellen, and Wonn.

Highways—Senators Gilmore, McCoid, Wonn, Bestow, and Madson.

State Library—Senators Haines, Russell, and Bronson.

Engrossed Bills—Senators Wilson, Blackman, and Nichols of Benton.

Enrolled Bills—Senators Johnson, Harmon, Gallup.

Judicial Districts—Senators Nichols of Guthrie, Wright, Miller, Harned, and Bronson.

Congressional Districts—Senators Wright, Haines, Chase, Maginnis, and Gilmore.

Senatorial Districts.—Senators Hartshorn, Woolson, Dashiell, Kinne, and Dwelle.

Representative Districts—Senators Russell, Arnold, Merrell, Nichols of Benton, and Lawrence.

Hospitals for Insane—Senators Lewellen, Wilson, Rumple, Carr, and Miller.

Institution for Deaf and Dumb—Senators Ford, Young, Teale, Hebard, and Graham.

Colleges for the Blind—Senators Kimball, Arnold, Larrabee, Clark, and Stoneman.

Orphans' Home—Senators Hanna, Merrell, Kimball, Chase, and Maginnis.

Penitentiary—Senators Chase, Dows, Rumple, Nichols of Benton, Meyer, Stoneman, and Harned.

Reform School—Senators Blackman, Woolson, Johnson, Chase, and Bronson.

Agricultural College—Senators Bestow, Hebard, Hartshorn, Dwelle, and Russell.

Horticulture and Forestry—Senators Wonn, Dwelle, and Hebard.

Suppression of Intemperance—Senators Graham, McCoid, Kinne, Kimball, Dashiell, Nichols of Guthrie, and Shelley.

Insurance—Senators Hemenway, Carr, Maginnis, Young, and Webb.

Compensation of Public Officers—Senators Nichols of Benton, Johnson, Harmon, Larrabee, and Harned.

Fish and Game—Senators McCormack, Hartshorn, Gallup, Lawrence, and Stoneman.

RESOLUTION.

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

Resolved by the Senate, the House concurring, That the Secretary of State be instructed to have printed one thousand copies of the "Rules of the Senate and House of Representatives," for the use of the members of the General Assembly; that the said rules further contain the names, ages, weight, occupation, number of each member's district, postoffice address, length of time in the State, nativity, and boarding-house of each senator and representative; also, a diagram of the Senate Chamber and House of Representatives; a list of the Standing Committees of the Senate and House of Representatives; a skeleton map of the State showing the population of each county according to the last census, and a tabular statement, by counties, of the votes for Governors and Lieutenant-Governors, at the election of 1877.

On motion of Senator Bestow the Senate adjourned at 4:30 P. M., till to-morrow at 10 o'clock, A. M.

SENATE CHAMBER,
DES MOINES, IOWA, January 18, 1878. }

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

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:

Concurrent Resolution, Memorializing our Senators and Representatives in Congress to use their influence for the repeal of the Bankrupt Act, March 2, 1867.

BEN. VAN STEINBURG,
First Assistant Clerk.

The following communication was laid before the Senate by the President:

OFFICE OF SECRETARY OF STATE, }
DES MOINES, IOWA, January 18, 1878. }

HON. FRANK T. CAMPBELL, *President of the Senate:*

DEAR SIR—The edition of the Road Laws ordered published by the Fifteenth General Assembly, in pamphlet form, is exhausted, and I am receiving letters from county auditors requesting me to furnish a supply for this year's use by road supervisors and other township officers, which I cannot send out until printed by order of the General Assembly.

All of which is respectfully submitted.

Yours, very respectfully,

JOSIAH T. YOUNG,
Secretary of State.

The communication was referred to Committee on Highways.

On motion of Senator Dows, Senator Foster was excused until the 28th inst.

Senator Meyer offered the following resolution, which was adopted:

Resolved, That the Senate invite, in such order as they may elect, the resident ministers of Des Moines to open the deliberations of the Senate each morning with prayer.

INTRODUCTION OF BILLS.

By Senator Stoneman: Senate File No. 1, a bill for an act relating to the trial of equitable actions.

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

By Senator Chase : Senate File No. 2, a bill for an act to regulate the herding of cattle on the prairie.

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

By Senator Chase : Senate File No. 3, a bill for an act to amend Sections 181 and 3777 of the Code, providing for the appointment, defining the duties, and fixing the compensation of short-hand reporters in the district and circuit courts.

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

By Senator Meyer : Senate File No. 4, a bill for an act to legalize and correct an error in the proceedings and acts incorporating the town of Kellogg, in Jasper county, Iowa.

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

By Senator Chase : Senate File No. 5, a bill for an act to extend the provisions of chapter 63, laws of the Eighth General Assembly, so as to include the lands bought by Joseph Bone under an execution issued upon foreclosure of original contract of Isaac Murphy.

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

By Senator Hanna : Senate File No. 6, a bill for an act to amend section 859 of the Code.

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

On motion of Senator Harmon, Senators Graham, Rumple, Wright, and Young were excused.

At 10:40 o'clock, A. M., the Senate, on motion of Senator Kinne, adjourned until 10 o'clock, A. M., Tuesday next.

SENATE CHAMBER, }
DES MOINES, IOWA, Jan. 22, 1878. }

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

Prayer by Rev. Mr. Thorpe.

Journal of Friday read and approved.

Senator Dwelle asked leave to have the report of the committee on mileage corrected, in that it showed an excess of nine dollars over mileage due him.

No objection being made, leave was granted and the correction was ordered made.

INTRODUCTION OF BILLS.

By Senator Hartshorn: Senate File No. 7, a bill for an act to repeal chapter 122 of the acts of the Sixteenth General Assembly ; also, chapter 69 of the public acts of the Fifteenth General Assembly, and sections 4049, 4050 and 4051 of the Code, and enact a substitute therefor.

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

By Senator Bestow: Senate File No. 8, a bill for an act to provide for the investigation of the diseases of swine.

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

MESSAGE FROM THE HOUSE.

The following message was received from the House :

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has passed the following resolution, in which the concurrence of the Senate is asked, in relation to the election of a United States Senator:

WHEREAS, The law of Congress provides that the General Assembly shall proceed to elect the United States Senator on the second Tuesday next after its organization, and,

WHEREAS, By reason of the two houses of this General Assembly not having organized permanently until Tuesday, the 15th inst., doubts exist as to whether an election of United States Senator on Tuesday, the 22d inst., would be a compliance with said law; therefore be it

Resolved by the House of Representatives, the Senate concurring, That this General Assembly will proceed, on Tuesday, the 22d inst., to the election of a United States Senator, and will proceed again for the same purpose on Tuesday, the 29th inst.

Also, has concurred in Senate resolution, relative to printed rules, &c.
W. V. LUCAS, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Foster: Senate File No. 9, a bill for an act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms.

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

By Senator Shelley: Senate File No. 10, a bill for an act to establish a court of common pleas in counties of certain population, and to define the powers and jurisdiction thereof.

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

By Senator Dows: Senate File No. 11, a bill for an act to legalize an election held in Lisbon, Linn county, Iowa, and to legalize the actions of town council and mayor of said town.

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

By Senator Maginnis: Senate File No. 12, a bill for an act to amend section 1146 of the Code, chapter 10, title 9.

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

By Senator Teale: Senate File No. 13, a bill for an act to reduce the number of grand jurors, necessary to form a legal grand jury.

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

By Senator Dows: Senate File No. 14, a bill for an act to amend sections 1 and 2, chapter 143, laws of Sixteenth General Assembly.

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

By Senator Hartshorn: Senate File No. 15, a bill for an act to repeal sections 3889 and 3890, chapter 3, title 24, of the Code, and to enact a substitute therefor.

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

By Senator Dows: Senate File No. 16, a bill for an act to protect judgment debtors.

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

By Senator Harned: Senate File No. 17, a bill for an act to amend sections 866 and 890, title 6, chapter 2, of the Code, relating to the collection of taxes, and redemption of land from tax sales.

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

By Senator Hartshorn: Senate File No. 18, a bill for an act in relation to the lands granted to the State of Iowa, by act of Congress entitled an act for a grant of lands to the State of Iowa, in alternate sections, to aid in the construction of a railroad in said State. Approved, May 12, 1864.

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

By Senator Hanna: Senate File No. 19, a bill for an act to allow criminal defendants to testify in their own behalf.

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

By Senator Chase: Senate File No. 20, a bill for an act to amend Section 1998 of the Code, limiting and defining the extent to which property claimed as homestead property, shall be exempt from execution.

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

By Senator Chase: Senate File No. 21, a bill for an act to amend chapter 4 and 5 of the Code, providing additional terms and conditions upon which foreign insurance companies are authorized to do business in this State.

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

By Senator Carr: Senate File No. 22, a bill for an act to authorize cities and towns to regulate the sale of coal oil.

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

By Senator Chase: Senate File No. 23, a bill for an act to repeal Section 3818 of the Code in relation to the payment of witnesses for defendants in criminal cases, and to enact a substitute therefor.

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

By Senator Hanna: Senate File No. 24, a bill for an act to regulate subpoenaing witnesses in criminal cases.

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

Senator Woolson moved to suspend the regular order of business and take up House Messages, which motion prevailed.

House Joint Resolution in relation to instructing our members in Congress to favor the repeal of the bankrupt act, was taken up, read first and second time, and referred to Committee on Judiciary.

House resolution relative to the election of United States Senator, was taken up and concurred in.

Senator Larrabee offered the following resolution, which was adopted:

Resolved, That the Senate at 11:30 o'clock proceed to the election of a United States Senator for the term commencing on the 4th of March, A. D., 1879.

Introduction of bills was resumed:

By Senator Chase: Senate File No. 25, a bill for an act supplemental to the Code, providing for a special jury docket with District and Circuit Courts, and defining the times upon which civil cases shall be tried by a jury.

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

By Senator Young: Senate File No. 27, a bill for an act to amend Chapter 125, acts of the Sixteenth General Assembly, in relation to bonding county indebtedness.

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

RESOLUTIONS.

Senator Maginnis offered a joint resolution relative to appropriations for the various State institutions.

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

WHEREAS, The appropriations made by the State for the support of her institutions and State expenses are of vast and the most material interest to the people of the State of Iowa, and

WHEREAS, Such appropriations cannot be made by the Legislature of the State properly, carefully and justly without an opportunity being afforded them to carefully examine the several bills asking for and making appropriations, Therefore be it

Resolved, by the General Assembly of the State of Iowa, That all bills asking for appropriations from the State for any purpose shall be presented to the General Assembly of the State of Iowa by Thursday of the third week of the session, and be acted upon by the committee to whom referred, and by them reported to the General Assembly on or before Tuesday of the sixth week of the session, and that said bills be made the special order after reported until disposed of.

Senator Teale offered the following joint resolution, proposing to amend section 11, article 1, of the constitution of the State of Iowa: *Be it resolved by the General Assembly of the State of Iowa*, that the following amendment to the constitution of the State of Iowa be and the same is hereby proposed, to-wit: strike out section 11 of the first article of the said constitution, and insert the following in lieu thereof:

SECTION 11. All offenses less than felony, and in which the punishment does not exceed a fine of \$100 or imprisonment for thirty days shall be tried summarily before a justice of the peace or other officer authorized by law, on information under oath, saving to the defendant the right of appeal, and no person shall be held to answer for any higher criminal offense unless held to answer by a magistrate or court authorized by law after an investigation according to law, except in cases in the army or navy, or in the militia when in active service in time of war or public danger, and all criminal prosecution may be conducted without presentment, indictment, or the intervention of a grand jury.

Resolved further, That this resolution proposing to amend the constitution of the State of Iowa is hereby referred to the Legislature to be chosen at the next general election for members of the General Assembly, and that the Secretary of State shall cause the same to be published for three months previous to the time of the next general election for members of the General Assembly in one newspaper in each congressional district in the State.

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

Senator Teale offered the following resolution, which was adopted:

Resolved, That a committee of seven on "retrenchment" be added to the Standing Committee of the Senate, whose duty it shall be to examine and report by bill or otherwise, all cases wherein the ordinary expenditures of the State government may be reduced without detriment to the efficiency of the public service.

Senator Hemenway offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That the two houses will meet in joint convention on Wednesday, the 23d inst., at 11 o'clock, for the purpose of electing State Printer, State Binder, and Wardens of the two Penitentiaries.

The resolution was not agreed to.

Senator Stoneman offered the following resolution, which was adopted:

Resolved, That the Secretary of State be requested to furnish for each desk in the Senate Chamber a shelf suitable for holding books and papers.

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

Resolved, That a committee on "The Asylum for Feeble-Minded Children" be added to the list of Standing Committees.

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

Be it resolved by the Senate, the House of Representatives concurring, That a committee consisting of three members, one from the Senate and two from the House, be appointed for the purpose of examining and reporting to this General Assembly, the condition of the securities for the safe keeping and protection of State funds.

Senators Russell, Kimball, Lewellen, and Hebard were excused until to morrow morning.

ELECTION OF UNITED STATES SENATOR.

The President of the Senate announced that the hour had arrived for the election of United States Senator, for the term commencing March 4, 1879.

Senator Rumple placed in nomination Hon. Wm. B. Allison, of Du-buque county.

Senator Shelley placed in nomination Hon. Daniel F. Miller, of Lee county.

The roll was then called with the following result:

Whole number of votes cast.....	47
Of which Mr. Allison received.....	35
Of which Daniel F. Miller received.....	12

Those voting for Mr. Allison, were:

Senators Arnold, Bestow, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, Meyer, Miller, Nichols of Guthrie, Patterson, Rumple, Teale, Webb, Woolson, Wright, and Young.

Those voting for Daniel F. Miller, were:

Senators Bronson, Ham, Harned, Kinne, McCormack, Madison, Maginnis, Merrell, Shelley, Stoneman, Wilson, and Wonn.

Wm. B. Allison having received a majority of all the votes cast, was declared duly elected United States Senator, on the part of the Senate, for the term of six years from the 4th of March, 1879.

At 11:45 A. M., on motion of Senator Carr, the Senate adjourned until to morrow morning, at 10 o'clock.

SENATE CHAMBER,
DES MOINES, IOWA, January 23, 1878. }

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

Prayer by Rev. Dr. Murphy.

Journal of yesterday read, corrected and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Relative to appointing committees to visit State institutions.

Also, resolution relative to patents.

Also, resolutions relative to amending section 11, article 1, of the Constitution of the State of Iowa.

All of which resolutions are herewith submitted.

W. V. LUCAS, *Chief Clerk.*

Senator Teale moved a suspension of the order of business, for the purpose of introducing a concurrent resolution.

The motion was adopted.

Senator Teale offered the following :

Resolved by the Senate, the House concurring, That the two Houses of the General Assembly meet in joint convention on Wednesday, January 23d, 1878, at 12 o'clock, m., in accordance with the act of Congress, approved July 25, 1866, for the purpose of hearing the journals of the Senate and House of Representatives compared in relation to the election of United States Senator, and for other purposes required by said act of Congress.

The resolution was adopted.

Senator Hartshorn asked a correction of the mileage report, to show himself entitled to \$74 40 instead of \$84 00, as reported by committee on mileage.

Said correction was ordered made.

Senators Hebard, Lewellen, and Kimball asked to have their votes recorded on vote for United States Senator, which was granted, and the votes recorded for Wm. B. Allison.

INTRODUCTION OF BILLS.

By Senator Shelley : Senate File No. 27, a bill for an act to amend section 3849, chapter 2, title 24, of the Code of 1873, in relation to offenses against the lives and persons of individuals.

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

By Senator Shelley : Senate File No. 28, a bill for an act to amend section 208, of chapter 9, of the Code of 1873.

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

By Senator Wright : Senate File No. 29, a bill for an act to legalize the sale of certain school lands in Pottawattamie county, Iowa.

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

By Senator Graham : Senate File No. 30, a bill for an act to repeal section 4107, of chapter 1, title 25 ; sections 4529 and 4530, chapter 35, title 25 of the Code, and to provide a substitute therefor ; and to amend section 4538, chapter 35, title 25, of the Code.

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

By Senator Dows : Senate File No. 31, a bill for an act to amend chapter 8, title 4, of the Code, in relation to the duties of sheriff.

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

By Senator Merrell : Senate File No. 32, a bill for an act to amend sections 432 and 433, of chapter 10, title 4, of the Code of Iowa.

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

By Senator Merrell : Senate File No. 33, a bill for an act to legalize the incorporation and the acts of the officers of the town of Ringwood, in Clinton county, Iowa.

Read first and second time.

On motion of Senator Merrell, the eleventh rule was suspended and the bill read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were—

Senators Arnold, Bestow, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Ruple, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—49.

The nays were—none.

Absent or not voting:

Senator Nichols of Benton.

So the bill passed and the title was agreed to.

By Senator Bronson: Senate File No. 34, a bill, for an act to amend chapter 47, laws of the Sixteenth General Assembly, in relation to empowering cities to extend their corporate limits, additional to Code, chapter 10, title 4, of cities and incorporated towns.

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

By Senator McCormack: Senate File No. 35, 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, ordered printed, and referred to Committee on Schools.

By Senator Meyer: Senate File No. 36, a bill for an act to repeal section 853 of the Code of Iowa, in relation to when taxes become a lien upon real estate.

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

By Senator Miller: Senate File No. 37, a bill for an act to amend sections 1060 and 1064 of the Code of 1873 in relation to corporations for pecuniary benefit.

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

By Senator Woolson, Senate File No. 38, a bill for an act to create a State Board of Education and to define their powers.

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

By Senator Woolson: Senate File No. 39, a bill for an act to prohibit and punish the sale of ale, wine and beer within two miles of the corporate limits of any municipality which has prohibited the sale of said liquors within said corporate limits.

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

By Senator Webb: Senate File No. 40, a bill for an act to amend section 521, of the Code, title 4, chapter 10, of cities and incorporated towns.

Read first and second time, and referred to Committee on Municipal Corporations.

By Senator Hartshorn, Senate File No. 41, a bill for an act to amend

chapter 39, Public Acts, of the Fifteenth General Assembly, in relation to dividing counties into supervisor districts.

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

By Senator Hanna: Senate File No. 42, a bill for an act to amend chapter 9, title 17, of the Code regulating the verdicts of juries in civil actions.

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

By Senator Hanna: Senate File No. 43, a bill for an act to repeal Section 3592 of the Code, and to enact as a substitute a provision to compel appellants to pay costs in certain cases.

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

By Senator Johnson: Senate File No. 44, a bill for an act to amend section 1, chapter 57, of the public laws of the Fifteenth General Assembly, in relation to normal institutes.

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

By Senator Harned: Senate File No. 45, a bill for an act to amend section 1, chapter 47, of the Fourteenth General Assembly, relative to the manufacture, keeping and sale of certain oils.

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

By Senator Lawrence: Senate File No. 46, a bill for an act to repeal section 2521, of chapter 1, title 17 of the Code of 1873, and to enact a substitute therefor.

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

RESOLUTIONS.

Senator Hartshorn offered the following:

Joint resolution proposing to amend section four (4), of article three (3), of the Constitution of the State of Iowa, and to provide for reference and publication.

Be it resolved by the General Assembly of the State of Iowa: That the following amendment to the Constitution of the State be, and the same is hereby proposed, viz:

Strike out the words "free white," from the third line of section four (4), of article three (3), of said Constitution, relating to the legislation department;

Resolved, further, That the foregoing proposed amendment to the Constitution of the State of Iowa, be and the same is hereby referred to the legislature to be chosen at the next general election for members of the General Assembly, and that the Secretary of State cause the same to be published for three months previous to the day of such election, in two weekly newspapers in each Congressional District in the State.

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

Senator Meyer offered the following:

WHEREAS, It is a part of the glory and pride of the State to provide,

by taxation, benevolent institutions for the insane, blind, deaf and dumb, and all the unfortunate classes on account of physical infirmity; and,

WHEREAS, It has been the policy of preceding General Assemblies to award the location of said institutions to various portions of the State—in some instances, jobbing them out to the highest bidder, thereby having them located on very unsuitable grounds; and,

WHEREAS, Said policy has scattered said institutions so far apart as to make it impossible for the citizens and tax-payers, and whole-souled men and women ever visiting or seeing the institutions of their pride; and,

WHEREAS, Said policy renders it impracticable for the legislators, personally, to gain any knowledge how the money of their constituents is invested or spent, or perhaps squandered, in the said institutions; therefore,

1. *Resolved*, That we, the Senate of the Seventeenth General Assembly, do hereby affirm that the benevolent institutions of the State ought to be centrally located so that legislators could, from personal examination, find out and know the workings and wants of the respective institutions.

2. *Resolved*, Since the main building for the Deaf and Dumb Asylum at Council Bluffs has been destroyed that the committee on said institution be requested to take into consideration the re-location of said institution on some grounds near the State capitol, and to have all the appropriations for the rebuilding expended for the erection of a building on the new location.

On motion of Senator Wright, the resolutions were referred to the Committee on Public Buildings.

Senator Carr offered the following concurrent resolution which was agreed to:

Resolved, by the Senate, the House concurring, That the Secretary of State be requested to ascertain for the use of the General Assembly, from the county clerks of each county in the State, the number of days on which the District and Circuit Courts were held in such counties during the year 1877.

Senator Gilmore offered the following resolution, which was adopted:

Resolved, That so much of the Governor's Message as relates to the payment of taxes in semi annual payments be referred to the Committee on Ways and Means, with request to report a bill at an early day embodying such features as will be for the convenience and interest of all concerned.

Senator Bestow moved that the Committee on Municipal Corporations be increased two members, which was agreed to.

On motion of Senator Dows, the Governor's Message was taken up and its various subjects referred to appropriate committees.

HOUSE MESSAGES.

House joint resolution, in relation to responsibility of patentees, was taken up, read first and second time, and referred to Committee on Federal Relations.

House joint resolution, proposing to amend the State Constitution,

was read first and second time, and referred to Committee on Constitutional Amendments.

Concurrent resolution providing for appointment of visiting committees to the various State institutions, was taken up and considered.

Senator Larrabee moved that that part requiring not more than one-third of said committees should be absent from the capitol at the same time, be stricken out.

On the adoption of the amendment, the yeas and nays were demanded, and

The yeas were:

Senators Arnold, Bestow, Blackman, Bronson, Clark, Dows, Ford, Foster, Gallup, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wonn, Woolson, Wright, and Young—42.

The nays were:

Senators Carr, Chase, Dashiell, Dwelle, Gilmore, Graham, and Wilson—7.

Absent or not voting:

Senator Nichols of Benton.

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 adopted concurrent resolution of the Senate to meet in joint convention on Wednesday, January 23, at 12 o'clock, Meridian, for the purpose of hearing the journals of the two houses read relative to the election of United States Senator.

BEN. VAN STEINBURG, *Assistant Clerk.*

By leave, Senator Rumble presented a memorial relating to peddlers' license, which was referred to Committee on Ways and Means.

Senator McCoid presented a memorial asking for the establishment of a theological department in the State University.

Referred to Committee on State University.

A committee from the House informed the Senate that the House was ready to meet them in joint convention for the purpose of comparing their respective journals on the vote for United States Senator.

At 11:55 A. M., the Senate repaired to the hall of the House.

JOINT CONVENTION.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, Wednesday, January, 23, 1878. }

Joint Convention was called to order by Lieutenant-Governor Campbell, who stated that the object of the convention was to compare the journals of both Houses as to that part relating to the election of United States Senator.

The Senate journal was then read.

The House journal was then read.

Whole number of votes cast.....142
Of which W. B. Allison received.....104

Senator Larrabee offered the following resolution, which was adopted:
Resolved by the General Assembly of the State of Iowa in Joint Session Assembled, Pursuant to the act of Congress relating to the time and manner of holding elections for Senators in Congress, approved July 26, 1866, that W. B. Allison be declared the Senator elect from this State in the Congress of the United States for the term of six years from the 4th of March, A. D., 1879.

On motion of Senator Young, the Joint Convention dissolved.

At twelve o'clock and five minutes, the Senate returned to its chamber, and on motion of Senator Young, adjourned until to-morrow at 10 o'clock, A. M.

SENATE CHAMBER,
DES MOINES, IOWA, January 24, 1878. }

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

Prayer by Rev. Mr. Harned.

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 concurred in the Senate resolution, relating to the appointment of a committee for the safe keeping of the State funds, and the following gentlemen have been appointed such committee on the part of the House, Messrs. Mills, Bloom, and Lyon.
T. J. REIGART, *Second Assistant Clerk*.

PETITIONS AND MEMORIALS.

By Senator Merrell: Asking a law regulating the practice of medicine.

Referred to Committee on Judiciary.

By Senator Woolson: Two petitions on the same subject.

Referred to Committee on Judiciary.

By Senator Rumble: Several petitions on same subject, and referred to same committee.

By Senator Kinne, petition on same subject; same reference.

By Senator McCoid: Petitions on same subject, and referred to same committee.

By Senator Hebard: Petition on same subject. Referred to same committee.

By Senator Bronson: Petition on the same subject. Referred to Committee on Judiciary.

By Senator Hanna: Petition on same subject. Referred to same committee.

By Senator Carr: Asking that Mutual Insurance Companies be compelled to report to the State Auditor.

Referred to Committee on Insurance.

By Senator Ham: Asking a law for the regulation of the practice of medicine.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Larrabee: Senate File No. 47, a bill for an act in relation to liens on real estate.

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

By Senator Wonn: Senate File No. 48, a bill to repeal section 1774, of chapter 9, title 12, of the Code of 1873, in relation to the duties of county superintendents.

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

By Senator Bestow: Senate File No. 49, a bill for an act to amend chapter 145 of the acts of the Sixteenth General Assembly, in relation to taxing and sale of public lands for taxes.

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

By Senator Teale: Senate File No. 50, a bill for act to legalize the organization of Independent District No. 7, in Decatur township, Decatur county, Iowa.

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

By Senator Gallup: Senate File No. 51, a bill for an act fixing the time for all ordinances by either cities or incorporated towns, in regard to licenses to terminate.

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

By Senator Gallup: Senate File No. 52, a bill for an act making it necessary for county recorders to attest the acknowledgment of satisfaction of any mortgage not satisfied by instrument, duly acknowledged and recorded.

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

By Senator Wright: Senate File No. 53, a bill for an act to amend section 1241 of the Code of Iowa, title 10, chapter 4, relating to taking private property for works of internal improvement.

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

By Senator Kimball: Senate File No. 54, a bill for an act to provide for the organization of State militia, and entitled the "Military Code of Iowa."

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

By Senator Ham: Senate File No. 55, a bill for an act to resume and grant to the Dubuque Southwestern Railroad Company, certain lands heretofore conditionally granted to the Cedar Rapids & Missouri River Railroad Company, to aid in the building of a railroad between Marion & Cedar Rapids, Linn county, Iowa, by an act approved March 26, 1860.

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

By Senator Teale: Senate File No. 56, a bill for an act to permit taxes to be paid in two installments.

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

By Senator Webb: Senate File No. 57, a bill for an act to prevent the sale of coal oil below certain test.

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

By Senator Meyer: Senate File No. 58, a bill for an act to amend section 1559 of the Code of Iowa, relating to fixing the penalty for selling intoxicating liquors to minors or intoxicated persons.

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

By Senator Lawrence: Senate File No. 59, a bill for an act to legalize the sale of certain school lands in Cherokee county, Iowa.

Read first and second time, and referred to Committee on Public Lands.

By Senator Hemenway: Senate File No. 60, a bill for an act to provide for the decision by the electors of the discussion of the question: "Shall there be a convention to revise the Constitution and amend the same?"

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

By Senator Harned: Senate File No. 61, a bill for an act to amend section 3775, chapter 2, title 23, of the Code, relating to compensation of public officers.

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

By Senator Woolson: Senate File No. 62, a bill for an act to amend section 3299 of the Code, relating to sales in partition proceedings.

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

By Senator Hartshorn: Senate File No. 63, a bill for an act to amend section 246, chapter 10, title 3, of the Code.

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

RESOLUTIONS.

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

Resolved by the Senate, the House concurring, That the visiting committees to the several charitable institutions of the State be instructed to ascertain and report to the General Assembly the number of persons employed at each institution, the names of the persons employed, the salary paid to each, and the kind of service expected of each; also what each received, if anything, in addition to his salary in

the way of board, rooms, fuel, lights, washing, etc., at the expense of the State, and also whether any of the families of employes are receiving board, etc., at the expense of the State, and if any, the facts in each case.

Resolved, That a copy of this resolution be furnished by the clerks of the Senate and House to the chairman of each of the visiting committees.

Senator McCoid offered the following:

Resolved, That the Senate extend to clergymen visiting the city during the session, and introduced to the President by any Senator, an invitation to officiate as chaplain, and resident clergymen are requested to yield to such visiting and accredited ministers.

The resolution was adopted.

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

Resolved, That the attention of the Committee on Retrenchment be and the same is hereby called to section 12 of the Code, and they are requested to consider whether the wages paid clerks and other minor officers of the General Assembly are not unreasonably large, and to report by bill or otherwise.

Senator Webb offered the following:

Resolved by the Senate, the House concurring, That a committee of two from the Senate and three from the House be appointed to confer with a committee from the City Council of the city of Des Moines to make, with the assistance of City Engineer of said city, a thorough examination of the grade of all streets running to or touching the capitol square, and such committee is instructed to make such recommendations to the said City Council as to the changes in the grade of such streets as they may deem advisable.

The resolution was agreed to.

Senator Blackman gave notice that he would introduce resolutions of respect to the memory of the lamented Hon. Arad Hitchcock on to morrow morning.

Senator Arnold, from the Special Committee on Mileage, asked leave to have the report on mileage corrected so as to show Senator McCormack entitled to \$24.60.

Leave was granted and the correction ordered made.

On motion of Senator Arnold, Senator Clark was excused.

The President announced the following additional committees:

Retrenchment—Senators Russell, Carr, Teale, Larrabee, Hebard, Hartshorn, Kimball, Rumble, and Stoneman.

Asylum for Feeble-Minded Children—Senators Johnson, Nichols of Guthrie, Haines, Meyer, and McCormack.

Municipal Corporations—Senators Ham and Patterson.

Special Committee—To examine and report to the General Assembly the condition of the securities for the safe keeping and protection of State funds, Senator Clark, on part of the Senate.

Senator Johnson asked to be excused from acting on committee for feeble-minded children.

There being no objection the request was granted.

On motion, the Senate at 11:15 adjourned till to morrow morning at 10 o'clock.

SENATE CHAMBER,
DES MOINES, IOWA, January 25, 1878. }

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

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 4, a bill for an act to amend chapter 9 of the Code, in relation to fugitives from justice.

Senate File No. 33, also passed without amendment.

Also that the House has concurred in the Senate resolution relative to instructing the Secretary of State to ascertain the number of days District and Circuit Courts of the State are in session.

W. V. LUCAS, *Chief Clerk.*

Senator Hartshorn asked to be excused from to-morrow morning till February 4th, which request was granted.

PETITIONS AND MEMORIALS.

By Senator Rumble: Two petitions asking a law regulating the practice of medicine.

Referred to Judiciary Committee.

By Senator Russell: A petition on the same subject.

Referred to same committee.

By Senator Webb: Petitions on same subject.

Same reference.

By Senator Johnson: Petition on same subject.

Referred to committee on same subject.

By Senator Merrell: Petition on same subject.

Same reference.

By Senator Shelley: Petition on the same subject, and referred to same committee.

By Senator Haines: Asking a law for the establishment and maintenance of an eclectic chair in the medical department of the State University.

Referred to the Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Meyer: Senate File No. 64, a bill for an act requiring proprietors of houses of entertainment to provide means of escape in cases of fire.

Read first and second time, and referred to committee on Municipal Corporations.

By Senator Webb: Senate File No. 65, a bill for an act to establish Superior Courts, defining the jurisdiction and providing for the election and compensation of the judge thereof.

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

By Senator Russell: Senate File No. 66, a bill for an act to repeal section 902 of the Code, and enact a substitute therefor.

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

By Senator Bestow: Senate File No. 67, a bill for an act to repeal section 487 of the Code of 1873, in relation to labor on streets and highways in municipal corporations.

Read first and second time, and referred to Committee on Municipal Corporations.

By Senator Bestow: Senate File No. 68, a bill for an act to amend section 591, title 5, chapter 1, of the Code, relating to the terms of office of township trustees.

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

By Senator Webb: Senate File No. 69, a bill for an act to amend chapter 123, acts of the Sixteenth General Assembly, in relation to taxes in aid of railroads.

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

By Senator Johnson: Senate File No. 70, a bill for an act to amend section 1766 of the Code of 1873, relating to certificates for teachers of special branches.

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

By Senator Hanna: Senate File No. 71, a bill for an act to legalize the charter and ordinances of the town of Wilton, Muscatine county, Iowa.

Read first and second time, and referred to Committee on Municipal Corporations.

By Senator Meyer: Senate File No. 72, a bill for an act relating to the election of township trustees.

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

By Senator McCormack: Senate File No. 73, a bill for an act to amend chapter 26 of the Public Acts of the Sixteenth General Assembly in relation to the support of the poor.

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

By Senator Harned: Senate File No. 74, a bill for an act to amend section 2223 of the Code, regulating divorces and alimony.

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

By Senator Woolson: Senate File No. 75, a bill for an act to provide for a board of State Charities, and to define the duties of the same.

Read first and second time, ordered printed, and, on motion of Senator Woolson, was referred to a special committee composed of the chairman of each committee on charitable and reformatory institutions.

By Senator Harmon: Senate File No. 76, a bill for an act establish-

ing a State cabinet at Iowa City, and defining the work and purposes thereof.

Read first and second time, and referred to State University Committee.

RESOLUTIONS.

Senator Stoneman offered the following:

Resolved, That each Senator be requested and is hereby instructed to present in writing to the Senate, on or before February 1st, 1878, suggestions whereby State and county expenses may be curtailed in order that the burdens of taxation may be lessened, and that said communications, when so seconded, be referred to the Committee on Retrenchment.

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

The yeas were:

Senators Arnold, Blackman, Carr, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Haines, Han, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, and Wright—40.

The nays were:

Senators Bestow, Bronson, Chase, Foster, Graham, Johnson, McCormack, and Young—8.

Absent or not voting:

Senators Clark and Nichols of Benton.

So the resolution was agreed to.

Senator Foster offered the following concurrent resolution, relative to questions of national finance:

WHEREAS, The legislature of a state is intrusted with the duty of enacting laws for the government of such state, and the members thereof are chosen with reference to their fitness for that duty only; and,

WHEREAS, Certain national financial questions are now agitating the public mind, which are within the special province of the Congress of the United States to determine; and,

WHEREAS, Such questions can only be intelligently determined by those who have made a careful study of the financial questions, affecting not only this country but the civilized world; and,

WHEREAS, The decision of such questions ought not to be in the interest of any particular section or class, but in the interest of the nation as a whole; and,

WHEREAS, The discussions by legislatures of questions of national finance cannot result in giving intelligent information to Senators and Representatives in Congress upon such difficult propositions, but may result in great injury in requiring them to act against their better judgment, in accordance to instructions given; therefore, be it

Resolved by the Senate, the House of Representatives concurring:

First. That discussion by this body upon the practicability of the remonetization of silver, and other questions of national finance are foreign to any matters contemplated at the time of the election of the

members of this body, and upon which they are not authorized to represent their constituents, and not in relation to any matter imposed upon the legislature by law.

Second. That time occupied by this body in the discussion of such questions rightfully belongs to the State, and should be devoted to faithful service in the performance of the duties required by law.

Third. That dictation to our able Senators and Representatives in Congress, many of whom have devoted years of research to said questions, is unnecessary and presumptuous on the part of this body, and may work great injustice to the people of this country.

Fourth. That as legislators we recognize the right to carefully consider and intelligently determine all questions legally submitted to us, as we shall deem for the interest of the state, unawed by any imperative demands from our constituents; and we recognize the same rights in our Representatives in Congress that we assume to ourselves.

Senator Foster moved to make the resolutions a special order for next Tuesday at 10:30 o'clock, A. M.

The motion did not prevail.

On motion of Senator Dashiell the resolution was referred to the Committee on Federal Relations.

By Senator Arnold: Joint Resolution No. 4, relative to the appointment of commissioners from Iowa to the Paris Exposition.

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

On the question, shall the joint resolution pass? the yeas and nays were as follows:

The yeas were—

Senators Arnold, Bestow, Blackman, Bronson, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—48.

The nays were—none.

Absent or not voting:

Senators Clark, and Nichols of Benton.

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

Senator Shelley offered the following:

Resolved by the Senate, That the Secretary or his assistants furnish to the public printer such Senate files, in their numerical order of presentation, and that the public printer so print them.

The resolution was lost.

Senator Russell offered the following resolution, which was adopted:

Resolved, by the Senate, That a special committee of nine be appointed to whom shall be referred all bills relating to jury fees and court expenses.

Senator Blackman submitted the following resolutions in honor of the memory of the late Senator Arad Hitchcock.

WHEREAS, The late Hon. Arad Hitchcock, of Mitchell county, honored by an election to the Senate from the Forty-third District, com-

prising the counties of Butler, Floyd and Mitchell, to the Sixteenth and Seventeenth General Assemblies, a position which he filled in the former with satisfaction to his constituents, with credit and ability to himself, and won the esteem and confidence of the entire Senate; and,

WHEREAS, He departed this life the last day of the session, and at the hour of final adjournment, giving no opportunity for a formal announcement to the last Senate; therefore,

Resolved, That we sincerely regret the sad dispensation of Providence that has prevented the deceased Senator Hitchcock from continuing in his seat to which he was elected, and that we do cordially acknowledge our appreciation of his many noble characteristics and great moral worth; that we extend our most sincere condolence and heartfelt sympathy to the widow and family in their bereavement; and,

Resolved, That the preamble and resolutions be spread upon the journal; that the Secretary of the Senate be and is hereby directed to forward a copy to the family of the deceased; and, as a further mark of respect to the late Senator Hitchcock, that we do now adjourn until 10 o'clock to-morrow morning.

Senator Blackman, in moving the adoption of the resolutions, paid an eloquent tribute to the memory of the deceased Senator.

Senator Stoneman seconded the resolutions, and dwelt on the manly character and generous heart of the late Senator.

Senator Hebard also seconded the resolutions, and briefly referred to the acquaintance formed with the deceased during the session of the Sixteenth General Assembly.

The resolutions were unanimously adopted by a rising vote, and the Senate stood adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, January 26, 1878. }

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.

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 passed the following bills, in which the concurrence of the Senate is asked:

House File No. 23, a bill for an act to extend the provisions of chapter 23, Laws of the Eighth General Assembly, &c.

House File No. 82, a bill for an act to legalize the incorporation and official acts of the town council of Colfax, Iowa.

House File No. 84, a bill for an act to legalize the official acts of

George Bishop, a notary public in and for Black Hawk county, Iowa.
House File No. 95, a bill for an act to amend section 159, chapter 4, title 3, of the Code.

Also, that the House has concurred in Senate resolution, relating to appointment of joint committee to meet city council of Des Moines.

Also, has passed a resolution relative to statistics of the several charitable and penal institutions of the State, in which they ask the concurrence of the Senate.

W. V. LUCAS, *Chief Clerk.*

PETITIONS AND MEMORIALS.

By Senator Shelley: Asking a law to protect owners of dwelling and tenement houses.

Referred to Committee on Judiciary.

By Senator Harmon: Petition on same subject.

Referred to same committee.

By Senator Carr: Asking a law in relation to payment of road taxes.

Referred to Committee on Roads and Highways.

By Senator Webb: Asking a law regulating the practice of medicines.

Referred to Judiciary Committee.

By Senator Rumble: Petitions on the same subject.

Same reference.

By Senator Merrell: A petition on the same subject.

Referred to the same committee.

By Senator Merrell: Asking a law regulating work upon roads and highways.

Referred to Committee on Judiciary.

By Senator Foster: Asking a revision of the road laws of Iowa.

Referred to Committee on Highways.

INTRODUCTION OF BILLS.

By Senator Shelley: Senate File No. 77, a bill for an act to amend section 2015, chapter 9, title 13, of the Code, relating to notice to quit by landlords to tenants.

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

By Senator Merrell: Senate File No. 78, a bill for an act to regulate the practice of medicine in the State of Iowa.

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

By Senator McCoid: Senate File No. 79, a bill for an act to amend section 796, title 6, of the Code, and repealing chapter 28, acts of the Fifteenth General Assembly, in relation to revenue.

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

By Senator Young: Senate File No. 80, a bill for an act to legalize the acts of Mason Fish, a Justice of the Peace in Shelby county.

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

By Senator Gilmore: Senate File No. 81, a bill for an act to amend chapter 9, title 12, of the Code, in relation to the duties of the boards of directors of common schools.

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

HOUSE MESSAGES.

Senate concurrent resolution, relative to visiting committees to charitable institutions, was taken up, and House amendment concurred in.

House File No. 4, a bill for an act to amend chapter 9, of the Code, in relation to fugitives from justice, was taken up.

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

House File No. 23, a bill for an act to extend the provisions of chapter 63, laws of the Eighth General Assembly, so as to include the lands bought by Joseph Bone, under an execution issued upon foreclosure of original contract of Isaac Murphy, was taken up.

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

House File No. 82, a bill for an act to legalize the incorporation and official acts of the council of the town of Colfax, Iowa, was taken up.

Read first and second time.

Senator Meyer moved a suspension of the eleventh rule, and that the bill be put upon its passage now.

Senator Russell moved its reference to the Judiciary Committee.

The motion was agreed to, and the bill was so referred.

House File No. 84, a bill for an act to legalize the official acts of George Bishop, a Notary Public in and for Black Hawk county, was taken up.

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

House File No. 95, a bill for an act to amend section 159, chapter 4, title 3, of the Code, relating to the disposition of Supreme Court Reports by Secretary of State, was taken up.

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

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 4, a bill for an act to legalize and correct an error in the proceedings and acts incorporating the town of Kellogg, in Jasper 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 adding to section 2, the words "without expense to the State," and when so amended, that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred joint resolution relative to the repeal of the Bankrupt Act, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be amended as follows: Strike out of third line the words, "and are hereby instructed;" insert after the word Senators

in the first line, the words "are instructed;" insert after the word "be" in the third line, the word "requested;" and to strike out all after the word "thereto" in the seventh line, and when so amended, it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 29, a bill for an act to legalize the sale of certain school lands in Pottawattamie 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 section 4, and when so amended, it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 11, a bill for an act to legalize an election held in the town of Lisbon, county of Linn, State of Iowa, and to legalize the acts of the mayor and town council in relation thereto, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 1, a bill for an act entitled an act relating to the trial of equitable actions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: strike out of second and third lines of section 1 all after the word "thereof," in second line; insert after the word "actions" in fourth line the words "when an issue of fact is found;" strike out the words "on motion," in fifth line, and insert after the word "depositions," in sixth line, the words "or either party at pleasure may take his testimony or any part thereof by deposition;" and when so amended it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 22, a bill for an act to authorize cities and towns to regulate the sale of coal oil, beg leave to report that 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 Municipal Corporations.

So referred.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 23, a bill for an act to repeal section 3818 of the Code, in relation to the payment of witnesses for the defendant in criminal cases, 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 be referred to the Committee on Reduction of Court Expenses.

The bill was so referred.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 32, a bill for an act to amend sections 432 and 433 of chapter 10, title 4, 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 be amended as follows: insert in section 1, after the word "words," in second line, the words "at least." Strike out of the same section the words "ten days," in third line and insert the following: "and one publication had thereof, at least ten days."

Strike out the words "amended so as to read" in first line of section two, and insert the words "and is hereby repealed and the following enacted in lieu thereof."

Insert in section 3, in second line after the word "after" the words "the date of," and add to section 3 the words "in the *Iowa State Register* and *Iowa State Leader*, papers published in Des Moines, Iowa, the provisions of section 33 of the Code to the contrary notwithstanding;" and when so amended it do pass.

Ordered passed on file.

McCoid, *Chairman*.

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

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined Senate File No. 33, a bill for an act to legalize the incorporation and the acts of the officers of the town of Ringwood, in Clinton county, Iowa, and find the same correctly enrolled.

M. N. JOHNSON, *Chairman*.

Senator Arnold, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Joint Resolution No. 1, relative to appropriations for various State institutions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass with the following amendments: Strike out the word "third" in third line of resolution and insert "fourth," and by striking out "Tuesday" in fourth line and insert "Thursday."

D. ARNOLD, *Chairman*.

Senator Maginnis moved to make the joint resolutions a special order for next Tuesday at 11 o'clock, A. M., which motion prevailed.

Senators Haines, Hebard, Teale, Clark, Larrabee, and Hauna, were excused until Tuesday morning.

On motion of Senator Dows, Senate File No. 11, a bill for an act to legalize an election held in the town of Lisbon, Iowa, etc., reported back this morning, with the report of the committee, recommending its passage, was taken up and considered.

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

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Blackman, Bronson, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gilmore, Graham, Haines, Ham, Harmon, Harned, Hemenway, Johnson, Kimball, Kinne, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Webb, Wilson, Wonn, Woolson, and Young—41.

The nays were—None.

Absent or not voting:

Senators Clark, Gallup, Hanna, Hartshorn, Hebard, Larrabee, Nichols of Benton, Teale, and Wright—9.

So the bill passed and the title was agreed to.

On motion of Senator Meyer, Senate File No. 4, a bill for an act to legalize and correct an error in the proceedings and acts incorporating the town of Kellogg, in Jasper county, Iowa, with report of committee that it do pass, was taken up and considered.

Senator Meyer moved a suspension of the eleventh rule, and that 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 Arnold, Bestow, Blackman, Bronson, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gilmore, Graham, Haines, Ham, Harmon, Harned, Hemenway, Johnson, Kimball, Kinne, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Webb, Wilson, Wonn, Woolson, and Young—41.

The nays were—None.

Absent or not voting:

Senators Clark, Gallup, Hanna, Hartshorn, Hebard, Larrabee, Nichols of Benton, Teale, and Wright—9.

So the bill passed and the title was agreed to.

The President announced the following select committees:

On Jury Fees and Court Expenses—Senators Carr, Hemenway, Harmon, Johnson, Haines, Maginnis, Lawrence, Dashiell, and Kinne.

On City Grades Around the Capitol—Senators Webb, and Graham.

STANDING COMMITTEES.

On Asylum for Feeble-Minded—(To fill vacancy,) Senator Ford.

At 11:15, on motion of Senator Young the Senate adjourned until Monday, at 10 o'clock, A. M.

SENATE CHAMBER,
DES MOINES, IOWA, January 28, 1878. }

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

Prayer by Rev. Mr. Telleen.

Journal of Saturday read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT—I am directed to inform your honorable body that the House of Representatives has concurred in Senate resolution, relative to the appointment of Commissioners to the Paris Exposition.

W. V. LUCAS, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Shelley: Senate File No. 82, a bill for an act for the repeal of certain taxes.

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

By Senator Meyer: Senate File No. 83, a bill for an act to repeal section 4421 of the Code of Iowa, relating to the introduction of witnesses in criminal cases.

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

By Senator Carr: Senate File No. 84, a bill for an act to repeal section 963 of the Code, and to enact a substitute therefor.

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

By Senator Bronson: Senate File No. 85, a bill for an act to amend chapter 40 of the acts of the Sixteenth General Assembly, relating to the Additional Penitentiary at Anamosa.

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

By Senator Russell: Senate File No. 86, a bill for an act to repeal section 4185 of the Code, and to enact a substitute therefor, and to do away with preliminary examinations in certain cases.

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

By Senator Russell: Senate File No. 87, a bill for an act to relieve Frederick Hess from the payment of certain taxes in Webster county, Iowa.

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

By Senator Kinne: Senate File No. 88, a bill for an act relating to lost instruments and proceedings thereon.

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

By Senator Kinne: Senate File No. 89, a bill for an act prohibiting justices of the peace from occupying same room with attorney-at-law.

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

By Senator Ham: Senate File No. 90, 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 courts of the United States for the District of Iowa.

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

By Senator Wilson: Senate File No. 91, a bill for an act to provide for ditching land by open or tile drain.

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

By Senator Harned: Senate File No. 92, a bill for an act to repeal part of section 3173, chapter 2, title 19 of the Code, regulating appeals to the supreme court.

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

By Senator Stoneman: Senate File No. 93, a bill for an act to amend chapter 123 of the laws of the Sixteenth General Assembly, relating to taxes in aid of railroads, which is entitled an act to enable townships and incorporated towns and cities to aid in the construction of railroads.

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

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:

Senate File No. 33, a bill for an act to legalize the incorporation and the acts of the officers of the town of Ringwood, in Clinton county, Iowa.

BEN. VAN STEINBURG, *Assistant Clerk.*

RESOLUTION.

Senator Ham offered the following resolution, which was agreed to.

Resolved, That the rules of the Senate be so amended as to require that the object of all bills shall be expressed in the title.

BILLS ON SECOND READING.

Joint resolution relative to repeal of the bankrupt act, with the recommendation of the judiciary committee that it be amended, and when amended that it do pass, was taken up and considered.

The recommendation of the committee was adopted.

Senator McCoid moved to amend by striking out the words "House of Representatives, the Senate concurring," and insert the words, "General Assembly of the State of Iowa."

Agreed to.

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

Resolved by the General Assembly of the State of Iowa, That it

is the judgment of this General Assembly that the bankrupt act, now in force, should be at once repealed.

2. That a certified copy of these resolutions be forwarded to each of our Senators and Representatives in Congress.

The substitute was adopted.

Senator Woolson moved the suspension of the eleventh rule, and that the joint resolution be read a third time now.

Senator Young moved to reconsider the vote by which the substitute was adopted.

The motion prevailed.

Senator Young then offered the following substitute for the substitute :

Resolved by the General Assembly of the State of Iowa, That our Senators and Representatives in Congress be and are hereby requested to use their influence to have the bankrupt law so amended that the expenses of bankrupt proceedings be lessened, and in order that the rights of creditors may be better protected.

Pending the discussion of this resolution, Senator Bestow moved that the Senate adjourn until 2 o'clock, P. M., which motion did not prevail.

At 12 o'clock, M., on motion of Senator Carr, the Senate adjourned until to-morrow at 10 o'clock, A. M.

SENATE CHAMBER,
DES MOINES, IOWA, January 29, 1878. }

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

Prayer by Rev. Mr. Gelwicks.

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 has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 1, for an act to authorize cities and towns to procure the right of way for persons, animals and vehicles over railroad bridges across the Mississippi and Missouri rivers.

House File No. 49, a bill for an act to repeal section 1762, title 12, chapter 9, of the Code, in relation to teachers' institutes, and closing schools to attend the same.

House File No. 130, an act to legalize the official acts, as notary public, of Ole Hulverson, of Clayton county, Iowa.

W. V. LUCAS, *Chief Clerk.*

PETITIONS AND MEMORIALS.

By Senator Bestow: Memorial from the Supervisors' convention, asking a general revision of the Code, and the public acts of the Sixteenth General Assembly.

Referred to Committee on Retrenchment, and ordered printed.

By Senator Wilson: Asking a revision of the school laws of Iowa. Referred to Committee on Schools.

INTRODUCTION OF BILLS.

By Senator Dashiell: Senate File No. 94, a bill for an act to repeal section 3818 of the Code, in relation to the fees of witnesses in criminal cases, and to enact a substitute therefor.

Read first and second time, ordered printed, and referred to Committee on Jury Fees and Court Expenses.

By Senator Wonn: Senate File No. 95, a bill for an act to repeal section 1753 of the Code of 1873, and to enact a substitute therefor.

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

By Senator Kimball: Senate File No. 96, a bill for an act to legalize the notarial acts of W. E. Haskins, a notary public in and for Howard county, Iowa.

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

By Senator Shelley: Senate File No. 97, a bill for an act to collect taxes semi-annually.

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

By Senator Shelley: Senate File No. 98, a bill for an act relating to cities organized and existing under special charter, chapter 116, acts of the Sixteenth General Assembly.

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

By Senator Shelley: Senate File No. 99, a bill for an act to repeal section 3580, chapter 1, of the Code of 1873.

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

By Senator Harned: Senate File No. 100, a bill for an act providing for township treasurers to receive and disburse school funds in lieu of treasurers, for each school board.

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

By Senator Miller: Senate File No. 101, a bill for an act to amend section 3084 of title 18, chapter 2 of the Code of 1873, in reference to surplus on sales on execution.

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

By Senator Chase: Senate File No. 102, a bill for an act to repeal section 3829 of the Code, in relation to the fees of attorneys appointed by the court to defend persons charged with crime, and to enact a substitute therefor.

Read first and second time, ordered printed, and referred to Committee on Jury Fees and Court expenses.

By Senator Bronson: Senate File No. 103, a bill for an act to amend chapter 10 of title 4 of the Code of Iowa, relating to incorporated towns.

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

By Senator Dashiell: Senate File No. 104, a bill for an act to repeal section 3829 of the Code, in relation to the fees of attorneys appointed to defend criminals, and to enact a substitute therefor.

Read first and second time, ordered printed, and referred to Committee on Jury Fees and Court Expenses.

By Senator Dows: Senate File No. 105, a bill for an act in relation to compensation of county treasurers.

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

By Senator McCoid: Senate File No. 106, a bill for an act to repeal section 166 of the Code, and to enact a substitute therefor, in relation to special terms for the trial of continued cases.

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

By Senator McCoid: Senate File No. 107, a bill for an act to provide for the assessment and taxation of the property of telegraph companies.

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

By Senator McCoid: Senate File No. 108, a bill for an act to amend section 1288 of the Code, in relation to the liability of railway companies, for a failure to make proper cattle guards.

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

VISITING COMMITTEES.

The President announced the following Visiting Committees:

1. *Normal Schools*—Senator Wright.
2. *State University*—Senator Chase.
3. *Agricultural College*—Senator Bestow.
4. *Hospital for the Insane at Independence*—Senator Lewellen.
5. *Hospital for the Insane at Mt. Pleasant*—Senator Stoneman.
6. *Institution for the Deaf and Dumb*—Senator Hemenway.
7. *College for the Blind*—Senator Hebard.
8. *Orphans' Home*—Senator Arnold.
9. *Penitentiary at Anamosa*—Senator Meyer.
10. *Penitentiary at Ft. Madison*—Senator Dows.
11. *Reform Schools for Boys*—Senator Blackman.
12. *Reform Schools for Girls*—Senator Johnson.
13. *Hatching House at Anamosa*—Senator Gallup.
14. *Asylum for Feeble-Minded Children*—Senator Miller.

REPORT OF COMMITTEES.

By leave Senator Merrell, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT—Your Committee on Public Lands, to whom was

referred Senate File No. 59, a bill for an act to legalize the sale of certain school lands in Cherokee county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

N. O. MERRELL, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have this day presented to the Governor for his approval, Senate File No. 33, an act to legalize the incorporation and official acts of the officers of the town of Ringwood, in Clinton county, Iowa.

M. N. JOHNSON, *Chairman*.

The hour having arrived for the consideration of special order, it being joint resolution relative to appropriations for the various State institutions. Senator Woolson moved to postpone the consideration of the resolution, and that the Senate proceed to ballot for a United States Senator.

The motion prevailed.

Senator Ruple nominated Hon. Wm. B. Allison, of Dubuque county.

Senator Shelley nominated Hon. Daniel F. Miller, of Lee county.

Whole number of votes cast.....	47
Of which Wm. B. Allison received.....	34
Of which Daniel F. Miller received.....	12
Of which M. E. Cutts received.....	1

Those voting for Wm. B. Allison, were:

Senators Arnold, Bestow, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Hanna, Harmon, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, Meyer, Miller, Nichols of Guthrie, Patterson, Ruple, Russell, Teale, Webb, Woolson, Wright, and Young—34.

Those voting for Daniel F. Miller, were:

Senators Bronson, Ham, Harned, Kinne, McCormack, Madson, Maginnis, Merrell, Shelley, Stoneman, Wilson, and Wonn—12.

Senator Haines, voted for M. E. Cutts—1.

Wm. B. Allison having received a majority of all the votes cast, the President declared him duly elected on the part of the Senate, United States Senator for the term commencing on the 4th of March, A. D., 1879.

SPECIAL ORDER.

Joint resolution relative to appropriations for the various State institutions was taken up, considered, and the recommendations of the committee concurred in.

Senator Arnold moved a suspension of the eleventh rule, and that the joint resolution be read a third time now. The motion was agreed to and the joint resolution read a third time.

On the question, shall the joint resolution pass?

The yeas were:

Senators Arnold, Bestow, Blackman, Bronson, Carr, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Harned, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumple, Shelley, Stoneman, Teale, Webb, Wilson, and Wonn—40.

The nays were:

Senators Chase, Johnson, Russell, Woolson, Wright, and Young—6.

Absent or not voting:

Senators Haines, Hartshorn, Hebard, and Nichols of Benton.

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

Senator Johnson submitted the following reasons for voting no:

I vote *No* because it will be an impossibility for us to determine by that time the amount necessary to be appropriated for pay of employes of the Assembly and a variety of other purposes. As the resolution includes appropriations for any and all purposes whatsoever, I cannot vote for it, although I believe it wise as to State institutions.

M. N. JOHNSON.

RESOLUTIONS.

Senator Stoneman offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That the several Visiting Committees be requested to make their reports on or before February 10, 1878.

The resolution was agreed to.

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

WHEREAS, On the night, the 30th of November, 1876, the courthouse in Howard county, Iowa, was destroyed by fire; and,

WHEREAS, Among the other serious losses of records and other property occurring at said fire, was the total destruction of a complete set of the supreme court reports of the State of Iowa, belonging to the said county of Howard; therefore, be it

Resolved by the Senate, the House concurring, That in consideration of the loss sustained by the county of Howard as aforesaid, the Secretary of State is hereby authorized to furnish to said county of Howard, a complete set of Iowa supreme court reports, out of copies now on hand, or hereafter to be obtained, accepting from the county the usual voucher therefor in full compensation thereof.

HOUSE MESSAGES.

House File No. 1, a bill for an act to authorize cities and towns to procure the right of way for persons, animals and vehicles over railroad bridges across the Mississippi and Missouri rivers, was taken up.

Read first and second time, and referred to Committee on Municipal Corporations.

House File No. 130, a bill for an act to legalize the official acts as notary public, of Ole Hulverson, of Clayton county, Iowa, was taken up.

Read first and second time, and on motion of Senator Stoneman the eleventh rule was suspended, and the bill read a third time, now.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Harned, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Wilson, Wonn, Woolson, Wright, and Young—45.

The nays were—None.

Absent or not voting:

Senators Haines, Hartshorn, Hebard, Nichols of Benton, and Webb—5.

So the bill passed and the title was agreed to.

House File No. 49, a bill for an act to repeal section 1762, title 12, chapter 9, of the Code, in relation to teachers' institutes, and closing schools to attend the same, was taken up.

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

REPORT OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 15, a bill for an act to repeal sections 3889 and 3890 of chapter 3, title 24, 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 be amended by inserting in the title, after the word "Code," the words, "in relation to setting out fires," and when so amended it do pass.

McCoid, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 37, a bill for an act to amend sections 1060 and 1064, of the Code of 1873, relating to corporations for pecuniary profit, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out section two, and that when so amended it do pass.

McCoid, *Chairman.*

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 24, a bill for an act to provide for subpoenaing witnesses for defendants in criminal actions, beg leave to report that 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 Jury Fees and Court expenses.

So referred.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 45, a bill for an act to amend section 1, chapter 47, of the Fourteenth General Assembly, relative to manufacturing, keeping and sale of certain oils, beg leave to report that 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 Municipal Corporations.

So referred.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 30, a bill for an act to repeal section 4107, of chapter 1, title 25; sections 4529 and 4530, chapter 35, title 25, of the Code, and to provide a substitute therefor, and to amend section 4528, chapter 35, title 25 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 Senate File No. 74, a bill for an act to amend section 2223 of the Code, regulating divorce and alimony, beg leave to report that 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 House File No. 95, a bill for an act to amend section 159, chapter 4, title 3, of the Code of 1873, relating to the dispositions of Supreme Court Reports by the Secretary of State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

McCoid, *Chairman*.

Ordered passed on file.

Senator Dwelle, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 2, a bill for an act to regulate the herding of cattle on the prairies, beg leave to report that they 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.

L. DWELLE, *Chairman*.

Ordered passed on file.

Senator Shelley was excused until Monday next.

BILLS ON SECOND READING.

Joint resolution relative to appropriations for the various State Institutions, with pending amendments, was taken up and considered.

The question being on the adoption of the substitute for the substitute, offered by Senator Young, the yeas and nays were demanded, and

The yeas were—

Senators Arnold, Bestow, Blackman, Clark, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Harned, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Maginnis, Meyer, Miller, Patterson, Russell, Wonn, Woolson, Wright, and Young—30.

The nays were:

Senators Bronson, Carr, Chase, Ford, Foster, Hemenway, Kinne, Madson, Merrell, Nichols of Guthrie, Rumble, Shelley, Stoneman, Teale, Webb, and Wilson—16.

Absent or not voting :

Senators Haines, Hartshorn, Hebard, and Nichols of Benton—4.

So the substitute for the substitute was adopted.

Senator Young moved a suspension of the eleventh rule, and that 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 and nays were as follows :

The yeas were:

Senators Arnold, Bestow, Blackman, Clark, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Harned, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Maginnis, Merrell, Meyer, Miller, Patterson, Russell, Stoneman, Wilson, Wonn, Woolson, Wright, and Young—33.

The nays were:

Senators Carr, Chase, Ford, Hemenway, Kinne, Madson, Nichols of Guthrie, Rumble, Shelley, Teale, and Webb—11.

Absent or not voting :

Senators Bronson, Foster, Haines, Hartshorn, Hebard, and Nichols of Benton—6.

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

On motion of Senator Kinne, the Senate at 11:45 A. M., adjourned until to-morrow, at 10 o'clock, A. M.

SENATE CHAMBER,
DES MOINES, IOWA, Jan. 30, 1878. }

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

Prayer by the Rev. J. B. Clark.

Journal of yesterday was read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

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

House File No. 40, bill entitled an act to legalize the acts of and establish the independent school district of Martelle.

Also, without amendment:

Senate File No. 4, a bill for an act to legalize and correct an error in the proceedings and acts incorporating the town of Kellogg, in Jasper county, Iowa.

W. V. LUCAS, *Chief Clerk.*

Senator Dows moved a reconsideration of the vote by which the concurrent resolution fixing the time for visiting committees to report passed the Senate.

The motion was adopted.

The question recurring on the adoption of the resolution, Senator Dows moved to amend by striking out the word ten and inserting fifteen. Agreed to.

The resolution as amended was then adopted.

PETITIONS AND MEMORIALS.

By Senator Blackman: Asking a law to prohibit the sale of wine and beer in the vicinity of the Cedar Valley Seminary.

Referred to Committee on Suppression of Intemperance.

By Senator Meyer: Asking a law to prohibit the sale of wine and beer.

Referred to Committee on Suppression of Intemperance.

By Senator Russell: A petition from the Des Moines river land settlers.

Referred to Committee on Judiciary.

By Senator Webb: Asking relief for Mrs. Van Dyke.

Referred to Committee on Claims.

By Senator Merrell: A letter from the Board of Supervisors of Clinton county, Iowa.

Referred to Committee on Blind Asylum.

By Senator Wright: Petition and claim of the contractors and sub-contractors for the erection of the west lateral wing of the deaf and dumb asylum at Council Bluffs for reimbursement of loss occasioned to them by a tornado destroying a portion thereof during its erection.

Referred to Committee on Claims.

INTRODUCTION OF BILLS.

By Senator Chase: Senate File No. 109, a bill for an act to confer exclusive jurisdiction upon justices of the peace in certain cases, and to limit appeals thereon, and for the taxation of costs in such cases, being amendatory to chapter 9, title XXI, of the Code of 1873.

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

By Senator Ham: Senate File No. 110, a bill for an act to define the crime of purchasing goods on credit with intent to defraud, and providing a penalty therefor.

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

By Senator Gallup: Senate File No. 111, a bill for an act requiring boards of supervisors to make settlement with county treasurers at each of their regular meetings in January, April, June and September.

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

By Senator Dashiell: Senate File No. 112, a bill for an act to repeal section 4509 of the Code, and to enact a substitute therefor.

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

RESOLUTIONS.

Senator Hemenway offered the following:

Resolved by the Senate, the House concurring, That the two Houses will meet in joint convention at 12 o'clock, m., Wednesday, January 30, 1878, for the purpose of comparing the journals of the two Houses on the election of United States Senator, and for the election of State Printer, State Binder, and the Wardens of the Penitentiaries of the State.

The resolution was adopted.

Senator Larrabee offered the following resolution:

WHEREAS, Many banking institutions in this State have been organized under State laws, which are claimed to be at variance with the provisions of section 5, article 8, Constitution of Iowa; therefore be it

Resolved, That the Committee on Judiciary is hereby instructed to inquire into the legality of the organization of such institutions, and report the opinion of said committee to the Senate.

The resolution was agreed to.

Senator Ham offered the following resolution:

Resolved, That the Secretary of the Senate be authorized to issue to the regular newspaper reporters of this body an amount of stationery for their use not exceeding one dollar per week.

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

The yeas were:

Senators Bestow, Blackman, Bronson, Carr, Chase, Clark, Dows, Dwelle, Ford, Foster, Gilmore, Graham, Ham, Harman, Harned, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Merrell, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Ruple, Russell, Stoneman, Webb, Wilson, Wonn Woolson, Wright and Young—39.

The nays were:

Senators Arnold, Dashiell, Haines, Hanna, Maginnis, and Miller—7.

Absent or not voting:

Senators Hartshorn, Hebard, Shelley, and Teale—4.

So the resolution passed.

By Senator Russell: Joint resolution No. 5, in relation to the title of the Des Moines river lands.

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

Senator Stoneman filed a motion to reconsider the vote by which the substitute for the substitute for the joint resolution relative to the repeal of the bankrupt act passed the Senate, and the Secretary was directed to request the return of said resolution from the House.

Senator Wright offered the following resolution:

Resolved, That the Committee on Public Buildings be and it is hereby authorized to visit the institution for the support of the deaf and dumb at Council Bluffs, the better to facilitate the intelligent action and recommendation of said committee on the merits of the resolution now before it relating thereto.

The resolution was adopted.

Senator Johnson, 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 appointment of Commissioners from Iowa to the Paris Exposition, and find the same correctly enrolled.

M. N. JOHNSON, *Chairman*.

HOUSE MESSAGES.

House File No. 40, a bill for an act to legalize the acts of and to establish the Independent School District of Martelle, was taken up and read first and second time, and referred to Committee on Schools.

REPORTS OF COMMITTEES.

Senator Foster, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 51, a bill for an act fixing the time for all ordinances by either cities or incorporated towns, in regard to licenses to terminate, beg leave to report that they 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 Municipal Corporations, to whom was referred Senate File No. 71, a bill for an act to legalize the incorporation, ordinances, and acts of the officers of the town of Wilton, in the county of Muscatine, beg leave to report that they 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.

FOSTER, *Chairman*.

Ordered passed on file.

Senator Webb, from the Committee on Commerce, submitted the following report:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred Senate File No. 57, a bill for an act to prohibit the sale of coal oil of a lower grade than one hundred and fifty test, beg leave to report that 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 Municipal Corporations.

WEBB, *Chairman*,

So referred.

Senator Dwelle, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 8, a bill for an act to provide for the investigation of the diseases of swine, 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.

L. DWELLE, *Chairman*.

Ordered passed on file.

Senator Harmon, 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 Senate File No. 72, a bill for an act relating to the election of township trustees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your Committee on County and Township Organizations, to whom was referred Senate File No. 26, a bill for an act to amend chapter 125, acts of the Sixteenth 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 amended, by adding to the first section thereof the following words, to-wit: "And strike out of the fifth line the figures 1876, and insert the figures 1878," and when so amended it do pass.

HARMON, *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. 68, a bill for an act to amend section 591, title 5, chapter 1, of the Code, relating to terms of office of township trustees, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was re-

ferred Senate File No. 63, a bill for an act to amend section 240, of chapter 10, title 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 pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 92, a bill for an act to repeal part of section 3173, chapter 2, title 19 of the Code, regulating appeal to 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 indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 90, 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 Courts 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 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 Senate File No. 6, a bill for an act to amend section 859, chapter 2, title 4, 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 be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 53, a bill for an act to amend section 1241 of the Code of Iowa, title 10, chapter 47, relating to taking private property for works of internal improvement, beg leave to report that 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 two, the words, "without expense to the State," and when so amended it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 28, a bill for an act to amend section 208 of chapter 9 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. 34, a bill for an act to amend chapter 47 laws of

Sixteenth General Assembly, in relation to empowering cities to extend their corporate limits, (additional to Code, chapter 10, title 4 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 with the recommendation that it do pass.

Ordered passed on file.

McCoid, *Chairman.*

Senator Clark from the Committee to investigate the security for the safe keeping of the State funds, submitted the following report:

The committee appointed by concurrent resolution, to make examinations and recommendations in relation to the sufficiency of safe and vault in the State Treasurer's Office, beg leave to report that they have performed that duty, and are of the opinion that the security is inadequate, that the funds are unsafe, and that a committee consisting of State Treasurer, Governor, and Secretary of State be appointed, with instruction to purchase a first-class burglar-proof safe, with chronometer attachment, at a cost not to exceed twenty-five hundred dollars, and place the same in the Treasury vault for use at the earliest day practicable.

E. CLARK, *Committee from Senate.*

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, without amendment, Concurrent Resolution of the Senate, relative to comparing the journals of both Houses on the election of United States Senator, at 12 o'clock, m., Wednesday, January 30th, 1878, and for the election of State Printer, State Binder, and the Wardens of the Penitentiaries of the State.

BEN. VAN STEINBURG, *Assistant Clerk.*

Senator Lawrence moved to take up Senate File No. 59, a bill for an act to legalize the sale of certain school lands in Cherokee county, Iowa.

The motion was agreed to and the bill was taken up and considered.

On motion of Senator Lawrence the eleventh rule was suspended and the bill read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Blackman, Bronson, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Stoneman, Teale, Webb, Wilson, Woun, Woolson, Wright, and Young—45.

The nays were—None.

Absent or not voting:

Senators Clark, Hartshorn, Hebard, Hemenway, and Shelley—5.

So the bill passed and the title was agreed to.

By leave Senator Wright called up Senate File No. 29, a bill for an act to legalize the sale of certain school lands in Pottawattamie county, Iowa, with the report of the committee recommending amendments.

The amendments were adopted.

Senator Wright moved a suspension of the eleventh rule and that 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 Arnold, Bestow, Blackman, Bronson, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—44.

The nays were—None.

Absent or not voting:

Senators Clark, Hartshorn, Hebard, Hemenway, Johnson, and Shelley—6.

So the bill passed and the title was agreed to.

On motion of Senator Young, Senate File No. 26, a bill for an act to amend chapter 125, acts of the Sixteenth General Assembly, in relation to bonding county indebtedness, with report of committee recommending amendments was taken up, considered and referred to Committee on Judiciary.

A committee from the House informed the Senate that the House would be ready to meet the Senate, in joint convention, at 12 o'clock, m.

RESOLUTION.

Senator Rumble offered the following:

Resolved by the Senate, the House concurring, That a recess be taken until Tuesday, February 12, at 10 o'clock, A. M., from and after adjournment on Friday morning, February 1, 1878.

Senator Teale moved to amend by striking out "1st," and inserting "8th," which motion was lost.

On the question, shall the resolution be adopted, the yeas and nays were demanded, and

The yeas were:

Senators Arnold, Blackman, Clark, Dows, Ford, Foster, Gallup, Gilmore, Hain, Harmon, Johnson, Larrabee, Lawrence, Lewellen, McCoid, Madson, Merrell, Nichols of Guthrie, Patterson, Rumble, Russell, Stoneman, Woolson, Wright, and Young—25.

The nays were:

Senators Bestow, Bronson, Carr, Chase, Dashiell, Dwelle, Graham, Haines, Hanna, Harned, Hemenway, Kimball, Kinne, McCormack, Maginnis, Meyer, Miller, Nichols of Benton, Teale, Webb, Wilson, and Wonn—22.

Absent or not voting:

Senators Hartshorn, Hebard, and Shelley—3.

So the resolution was agreed to.

Senator Larrabee moved that the President appoint a teller for the joint convention, which was agreed to, and the President appointed Senator Nichols of Guthrie.

The Senate, at 12 o'clock, M., proceeded to the hall of the House.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, January 30, 1878. }

JOINT CONVENTION.

Lieutenant-Governor Campbell called the joint convention to order and announced the object of the convention to be to compare the journals of the two Houses on the election of United States Senator, and for the election of State Printer, State Binder, and Wardens of the Penitentiaries; and announced as teller on the part of the Senate, Senator Nichols, of Guthrie.

The Speaker announced as teller on the part of the House, Mr. Lyon.

The Senate journal was then read.

The House journal was then read.

Mr. Stone offered the following resolution, which was adopted:

Resolved by the General Assembly of the State of Iowa, in joint convention assembled, pursuant to the acts of Congress regulating the time and manner of holding elections for Senators in Congress; approved, July 25, 1866, that W. B. Allison be declared the Senator elect from this State to Congress in the United States, for the term of six years from the 4th of March, A. D., 1879.

On motion of Mr. Stone, the convention proceeded to the election of State Printer.

Senator Nichols, of Guthrie, nominated F. M. Mills, of Polk county.

Mr. O'Donald nominated W. S. Edwards, of Jefferson county.

Whereupon a vote was taken, with the following result:

Whole number of votes cast.....	130
Of which F. M. Mills received.....	102
Of which W. S. Edwards received.....	28

F. M. Mills having received a majority of all the votes cast, was declared duly elected State Printer for the ensuing term.

On motion of Senator Young, the convention took a recess until 10:30 o'clock, A. M., Thursday, January 31, 1878.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 31, 1878. }

10:30 o'clock, A. M.

Joint convention called to order.

Lieutenant Governor Campbell in the chair, who stated the business of the convention to be the election of State Binder, and Wardens of the Penitentiaries.

On motion of Mr. Stone, the convention proceeded to a ballot for State Binder.

Mr. Wood placed in nomination Matt Parrott, of Black Hawk county.

Mr. Hamilton nominated John H. Andrick, of Clayton county.

Whereupon a ballot was had, with the following result :

Whole number of votes cast.....	129
Of which Matt Parrott received.....	100
Of which John H. Andrick received.....	29

Matt Parrott having received the largest number of votes was declared elected State Binder for the ensuing term.

Mr. Alford moved to proceed to the election of a Warden for the Penitentiary at Fort Madison.

The motion prevailed.

Senator Arnold nominated E. C. McMillan, of Mahaska county.

Mr. Holbrook nominated L. Sherman, of Iowa county.

Whereupon a vote was had, with the following result :

Whole number of votes cast.....	129
Of which E. C. McMillan received.....	101
Of which L. Sherman received.....	28

E. C. McMillan was thereupon declared elected Warden for the State Penitentiary at Fort Madison for the ensuing term.

Mr. King moved to proceed to the election of Warden for the Additional Penitentiary at Anamosa.

The motion prevailed.

Senator Rumble placed in nomination O. E. Martin, of Delaware county.

Mr. Knoll nominated Wm. Buckman, of Dubuque county.

Whereupon a vote was taken with the following result:

Whole number of votes cast.....	121
O. E. Martin received.....	93
Wm. Buckman received.....	28

Whereupon Mr. Martin was declared elected Warden of the Additional Penitentiary at Anamosa.

The following certificates were read and signed in the presence of the joint convention:

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 30, 1878. }

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 30th day of January, A. D., 1878, for the purpose of electing a United States Senator, William B. Allison having received a majority of all the votes cast for said office, was declared duly elected United States Senator 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 30th day of January, A. D., 1878.

F. T. CAMPBELL,
President of the Senate.

JOHN Y. STONE,
Speaker of the House of Representatives.

ATTEST:

S. D. NICHOLS,
Teller of the Senate.

O. H. LYON,
Teller of the House of Representatives.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 30, 1878. }

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 30th day of January, A. D., 1878, for the purpose of electing a State Printer, F. M. Mills 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 30th day of January, A. D., 1878.

F. T. CAMPBELL,
President of the Senate.

JOHN Y. STONE,
Speaker of the House of Representatives.

ATTEST:

S. D. NICHOLS,
Teller of the Senate.

O. H. LYON,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, January 31st, 1878. }

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 31st day of January, A. D., 1878, for the purpose of electing a State Binder, Matt Parrott 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 31st day of January, A. D. 1878.

F. T. CAMPBELL,
President of the Senate.

JOHN Y. STONE,
Speaker of the House of Representatives.

ATTEST:

S. D. NICHOLS,
Teller of the Senate.

O. H. LYON,
Teller of the House of Representatives.

HALL OF HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, Jan. 31, 1878. }

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 31st day of January, A. D., 1878, for the purpose of electing a Warden of Ft. Madison Penitentiary, E. C. McMillan having received a majority of all the votes cast for said office, was declared duly elected Warden at Ft. Madison 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 31st day of January, A. D., 1878.

FRANK T. CAMPBELL,
President of the Senate.

JOHN Y. STONE,
Speaker of the House of Representatives.

ATTEST:

S. D. NICHOLS,
Teller of the Senate.

O. H. LYON,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, January 31, 1878. }

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 31st day of January, A. D., 1878, for the purpose of electing a

Warden of Anamosa State Penitentiary, Ansel E. Martin having received a majority of all the votes cast for said office, was declared duly elected Warden at Anamosa 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 31st day of January, A. D. 1878.

F. T. CAMPBELL,
President of the Senate.

JOHN Y. STONE,
Speaker of the House of Representatives.

ATTEST:

S. D. NICHOLS,
Teller of the Senate.

O. H. LYON,
Teller of the House of Representatives.

On motion of Senator Dows the joint convention dissolved at 11 o'clock, A. M.

At 11 o'clock and 12 minutes the Senate returned to its chamber, and, on motion of Senator Bestow, adjourned until 11:15 this A. M.

SENATE CHAMBER,
DES MOINES, IOWA, January 31, 1878. }

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

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 has passed the following Senate resolutions, with House amendments, in which the concurrence of the Senate is asked:

Senate Resolution No. 1, relative to appropriations for State institutions, amend as follows: Except such bills as are reported by committees.

Also concurrent resolution, relative to Supreme Court reports, for Howard county. Passed without amendment.

Also the House has concurred in the Senate amendment to House joint resolution, relative to the bankrupt act.

And I herewith present for your signature, joint resolution relative to the appointment of commissioners from Iowa to the Paris Exposition.

W. V. LUCAS, *Chief Clerk.*

PETITIONS AND MEMORIALS.

By Senator Carr: Petition from board of supervisors of Cedar county.

Referred to Committee on Retrenchment.

By Senator Foster: A petition from the bar of Scott county, Iowa.

Referred to Committee on Judiciary.

By Senator Blackman: Petition from the board of supervisors of Mitchell county.

Referred to Committee on Retrenchment.

Senator Stoneman moved that all petitions bearing upon the subject of retrenchment be referred to the Committee on Retrenchment without reading.

The motion prevailed.

By Senator Madson: A letter from one Isaac N. Brown, of Wapello county.

Referred to Committee on Asylum for the Deaf and Dumb.

INTRODUCTION OF BILLS.

By Senator Larrabee: Senate File No. 113, a bill for an act to provide for appointment of a State entomologist, and to define his duties.

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

By Senator Shelley: Senate File No. 114, a bill for an act to amend the charters of all municipal corporations acting and existing under special charters.

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

By Senator Shelley: Senate File No. 115, a bill for an act to amend section 6, chapter 116, laws of the Sixteenth General Assembly, conferring certain powers upon municipal corporations existing under special charters.

Read first and second time, and referred to Committee on Municipal Corporations.

Senator Foster moved that the bill be ordered printed.

Senator Stoneman moved to amend, by instructing the committee to have the bill printed. The amendment was agreed to. Motion as amended was adopted.

By Senator Hemenway: Senate File No. 116, a bill for an act to provide for the appointment and collection of state taxes.

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

By Senator Stoneman: Senate File No. 117, a bill for an act to repeal section 4421 of the Code.

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

By Senator Lawrence: Senate File No. 118, a bill for an act granting to the Burlington, Cedar Rapids & Northern Railway Company of Iowa, certain lands heretofore granted to the McGregor & Missouri River Railroad Company, and afterwards resumed to the State by the General Assembly.

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

Senator Merrell moved a suspension of the regular order, and that Senate File No. 32, a bill for an act to amend sections 432 and 433, of chapter 10, title 4, of the Code, with the amendments recommended by the committee, be taken up and considered.

The motion prevailed.

The bill was considered by sections and the amendments of the committee concurred in.

On motion of Senator Merrell the eleventh rule was suspended and the bill read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Graham, Haines, Ham, Hanna, Harned, Hebard, Hemenway, Johnson, Kimball, Kinne, Larabee, Lawrence, Lewellen, McCoid, McCormack, Madsen, Maginnis, Merrell, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—46.

The nays were—None.

Absent or not voting:

Senators Gilmore, Harmon, Hartshorn, and Meyer—4.

Senator Merrell moved to amend the title by inserting after the word and, the words "to repeal section," and to strike out the words "of Iowa," and to add "and to provide a substitute therefor." The motion prevailed.

So the bill passed and the title as amended was agreed to.

INTRODUCTION OF BILLS RESUMED.

By Senator Clark: Senate File No. 119, a bill for an act to enable the trustees of the Protestant Methodist church of Iowa City, to transfer certain property.

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

The President presented a communication from J. R. Effinger, declining to act as Chaplain of the Senate.

Ordered passed on file.

REPORTS OF COMMITTEES.

Senator Teale, from the committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate File No. 73, a bill for an act to amend chapter 26, of the laws of the Sixteenth General Assembly, in relation to the support of the poor, beg leave to report that 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 sections No. 2 and 3 of the bill, and that as so amended it do pass.

FRED TEALE, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 50, a bill for an act to legalize the organization of independent district No. seven, in Decatur township, 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 be amended as follows:

(1.) Add to section 3, the words "*provided*, such publication shall be without expense to the State."

(2.) Amend the title of the bill so the same shall read, "a bill for an act to legalize the organization and official proceedings of independent district No. seven, of Decatur township, in the county of Decatur," and that when so amended it do pass.

WOOLSON, *Chairman*.

Ordered passed on file.

Senator Shelley moved to take up House File No. 95, a bill for an act to amend section 159, chapter 4, title 3, of the Code, relating to the disposition of Supreme Court Reports by Secretary of State, with the report of the committee that it be indefinitely postponed, which was agreed to.

On motion of Senator Shelley, the bill was recommitted to the Judiciary Committee.

Senator Teale obtained unanimous consent to take up and consider Senate File No. 50, with amendments of the committee.

The amendments were concurred in.

On motion of Senator Teale, the eleventh rule was suspended and the bill read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Graham, Haines, Ham, Hanna, Harned, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—45.

The nays were—none.

Absent or not voting:

Senators Gilmore, Harmon, Hartshorn, Hebard, and Meyer—5.

So the bill passed and the title was agreed to.

Senators Foster and Meyer were excused.

On motion of Senator Wright, the Senate at 12:30 P. M., adjourned until to-morrow at 10 o'clock, A. M.

SENATE CHAMBER,
DES MOINES, IOWA, February 1, 1878. }

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

Prayer by Rev. Mr. Brown.

Proceedings of joint convention and 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 has passed the following bill and resolution, in which the concurrence of the Senate is asked:

Substitute for House File No. 25, a bill for an act to repeal section 166 of the Code, in relation to special terms of court.

By request of the Senate, I herewith transmit to you joint resolution relative to the bankrupt law.

W. V. LUCAS, *Clerk.*

PETITIONS AND MEMORIALS.

By Senator Nichols of Benton: Asking a modification of the school laws.

Referred to Committee on Schools.

Also, a petition asking that the present law regulating the pay of short hand reporters be not repealed.

Referred to Committee on Judiciary.

By Senator Young: A protest against the passage of a law regulating the practice of medicine.

Referred to Committee on Judiciary.

By Senator Blackman: Letter from Cyrus Poreman of Mitchell county.

Referred to Committee on Retrenchment.

INTRODUCTION OF BILLS.

By Senator Teale: Senate File No. 120, a bill for an act to provide for the keeping and care of certain classes of the insane.

Read first and second time, ordered printed, and referred to Committee on Hospitals for the Insane.

By Senator Bestow: Senate File No. 121, a bill for an act to repeal section 3835 of the Code, and to enact a substitute therefor.

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

By Senator Carr: Senate File No. 122, a bill for an act to repeal section 1160 of the Code of 1873, and to enact a substitute therefor to require mutual insurance companies to make annual reports.

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

By Senator Bronson: Senate File No. 123, a bill for an act to amend chapter 1 of title 4 of the Code relating to re-location of county seats.

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

By Senator Kinne: Senate File No. 124, a bill for an act to repeal section 10 of chapter 70, of the acts of the Sixteenth General Assembly, relating to the propagation of fish.

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

By Senator McCoid: Senate File No. 125, a bill for an act to repeal section 487 of the Code, and to enact a substitute therefor in relation to municipal corporations requiring labor to be performed upon streets and alleys.

Read first and second time, and referred to Committee on Municipal Corporations.

By Senator McCoid: Senate File No. 126, a bill for an act to authorize cities and towns to lay down sidewalks and protect the same.

Read first and second time, and referred to Committee on Municipal Corporations.

By Senator Blackman: Senate File No. 127, a bill for an act to prohibit the sale of wine and beer, and spirituous liquors, within three miles of the Cedar Valley Seminary, at Osage, Iowa.

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

By Senator Lawrence: Senate File No. 128, a bill for an act authorizing Sioux County, Iowa, to have made corrected index and record of deed, record "A.," from Woodbury county.

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

By Senator Lawrence: Senate File No. 129, a bill for an act amending section 3812 of chapter 3, title 23 of the Code of 1873.

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

By Senator Maginnis: Senate File No. 130, a bill for an act to repeal section 3829 of the Code of 1873.

Read first and second time, and referred to Committee on Jury Fees and Court Expenses.

RESOLUTIONS.

By Senator Russell: Joint Resolution No. 6, in relation to liens and judgments in Federal courts.

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

Senator McCoid offered the following:

Resolved by the Senate, the House concurring, That there be printed in the German language, by Theo. Gulick, of Burlington, Iowa, three thousand copies of the report of Auditor of State, three thousand copies of the Biennial Message of Gov. Newbold, and of the Inaugural Address of Gov. Gear, and one thousand copies of each in the Norwegian language, by B. Armidsen, of Decorah, Iowa, and that they be authorized to print two thousand copies of each for the use of the General Assembly.

Senator McCormack moved to amend by adding, one thousand copies of each of the above documents in the Holland language, to be printed by H. Neyenisch, of Pella, Marion county.

Senator Teale moved to refer the resolution to the Committee on Printing.

Senator Haines moved to amend by referring to Committee on Retrenchment.

The amendment did not prevail.

The motion to refer was then 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 Senate resolution, with House amendment, in which the concurrence of the Senate is asked:

Strike out Tuesday, February 12, and insert Thursday, February 7, 2 o'clock, P. M.

BEN. VAN STEINBURG, *Assistant Clerk.*

House amendments to Senate concurrent resolution, in relation to recess, was taken up and concurred in.

House File No. 25, a bill for an act to repeal section 166 of the Code, in relation to special terms of court, and enact a substitute therefor.

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

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 106, a bill for an act to repeal section 166 of the Code, and enact a substitute therefor, in relation to special terms of court for continued causes, beg leave to report that they 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. 31, a bill for an act to amend chapter 6, title 4, of the Code, in relation to the duties of sheriff, beg leave to report that 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 Senate File No. 19, a bill for an act to amend section 3636, chapter 1, title 22, of the Code, so as to allow defendants in criminal actions to become witnesses on their own behalf, beg leave to report that they

have had the same under consideration, and have instructed me to report the following substitute for the bill, without recommendation.

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 95, a bill for an act to amend section 159, chapter 4, title 3, of the Code of 1873, relating to the disposition of supreme court reports by the Secretary of State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 89, a bill for an act prohibiting justices of the peace and attorneys from occupying the same room, beg leave to report that 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 section two from the bill, and when so amended it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 85, a bill for an act to amend chapter 40 of the acts of the Sixteenth General Assembly, relating to the additional penitentiary at Anamosa, beg leave to report that 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 penitentiary at Anamosa.

So referred.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 14, a bill for an act to amend sections 1 and 2, chapter 143, of the laws of the Sixteenth General Assembly, entitled "An act to provide for establishing superior courts in cities of a certain grade, and for establishing superior courts in cities where now organized," beg leave 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 be adopted, and when adopted that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 62, a bill for an act to amend section 3299 of the Code, relating to sales in partition proceedings, beg leave to report that 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 after the word "follows," in second line of section one, and insert the following: "Sec. 3299. Said land shall be appraised by three disinterested persons, whom the court shall appoint therefor, and due return of said appraisement shall be made and filed with the clerk. And said court may approve the sale of

all or any portion of said lands, when made by said referees at private sale, at a sum not less than the appraised value thereof. If said land is sold at public sale, the same notice of sale shall be given as when lands are sold on execution by the sheriff, and the sales shall be conducted in like manner." And when so amended, it do pass.

McCoid, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 44, a bill for an act to amend section 1, chapter 51, of the public laws of the Fifteenth General Assembly, in relation to Normal 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 the substitute herewith be adopted, and that when so adopted the same do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 70, a bill for an act to amend section 1766 of the Code of 1873, relating to certificates for teachers of special branches, beg leave to report 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 substitute herewith submitted be adopted, and that said substitute do pass.

Woolson, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 4, a bill for an act to legalize and correct an error in the proceedings and acts incorporating the town of Kellogg, in Jasper county, Iowa, and find the same correctly enrolled.

M. N. JOHNSON, *Chairman*.

Also, the following:

Also, your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval, joint resolution relative to appointment of Commissioners from Iowa to the Paris Exposition.

M. N. JOHNSON, *Chairman*.

By leave, Senator Meyer introduced Senate File No. 131, a bill for an act to pay company "C," third regiment Iowa National Guards, for services rendered at the funeral of the late Adjutant-General Baker.

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

BILLS ON THIRD READING.

Joint Resolution No. 1, relative to appropriations for the various State institutions, with House amendment, was taken up, and on motion of Senator Woolson, consideration of House amendment was postponed until the 7th instant.

By leave, Senator Hanna called up Senate File No. 71, a bill for an act to legalize the charter and ordinances of the town of Wilton, Muscatine county, Iowa, with the recommendation of the committee that it do pass.

On motion of Senator Hanna the eleventh rule was suspended, and the bill read a third time, now.

On the question, shall the bill pass?

The yeas were:

Senators Bestow, Bronson, Carr, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hebard, Hemenway, Johnson, Kimball, Kinne, Lawrence, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Webb, Wonn, Woolson, Wright, and Young—37.

The nays were—None.

Absent or not voting:

Senators Arnold, Blackman, Chase, Clark, Foster, Hartshorn, Larrabee, Lewellen, Rumble, Shelley, Stoneman, Teale, and Wilson,—13.

So the bill passed and the title was agreed to.

By leave Senator Wright, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 3, a bill for an act to amend sections 181 and 3777 of the Code, providing for the appointment, defining the duties, and fixing the compensations of short-hand reporters in the District and Circuit courts, beg leave to report 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, and when adopted that it do pass.

GEO. E. WRIGHT, *For the Committee.*

Ordered passed on file.

Senator McCormack, by unanimous consent, called up Senate File No. 73, a bill for an act to amend chapter 26 of the laws of the Sixteenth General Assembly, in relation to the support of the poor, with the report of the committee recommending amendments.

Senator Woolson offered a substitute for the bill. The substitute was adopted.

Senator McCormack moved to suspend the eleventh rule and that 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 Bestow, Bronson, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hebard, Hemenway, Johnson, Kimball, Kinne, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Stoneman, Teale, Webb, Wonn, Woolson, Wright, and Young—40.

The nays were—none.

Absent or not voting:

Senators Arnold, Blackman, Clark, Foster, Hartshorn, Larrabee, Rumble, Russell, Shelley, and Wilson—10.

So the bill passed and the title was agreed to.

Senators Arnold, Clark, and Rumble were excused.

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:

Concurrent resolution instructing visiting committees to state institutions.

Also, joint resolution relative to publication of State Agricultural Report.

W. V. LUCAS, *Chief Clerk*.

HOUSE MESSAGES.

House concurrent resolution relative to instructing visiting committees was taken up and considered.

House concurrent resolution relating to the publication of reports of secretary of board of directors of State Agricultural Society was taken up, considered, and referred to Committee on Agriculture.

On motion of Senator Kinne, the Senate at 12:20 P. M., adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 7, 1878. }

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

Prayer by the Rev. Mr. Thorpe.

Journal of Friday, 1st inst., read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Senate File No. 4, a bill for an act to correct an error in the proceedings and acts incorporating the town of Kellogg, in Jasper county, Iowa.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 75, a bill for an act to repeal sections 511 and 512 of the Code, and enact a substitute therefor.

W. V. LUCAS, *Chief Clerk*.

PETITIONS AND MEMORIALS.

By Senator Carr: Asking a law to regulate the practice of medicine.
Referred to the Committee on Judiciary.

By Senator Clark: Memorial from Wm. R. Craig.
Referred to Committee on Claims.

By Senator Merrell: Asking a revision of the laws governing trial causes.

Referred to Committee on Jury Fees and Court Expenses.

By Senator Kinne: Asking a revision of the game law.
Referred to Committee on Fish and Game.

By Senator Dwelle: Asking a law to prevent the sale of wine and beer.

Referred to Committee on Suppression of Intemperance.

By Senator Bronson: Asking a law on the same subject, and referred to same committee.

INTRODUCTION OF BILLS.

By Senator Hartshorn: Senate File No. 132, a bill for an act to repeal chapter 79 of the Sixteenth General Assembly, in relation to the sale of lands and town lots for taxes.

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

By Senator Foster: Senate File No. 133, a bill for an act to provide for the adoption of general rules of practice in the courts of this State.

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

By Senator Foster: Senate File No. 134, a bill for an act to amend chapter 60, of the laws of the Fifteenth General Assembly, entitled an act to provide for the organization and management of savings banks.

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

By Senator Webb: Senate File No. 135, a bill for an act in relation to the new capitol building and making additional appropriations therefor.

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

By Senator Woolson: Senate File No. 136, a bill for an act making appropriations for the Iowa Hospital for the Insane at Mt. Pleasant.

Read first and second time, referred to Committee on Hospital for Insane, and ordered printed.

By Senator Webb: Senate File No. 137, a bill for an act to amend sections 1802 and 1808 of the Code of Iowa.

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

By Senator Russell: Senate File No. 138, a bill for an act to provide for rebuilding the main building and east wing of the Deaf and Dumb Asylum at Council Bluffs, Iowa, and for furnishing the same.

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

By Senator Harmon: Senate File No. 139, a bill for an act making an appropriation for the Iowa Hospital for the Insane at Independence.

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

By Senator Hemenway: Senate File No. 140, a bill for an act making appropriations for the maintenance of the normal schools at Cedar Falls.

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

Senator Merrell presented a remonstrance from the bar of Clinton county, against the repeal of the law fixing the per diem of short hand reporters.

Referred to Judiciary Committee.

The President submitted the following communication:

STATE OF IOWA,
OFFICE OF THE SECRETARY OF STATE, }
DES MOINES, IOWA, Feb. 6th, 1878.

HON. F. T. CAMPBELL, *President of Senate*:

SIR—In response to a concurrent resolution of the Seventeenth General Assembly, I now have the pleasure of submitting report hereto attached, giving number of days of district court and circuit court held in the counties of the State during the year 1877. All of which is respectfully submitted.

JOSIAH T. YOUNG, *Secretary of State*.

The accompanying report was ordered printed.

HOUSE MESSAGES.

House File No 75, a bill for an act to repeal sections 511 and 512 of the Code, and to enact a substitute therefor, was taken up, read first and second time and referred to Committee on Judiciary.

REPORTS OF COMMITTEES.

Senator Foster, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 67, a bill for an act to repeal section 487 of the Code, in relation to labor on streets and highways, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the publication clause, and when so amended, that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 40, a bill for an act to amend section 521 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 Municipal Corporations, to whom was referred Senate File No. 82, a bill for an act for the repose of certain taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Ways and Means.

FOSTER, *Chairman.*

So referred.

Senator Carr, from the Special Committee, as Chairman of Committee of State Institutions, submitted the following report:

MR. PRESIDENT—Your Special Committee, composed of the Chairmen of the Committee on State Institutions, to whom was referred Senate File No. 75, a bill for an act to provide for a board of State Charities and to define the duties 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 as per the accompanying report, and that as amended it do pass.

H. C. CARR, *Chairman.*

Ordered passed on file.

Senator Maginnis moved to take up Joint Resolution No. 1, in relation to appropriations for the various State institutions, with House amendments.

The motion prevailed.

On the question, shall the Senate concur in House amendments?

The yeas were:

Senators Bronson, Carr, Chase, Dashiell, Dwelle, Ford, Foster, Graham, Haines, Ham, Hanna, Harmon, Hartshorn, Hemenway, Kimball, McCormack, Maginnis, Merrell, Nichols of Benton, Teale, Webb, and Woolson—22.

The nays were:

Senators Gallup, Harned, Kinné, Rumple, Wilson, and Wonn—6.

Absent or not voting:

Senators Arnold, Bestow, Blackman, Clark, Dows, Gilmore, Hebard, Johnson, Larrabee, Lawrence, Lewellen, McCoid, Madson, Meyer, Miller, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Wright, and Young—22.

So the House amendment not having received a constitutional majority was not concurred in.

Senate File No. 1, a bill for an act entitled an act relating to the trial of equitable actions, with the report of committee recommending amendments, was taken up, considered and ordered passed on file.

Senator Shelley was excused until the 15th instant.

Senators Gilmore and Lawrence were excused till Tuesday.

Senators Hebard, Blackman, Lewellen, Arnold and McCoid were excused.

On motion of Senator Kinne the Senate at 11 o'clock, A. M., adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER,
DES MOINES, IOWA, February 8, 1878. }

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

Prayer by the Rev. Mr. Frisbie.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Substitute for House File No. 5, a bill for an act to amend section 3829, title 23, of the Code, in relation to attorneys' fees for defending persons charged with crime.

House File No. 56, a bill for an act to repeal section 4420, of chapter 25, of the Code, relating to the trial of an issue of fact in an indictment, and enacting a substitute in lieu thereof.

House File No. 128, a bill for an act to amend section 1, of chapter 26, of the laws of the Sixteenth General Assembly, in relation to the support of the poor.

Joint Resolution relative to the cancellation of claims against Franklin county, for money lost by either fire, theft or burglary.

Also, Senate File No. 71, an act to legalize the charter and ordinances of Wilton, passed without amendment.

Also, that the House has concurred in Senate resolution relative to requesting visiting committees to report by the 15th instant.

W. V. LUCAS, *Clerk.*

PETITIONS AND MEMORIALS.

By Senator Wright: Asking a law creating and providing for a State cabinet at Iowa City.

Referred to Committee on State University.

By Senator Ham: Asking an amendment to section 2015 of the Code of 1873.

Referred to Committee on Judiciary.

By Senator Arnold: Petition from the State Horticultural Society.

Referred to Committee on Ways and Means.

By Senator Wilson: Asking the enactment of the death penalty for murder.

Referred to Committee on Judiciary.

By Senator Teale: Asking a law to prohibit the sale of wine and beer.

Referred to Committee on Suppression of Intemperance.

By Senator Madson: Asking that the law regulating pay of short-hand reporters be not repealed.

Referred to Committee on Judiciary.

By Senator Foster: Memorial from J. J. Burtis, of Scott county, relative to sale of Burtis House for Deaf and Dumb Asylum.

Referred to Committee on Asylum for the Deaf and Dumb.

By Senator Woolson: Asking that the law regulating pay of shorthand reporters be not repealed.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Hartshorn: Senate File No. 141, a bill for an act to legalize the incorporation of the town of Emmetsburg, in Palo Alto county, Iowa, the election of its officers and the acts done and ordinances passed by the council of said town.

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

By Senator Gallup: Senate File No. 142, a bill for an act to appropriate seven thousand four hundred and seventy-two dollars and twenty-five cents to the Iowa State Agricultural College.

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

By Senator Clark: Senate File No. 143, a bill for an act appropriating money for the aid and maintenance of the State University.

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

By Senator Hemenway: Senate File No. 144, a bill for an act to provide for holding terms of the Supreme Court, and amending sections 133, 134, 135, 136, 137, 138, of the Code.

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

By Senator Webb: Senate File No. 145, a bill for an act to provide aid for the Iowa State Agricultural Society.

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

By Senator Arnold: Senate File No. 146, a bill for an act exempting poultry and domestic fowls from execution.

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

By Senator Patterson: Senate File No. 147, a bill for an act to amend section 1717 of the Code of 1873, and authorizing the compromising of certain indebtedness due school districts.

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

By Senator Hanna: Senate File No. 148, a bill for an act to provide for the support of the Orphans and Soldiers' Home, and the Home for Indigent Children at Davenport.

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

By Senator Hanna: Senate File No. 149, a bill for an act to amend section 1381, title 11, chapter 10, of the Code, relating to the support of the poor.

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

By Senator Harned: Senate File No. 150, a bill for an act to amend sections 157 and 160, title 3, chapter 5, of the Code, relating to the Supreme Court Reporter.

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

By Senator Harned: Senate File No. 151, a bill for an act to amend chapter 1, title 4, of the Code of Iowa, in relation to the re-location of county seats.

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

By Senator Russell: Senate File No. 152, a bill for an act to legalize the levy of certain bridge taxes by the Board of Supervisors of Greene county, Iowa.

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

By Senator Hartshorn: Senate File No. 153, a bill for an act authorizing counties in cases of locating or re locating county seats, to receive donations of court-house grounds or public buildings.

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

By Senator Harmon: Senate File No. 154, a bill for an act to repeal section 520 of the Code, and to enact a substitute therefor.

Read first and second time, and referred to Committee on Municipal Corporations.

By Senator Arnold: Senate File No. 155, a bill for an act to provide for the election of certain officers in cities of the first and second class.

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

RESOLUTIONS.

Senator Teale offered the following:

WHEREAS, The Asylum for the Deaf and Dumb, located at Council Bluffs has been destroyed by fire and storm; and,

WHEREAS, If that institution is to be perpetuated at that location, it will be necessary to rebuild, for which purpose an appropriation of \$66,500 has been asked; and,

WHEREAS, It is for the best interests of the State, as well as for the unfortunate persons for whom it is established, that it should be located at or near the Capital; and,

WHEREAS, The building and grounds known as the Mitchell Seminary, in every way suited to the immediate use of the Asylum for the Deaf and Dumb, comprising a large and substantial building, together with twenty acres of land, located within sixteen miles of Des Moines, is offered for sale for the sum of \$20,000; therefore, be it

Resolved, That the Committee on Public Buildings be, and are hereby required to inquire into, and report to this House at an early day the expediency and propriety, or otherwise, of abandoning or disposing of the site and property of said institution at Council Bluffs, and purchasing the said building and grounds at Mitchellville, for the use of the Asylum for the Deaf and Dumb, or make such report as they deem proper, and for the best interests of the State in regard to the location of said Asylum.

The resolution was agreed to.

Senator Dashiell offered the following :

Joint resolution to amend the Constitution so as to prohibit the use of public moneys or revenue for sectarian purposes.

Be it resolved by the General Assembly of the State of Iowa, That the following amendments to the Constitution of the State of Iowa are hereby proposed :

First, That no public funds, moneys, or revenues whatever, shall be appropriated, loaned and used for the establishment, support or maintenance of any school, seminary, college, or institution of learning or charity, unless the same shall have been established by the laws of the State of Iowa, and under its control; nor shall any institution established, supported, or maintained at the public expense, be under the control of any religious denomination.

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

Senator Clark offered the following concurrent resolution, which was adopted.

Resolved by the Senate, the House concurring, That the Executive Council be and is hereby authorized and instructed to purchase a first class, burglar proof safe, with chronometer attachment, for the use of the treasurer of state's office. *Provided*, the cost shall not exceed the sum of \$2,500.

HOUSE MESSAGES.

House File No. 5, a bill for an act to amend section 3829, title 23, of the Code, in relation to attorney's fees for defending persons charged with crime, was taken up, read first and second time, and referred to Committee on Jury Fees and Court expenses.

House File No. 128, a bill for an act to amend section 1, of chapter 26, of the laws of the Sixteenth General Assembly, in relation to the support of the poor, was taken up, read first and second time, and referred to Committee on Military.

Joint resolution relative to cancellation of claims against Franklin county, was taken up, read first and second time, and referred to Committee on Ways and Means.

REPORT OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval Senate File No. 4, an act to legalize and correct an error in the proceedings and acts incorporating the town of Kellogg, in Jasper county, Iowa.

HARMON, *Chairman*.

Senator Gallup, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred concurrent resolution for printing Auditor's report and messages of Gov. Newbold and Governor Gear, in the German language, with amendments thereto, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

W. H. GALLUP, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 40, a bill for an act to legalize the acts of, and to establish the Independent school district of Martelle, beg leave to report that they 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.

WOOLSON, Chairman.

By consent, Senator Carr called up, with recommendation of committee that it do pass, Senate File No. 40, and moved the suspension of the eleventh rule, and that 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 Arnold, Bestow, Bronson, Carr, Clark, Dashiell, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kimball, McCormack, Madson, Maginnis, Nichols of Guthrie, Patterson, Rumble, Russell, Teale, Webb, Wilson, Wonn, Woolson, and Wright—33.

The nays were—None.

Absent or not voting:

Senators Blackman, Chase, Dows, Foster, Johnson, Kinne, Larrabee, Lawrence, Lewellen, McCoid, Merrell, Meyer, Miller, Nichols of Benton, Shelley, Stoneman, and Young—17.

So the bill passed and the title was agreed to.

Senator Bestow moved to take up and consider Senate File No. 68, a bill for an act to amend section 591, title 5, chapter 1, of the Code, relating to terms of office of township trustees, with the recommendation of the committee that it do pass.

The motion was agreed to.

On motion of Senator Bronson the eleventh rule was suspended and the bill read a third time, now.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Bronson, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kimball, McCormack, Madson, Maginnis, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—36.

The nays were—None.

Absent or not voting:

Senators Blackman, Dows, Foster, Johnson, Kinne, Larrabee, Lawrence, Lewellen, McCoid, Merrell, Meyer, Miller, Shelley, and Stoneman—14.

So the bill passed and the title was agreed to.

Senator Webb moved to take up Senate File No. 40, a bill for an act to amend section 521 of the Code, title 4, chapter 10, of cities and incorporated towns, with recommendation of committee that it do pass, which was agreed to.

Senator Wright moved to refer the bill to the Judiciary Committee, which motion prevailed.

On motion of Senator Hartshorn, Senate File No. 15, a bill for an act to repeal sections 3889 and 3890, of chapter 3, title 24, of the Code, and to enact a substitute therefor, with report of committee recommending amendments, was taken up, considered, and the report of the committee was adopted.

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

Senator Dashiell moved to strike out publication clause, which motion did not prevail.

The motion to suspend the eleventh rule, and read the bill a third time, now, was adopted, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were—

Senators Arnold, Bestow, Bronson, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kimball, McCormack, Madson, Maginnis, Nichols of Benton, Nichols of Guthrie, Patterson, Rumples, Russell, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—35.

The nays were—None.

Absent or not voting :

Senators Blackman, Dows, Foster, Ham, Johnson, Kinne, Larrabee, Lawrence, Lewellen, McCoid, Merrell, Meyer, Miller, Shelley, and Stoneman—15.

So the bill passed and the title was agreed to.

BILLS ON SECOND READING.

Senate File No. 3C, with report of committee that it be indefinitely postponed, was taken up, considered, and, on motion of Senator Graham, was recommitted to the Committee on Judiciary.

Senate File No. 37, a bill for an act to repeal sections 1060 and 1064 of the Code of 1873, relating to corporations for pecuniary profit, with report of committee recommending amendments, was taken up, considered, and the report of the committee was adopted.

Senator Woolson moved to amend by striking out the word "amend" and inserting the word "repeal," and striking out "of 1873" and adding "and enact a substitute in lieu therefor."

The motion was agreed to.

Senator Woolson moved that the rule be suspended, and the bill 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 Arnold, Bestow, Bronson, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kimball, McCormack, Madson, Maginnis, Nichols of Benton, Nichols of Guthrie, Patterson, Rumples, Russell, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—35.

The nays were—None.

Absent or not voting:

Senators Blackman, Dows, Foster, Ham, Johnson, Kinne, Larrabee, Lawrence, Lewellen, McCoid, Merrell, Meyer, Miller, Shelley, and Stoneman—15.

So the bill passed and the title was agreed to.

On motion of Senator Wright, Senate File No. 53, a bill for an act to amend section 1241 of the Code of Iowa, title 10, chapter 4, relating to taking private property for works of internal improvement, with report of committee recommending amendments was taken up, considered, and the report of the committee was adopted.

Senator Wright moved that the rule be suspended and the bill 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 Arnold, Bestow, Bronson, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kimball, McCormack, Madison, Maginnis, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—35.

The nays were—none.

Absent or not voting:

Senators Blackman, Dows, Foster, Ham, Johnson, Kinne, Larrabee, Lawrence, Lewellen, McCoid, Merrell, Meyer, Miller, Shelley, and Stoneman—15.

So the bill passed and the title was agreed to.

On motion of Senator Woolson, Senate File No. 75, a bill for an act to provide for a Board of State Charities, and to define the duties of the same, with report of committee recommending amendments was taken up, considered, and on motion of Senator Woolson, made a special order for 10:30, A. M., Tuesday next.

By leave Senator Woolson introduced Senate File No. 156, a bill for an act to amend sections 1774 and 1776 of the Code, defining the duties of county superintendents, providing for their compensation, and giving boards of supervisors certain powers.

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

On motion of Senator Rumble, the Senate at 12 o'clock, M., adjourned until 10 o'clock, A. M., to-morrow.

SENATE CHAMBER,
DES MOINES, February 9th, 1878. }

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

Prayer by Rev. Mr. Gill.

Journal of yesterday's proceedings 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 has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 170, a bill for an act to legalize Independent District 7, of Dayton township, Chickasaw county, Iowa.

House File No. 185, a bill for an act to legalize the incorporation of the town of Ossian, in Winneshiek county, Iowa; its ordinances and the acts of its officers thereunder.

House File No. 206, a bill for an act to legalize the incorporation of the town of Sheldon, and its ordinances, and the acts of its officers thereunder.

Also have passed

Senate File No. 32, without amendment.

Also that the House insists upon its amendments to joint resolution No. 1, relative to appropriations for the various State Institutions, and have appointed Messrs. Stone, Hamilton and Yoran as a Committee of Conference on the part of the House.

W. V. LUCAS, *Clerk.*

PETITIONS AND MEMORIALS.

By Senator Kinne: Asking the creation and maintenance of a State cabinet at Iowa City.

Referred to Committee on State University.

By Senator Lawrence: Asking a law for the protection of deer.

Referred to Committee on Fish and Game.

By Senator Maginnis: Asking that lands heretofore granted to Cedar Rapids and Missouri River R. R. Co. to Chicago be given the Bellevue, Cascade and Western R. R. Co.

Referred to Committee on Railroads.

By Senator Arnold: Petition on same subject and referred to same committee.

By Senator Wilson: Asking the re-enactment of the death penalty for murder.

Referred to Committee on Judiciary.

By Senator Merrell: Asking a law for the taxation of church property.

Referred to Committee on Ways and Means.

INTRODUCTION OF BILLS.

By Senator Bestow: Senate File No. 157, a bill for an act to repeal section 3327, chapter 4, of the Code, and to enact a substitute therefor.

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

By Senator Kinne: Senate File No. 158, a bill for an act to legalize the sale of certain school lands in Allamakee county.

Read first and second time, and referred to Committee on Public Lands.

By Senator Hemenway: Senate File No. 159, a bill for an act to repeal section 1155 of the Code, and to enact a substitute therefor relating to the publication of certificates of insurance companies.

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

By Senator Hemenway: Senate File No. 160, a bill for an act to define investments of life insurance companies, and amendatory of sections 1169 and 1179 of the Code.

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

By Senator Carr: Senate File, No. 161, a bill for an act to amend sections 674 and 678 of the Code, to require county supervisors to give bond.

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

By Senator Maginnis: Senate File No. 162, a bill for an act to grant to the Chicago, Bellevue, Cascade & Western Railroad Company certain lands heretofore conditionally granted to the Cedar Rapids & Missouri River Railroad Company.

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

By Senator Larrabee: Senate File No. 163, a bill for an act to provide for obtaining and publishing reports of banks, savings institutions and trust companies, organized under state laws.

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

By Senator Teale: Senate File No. 164, a bill for an act to reduce the penalty on delinquent taxes, and to amend section 866 of the Code.

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

By Senator Wonn: Senate File No. 165, a bill for an act to repeal section 798 and section 799 of the Code.

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

RESOLUTION.

Senator Larrabee offered the following resolution, which was adopted:

Resolved, That the Senate will hereafter hold daily sessions, commencing at 9:30 o'clock, A. M., and adjourning at 12 o'clock, M.

HOUSE MESSAGES.

House File No. 56, a bill for an act to repeal section 4420, chapter 27, title 25, of the Code, relating to the trial of an issue of fact in an indictment, and enacting a substitute in lieu thereof, was taken up, read first and second time, and referred to Committee on Judiciary.

House File No. 185, a bill for an act to legalize the incorporation of the town of Ossian, in Winneshiek county, its ordinances, and the acts of its officers thereunder, was taken up, read first and second time, and referred to Committee on Judiciary.

House File No. 170, a bill for an act to legalize Independent District No. 7, of Payton township, in Chickasaw county, Iowa, was taken up, read first and second time, and referred to Committee on Judiciary.

House File No. 206, a bill for an act to legalize the incorporation of the town of Sheldon, and its ordinances, and the acts of its officers thereunder, was taken up, read first and second time, and referred to Committee on Judiciary.

Joint Resolution No. 1, relative to appropriations for the various State Institutions, was taken up.

Senator Teale moved that a committee be appointed on the part of the Senate to confer with House committee on disagreeing vote of the two Houses.

The motion prevailed.

The President appointed Senators Teale, Maginnis, and Wilson as such committee.

Senator McCoid was excused until Monday next.

By leave, Senator Bestow introduced a remonstrance against the repeal of the law regulating the pay of short-hand reporters.

Referred to Committee on Judiciary.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 40, a bill for an act to amend section 521, of the Code, title 4, chapter 10, 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 with the recommendation that it be amended as follows: By inserting in section 1, line 41, after the words "so elected," the words "the members of said council shall hold their offices for two years, and until their successors are elected and qualified." Strike out section 2, and substitute the following: "Section 2. This act, being deemed of immediate importance, shall take effect and be of force from and after the date of its publication in the *Iowa State Register*, and *Iowa State Leader*, newspapers published in Des Moines, Iowa, section 33 of the Code to the contrary notwithstanding," and when so amended that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 141, a bill for an act to legalize the incorporation of the town of Emmetsburg, in Palo Alto county, Iowa, the elec-

tion of its officers, and the acts done 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 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. 78, a bill for an act to regulate the practice of medicine in the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to a special committee to be appointed for that purpose.

So ordered.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 121, a bill for an act to repeal section 3835, of the Code, and 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 be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 129, a bill for an act amending section 3812 of chapter 3, title 23 of the Code of 1878, beg leave to report that 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 Senate File No. 77, a bill for an act to amend section 2015, chapter 9, title 12 of the Code, relating to notice to quit by landlords to tenants, beg leave to report that 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 Senate File No. 97, a bill for an act to collect taxes semi-annually, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 42, a bill for an act to amend chapter 9, title 17 of the Code, relating to the verdict of juries in civil actions, beg leave to report that 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.

WOOLSON, *Chairman.*

Ordered passed on file.

Senator Dwelle, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred resolution relative to printing the report of the Secretary and Board of Directors of State Agricultural 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 do pass.

DWELLE, *Chairman.*

Ordered passed on file.

Senator Carr, from the Committee on Jury Fees and Court Expenses, submitted the following report:

MR. PRESIDENT—Your Committee on Jury Fees and Court Expenses, to whom was referred joint resolution in relation to liens in judgments in Federal courts, beg leave to report that they 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 Jury Fees and Court Expenses, to whom was referred Senate File No. 104, a bill for an act to repeal section 3829 of the Code, in relation to the fees of attorneys appointed to defend criminals, 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 be amended by inserting the word "other" before the word "felony" in the sixth line thereof, and that as amended it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your Committee on Jury Fees and Court Expenses, to whom was referred Senate File No. 130, a bill for an act to repeal section 3829 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.

A. C. CARR, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Enrolled Bills, ask leave to report that they have examined the following bills, and find the same correctly enrolled:

House File No. 130, a bill for an act to legalize the official acts as notary public of Ole Hulverson, of Clayton county.

Senate File No. 71, an act to legalize the incorporation, ordinances, and acts of the officers of the town of Wilton, in the county of Muscatine.

M. N. JOHNSON, *Chairman.*

Senator Woolson moved that a committee of five be appointed to consider Senate File No. 78, a bill to regulate the practice of medicine. The motion prevailed.

On motion of Senator Webb, Senate File No. 40, a bill for an act to amend section 521 of the Code, title 4, chapter 10, of cities and incorporated towns, with report of committee recommending amendments, was taken up, considered, and the report of the committee was adopted.

Senator Webb moved that the eleventh rule be suspended, and the bill 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 Arnold, Bestow, Bronson, Carr, Chase, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCormack, Madson, Maginnis, Merrell, Nichols of Guthrie, Patterson, Russell, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—38.

The nays were—None.

Absent or not voting:

Senators Blackman, Clark, Dows, Ham, Lewellen, McCoid, Meyer, Miller, Nichols of Benton, Rumble, Shelley, and Stoneman—12.

So the bill passed and the title was agreed to.

On motion of Senator Hartshorn, Senate File No. 141, a bill for an act to legalize the incorporation of the town of Emmetsburg, Palo Alto county, Iowa, the election of its officers, and the acts and ordinances passed by the council of said town, with report of committee recommending that it do pass, was taken up and considered.

Senator Hartshorn moved that the eleventh rule be suspended, and the bill 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 Bestow, Bronson, Carr, Chase, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCormack, Madson, Merrell, Nichols of Guthrie, Patterson, Russell, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—36.

The nays were—None.

Absent or not voting:

Senators Arnold, Blackman, Clark, Dows, Ham, Lewellen, McCoid, Maginnis, Meyer, Miller, Nichols of Benton, Rumble, Shelley, and Stoneman—14.

So the bill passed and the title was agreed to.

BILLS ON SECOND READING.

Senate File No. 74, a bill for an act to amend section 2223 of the Code, regulating divorces and alimony, with report of committee recommending it to be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate File No. 2, a bill for an act regulating the herding of cattle on the prairie was taken up, considered, and, on motion of Senator Hartshorn, was ordered printed and passed on file.

Senate File No. 51, a bill for an act fixing the time for all ordinances by either cities or incorporated towns in regard to licenses to terminate, with recommendation of committee that it do pass, was taken up and considered.

Senator Gallup moved to suspend the eleventh rule, and read the bill a third time now.

Senator Dashiell moved to amend by striking out the word "ordinances, in the first line, and inserting "licenses," and striking out the words "granting licenses," in the second line.

The motion prevailed.

Senator Woolson moved to amend the title by striking out the words "for all ordinances," and insert "when licenses granted."

The motion was agreed to.

The motion to suspend the eleventh rule was adopted and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Bronson, Carr, Chase, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Madson, Maginnis, Merrell, Nichols of Guthrie, Patterson, Russell, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—37.

The nays were—None.

Absent or not voting:

Senators Blackman, Clark, Dows, Ham, Lewellen, McCoid, McCormack, Meyer, Miller, Nichols of Benton, Rumple, Shelley, and Stoneman—13.

So the bill passed and the title was agreed to.

Senate File No. 8, a bill for an act to provide for the investigation of the diseases of swine, without recommendations, was taken up, considered, and passed on file.

Senate File No. 72, was taken up and considered, and passed on file.

Senate File No. 63, a bill for an act to amend section 240, chapter 10, title 3, of the Code, with the recommendation of the committee that it do pass, was taken up and considered.

On motion of Senator Larrabee the eleventh rule was suspended, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Bronson, Carr, Chase, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Harned, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCormack, Madson, Maginnis, Merrell, Nichols of Guthrie, Patterson, Webb, Wilson, Wonn, Woolson, Wright, and Young—35.

The nays were:

Senator Teale—1.

Absent or not voting:

Senators Blackman, Clark, Dows, Ham, Hartshorn, Lewellen, McCoid, Meyer, Miller, Nichols of Benton, Rumple, Russell, Shelley, and Stoneman—14.

So the bill passed and the title was agreed to.

Senator Woolson moved to recommit Senate Files Nos. 106 and 19, to the Committee on Judiciary, which motion was adopted.

Senate File No. 92, a bill for an act to repeal part of section 3173, chapter 2, title 19, of the Code, regulating appeals to the supreme court, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

Senate File No. 90, a bill for an act requiring the recorder of deeds and mortgages of the several counties of Iowa to keep on file in their respective offices a certified transcript of the decrees and judgments rendered in the district and circuit courts of the United States in the State of Iowa, with the recommendation of the committee that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate File No. 6, a bill for an act to amend section 859, chapter 2, title 4, of the Code of Iowa, with the recommendation of the committee that it be indefinitely postponed, was taken up and considered.

Senator Teale moved its reference to the Committee on Ways and Means. Not agreed to.

The recommendation of the committee was adopted.

Senate File No. 28, a bill for an act to amend section 208, chapter 9, of the Code of 1873, with the report of the committee that it do pass, was taken up, considered, and ordered engrossed, and read a third time to-morrow.

Senate File No. 34, a bill for an act to amend chapter 47, laws of the Sixteenth General Assembly, in relation to empowering cities to extend their corporate limits, with recommendation of the committee that it do pass, was taken up, considered, and passed on file.

Senate File No. 31, a bill for an act to amend chapter 6, title 4, of the Code, in relation to the duties of sheriff, with report of committee recommending its indefinite postponement, was taken up and considered, and the report of the committee adopted.

Senate File No. 19, a bill for an act to amend section 3636, chapter 1, title 22, of the Code, so as to allow defendants in criminal actions to become witnesses in their own behalf, with report of committee recommending a substitute, without recommendation, was taken up, and recommitment to the Judiciary Committee.

Senate File No. 95, a bill for an act to amend section 159, chapter 4, title 3, of the Code, relating to the disposition of Supreme Court Reports by the Secretary of State, with report of committee recommending indefinite postponement, was taken up considered, and the report of committee adopted.

Senate File 89, a bill for an act prohibiting justices of the peace and attorneys from occupying the same room, with report of committee recommending amendments, was taken up, considered, and recommitment to the Judiciary Committee.

Senate File No. 14, a bill for an act to amend sections 1 and 2, chapter 143, laws of the Sixteenth General Assembly, entitled "An act to provide for establishing superior courts in cities of a certain grade, and for establishing superior courts in cities where now organized," with report of committee recommending a substitute, was taken up, considered, and the substitute reported by the committee adopted.

On motion of Senator Woolson the eleventh rule was suspended and the bill read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were:

Senators Arnold, Bestow, Bronson, Carr, Chase, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, McCormack, Madson, Maginnis, Merrell, Nichols of Guthrie, Patterson, Russell, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—37.

The nays were—None.

Absent or not voting:

Senators Blackman, Clark, Dows, Ham, Kinne, Lewellen, McCoid, Meyer, Nichols of Benton, Rumble, Shelley, Stoneman, and Miller,—13.

So the bill passed and the title was agreed to.

On motion of Senator Gallup, the Senate at 12:15 o'clock, P. M., adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Feb. 11, 1878. }

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

Prayer by the Rev. Mr. Brown.

Journal of Saturday's proceedings read and approved.

PETITIONS AND MEMORIALS.

By Senator Chase: Asking a law to repeal the railroad tariff law.
Referred to Committee on Railroads.

By Senator Bronson: Asking a law to prohibit the sale of wine and beer.

Referred to Committee on Suppression of Intemperance.

By Senator Maginnis: Asking a grant of lands to Chicago, Bellevue, Cascade and Western Railway Co.

Referred to Committee on Railroads.

INTRODUCTION OF BILLS.

By Senator Dashiell: Senate File No. 166, a bill for an act to prohibit the sale of wine and beer by the glass, or drink, and to abolish wine or beer saloons.

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

RESOLUTION.

Senator Haines introduced the following:

Resolved by the Senate, the House concurring, That clerks and employes of the two branches of the General Assembly, and of the committees thereof should not receive pay for Sundays, and the officers certifying to their time are directed to govern themselves accordingly.

Senator Woolson moved to refer the resolution to the Committee on Compensation of Public Officers.

The resolution was adopted.

By leave, Senator Chase introduced Senate File No. 167, a bill for an act to vest title in the heirs, devisees, or assignees of deceased patentees.

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

REPORT OF COMMITTEES.

Senator Gilmore, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 89, a bill for an act to repeal section 963 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 pass.

T. R. GILMORE, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 99, a bill for an act to repeal section 3580, chapter 1 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 Senate File No. 112, a bill for an act to repeal section 4509, 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 pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate Joint Resolution No. 5, in relation to the title of Des Moines River Land, beg leave to report 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 it do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined Senate File No. 32, an act to amend section 432, and to repeal section 433, chapter 10, title 4 of the Code, and to provide a substitute therefor, in relation to cities and towns, and find the same correctly enrolled.

M. N. JOHNSON, *Chairman.*

THIRD READING OF BILLS.

Senate File No. 28, a bill for an act to amend section 208, of chapter 9, of the Code of 1873, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Bronson, Carr, Chase, Dashiell, Dwelle, Ford, Foster, Gilmore, Haines, Hanna, Harmon, Harned, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Maginnis, Merrell, Nichols of Guthrie, Russell, Stoneman, Wilson, Woolson, Wright, and Young—28.

The nays were:

Senators Hebard, Johnson, McCormack, Madson, Patterson, and Teale—6.

Absent or not voting:

Senators Blackman, Clark, Dows, Gallup, Graham, Ham, Hartshorn, Lewellen, McCoid, Meyer, Miller, Nichols of Benton, Rumble, Shelley, Webb, and Wonn—16.

Senator Woolson moved to amend the title by inserting after "chapter 9," the words "title 3," and by striking out the words "of 1873."

The motion was adopted.

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

Senators McCoid, Clark, Rumble, Graham, Ham, Hartshorn and Gallup were excused until to-morrow.

The President announced the following special committee of five, to consider Senate File No. 78, a bill for an act to regulate the practice of medicine: Senators Blackman, Arnold, Merrell, Madson and Hanna.

BILLS ON SECOND READING.

Senate File No. 67, a bill for an act to repeal section 487 of the Code of 1873, in relation to labor on streets and highways, was taken up and considered, and the amendments of the committee adopted.

Senator Bestow moved the suspension of the eleventh rule, and that the bill be read a third time now.

Senator Russell moved that further consideration be postponed, and that the bill be made a special order for next Wednesday at 10:30 o'clock, A. M., and that the bill be ordered printed. The motion was agreed to.

Senator Russell called up Joint Resolution No. 5, in relation to the title of the Des Moines river lands, with the report of the committee recommending a substitute, was taken up, and the report of the committee adopted.

On motion of Senator Russell 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 Arnold, Bestow, Bronson, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gilmore, Haines, Hanna, Harmon, Harned, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCormack, Madson, Maginnis, Merrell, Nichols of Guthrie, Patterson, Russell, Stoneman, Webb, Wilson, Wonn, Woolson, Wright, and Young—36.

The nays were—None.

Absent or not voting:

Senators Blackman, Clark, Gallup, Ham, Hartshorn, Lewellen, McCoid, Meyer, Miller, Nichols of Benton, Rumble, Shelley, Teale, and Graham—14.

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

Senate File No. 62, a bill for an act to amend section 3299 of the Code, relating to sales in partition proceedings, with report of committee recommending amendments, was taken up, considered, and the report of the committee was adopted.

Senator Woolson moved that the rule be suspended and the bill 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 and nays were as follows:

The yeas were—

Senators Arnold, Bestow, Bronson, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gilmore, Haines, Hanna, Harman, Harned, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Maginnis, Merrell, Nichols of Guthrie, Patterson, Russell, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, and Wright—33.

The nays were—

Senators Johnson, McCormack, Madson, and Young—4.

Absent or not voting—

Senators Blackman, Clark, Gallup, Graham, Ham, Hartshorn, Lewellen, McCoid, Meyer, Miller, Nichols of Benton, Rumble, and Shelley—13.

So the bill passed and the title was agreed to.

Senate File No. 44, a bill for an act to amend section 1, chapter 57 of the public laws of the Fifteenth General Assembly in relation to normal institutes, with report of committee recommending a substitute, was taken up, considered, and the report of the committee was adopted.

Senator Woolson moved that the rule be suspended, and that 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 Arnold, Bestow, Bronson, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gilmore, Haines, Hanna, Harmon, Harned, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCormack, Madson, Merrell, Meyer, Nichols of Guthrie, Patterson, Russell, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—37.

The nays were—None.

Absent or not voting:

Sensors Blackman, Clark, Gallup, Graham, Ham, Hartshorn, Lewellen, McCoid, Maginnis, Miller, Nichols of Benton, Rumple, and Shelley—13.

So the bill passed and the title was agreed to.

Senate File No. 70, a bill for an act to amend section 1766 of the Code of 1873, relating to certificates for teachers of special branches, with report of committee recommending a substitute, was taken up, considered, and the substitute was adopted.

The bill was ordered engrossed, and read a third time to-morrow.

By leave, Senator Kimball introduced Senate File No. 168, a bill for an act to amend section 501, chapter 10, title 4, of the Code, relative to places of holding elections.

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

Senator Teale, From the committee on disagreeing vote of the two houses, submitted the following report:

MR. PRESIDENT—Your Committee on Joint Resolution No. 1, in relation to fixing the time for the introduction of certain appropriation bills, report that the object sought to be attained by the resolution has already been accomplished, and as the time named in the resolution has expired, no further action be taken.

FRED. TEALE,

Chairman, on part of the Senate.

WM. M. STONE,

Chairman, on part of the House.

By leave, Senator Nichols of Guthrie, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate File No. 127, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting the word "or" between the words "wine and beer," in fourth line of section 1 thereof; also, by striking out the words "and spirituous liquors," in the fifth line thereof; also, by striking out the words "except as provided by law," in the ninth and tenth lines thereof, and by inserting the words "not less than twenty-five dollars," immediately after the word "dollars," in the sixteenth line of said section; and that when so amended it do pass.

S. D. NICHOLS, *for Committee.*

Ordered passed on file.

By leave, Senator Woolson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 106, a bill for an act to repeal section 166 of the Code, and enact a substitute therefor, in relation to special terms of court for continued causes; also, substitute for House File No. 25, a bill for an act to repeal section 166 of the Code, in relation to special terms of court, 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 the accompanying substitute be adopted, and when adopted that it do pass.

JNO. S. WOOLSON, *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:

Senate File No. 32, a bill for an act to amend section 432, and to repeal section 433, of chapter 10, of title 4, of the Code, and to provide a substitute therefor, for cities and towns.

Senate File No. 71, a bill for an act to legalize the incorporation, ordinances, and acts of the officers of the town of Wilton, in the county of Muscatine, Iowa.

House File No. 130, a bill for an act to legalize the official acts as Notary Public of Ole Hulverson, of Clayton county, Iowa.

Also, I am directed to inform your honorable body that the House has passed the following bills in which the concurrence of the Senate is asked:

House File No. 63, a bill for an act to amend section 6 of chapter 70 of the acts of the Fifteenth General Assembly, in relation to the protection of wild grasses for meadows and other purposes.

House File No. 208, a bill for an act to tax sleeping and dining cars.

W. V. LUCAS, *Chief Clerk*.

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

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

House File No. 130, a bill for an act to legalize the official acts as notary public of Ole Hulverson, of Clayton county.

Senate File No. 32, a bill for an act to amend sections 432 and 433 of the Code.

M. N. JOHNSON, *Chairman*.

At 12, m., the President declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 12, 1878. }

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

Prayer by Rev. Mr. Oneal.

Journal of yesterday read and approved.

Senator Wilson, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate File No. 70, a bill for an act to repeal section 1766 of the Code, relating to examination of teachers and issuing certificates, and enacting a substitute therefor, and find the same correctly engrossed.

WM. WILSON, *Chairman.*

PETITIONS AND MEMORIALS.

By Senator Young: A protest against the passage of a law regulating the practice of medicine.

Referred to special committee of five.

By Senator Merrell: Asking a law to regulate the practice of medicine.

Referred to special committee of five.

By the President: Asking a law to legalize the official acts of the Independent School District of Canton.

Referred to Committee on Schools.

By Senator Chase: Petitions from citizens of O'Brien county.

Referred to Committee on Railroads.

By Senator McCoid: Petitions from the citizens of Union, Clark, Montgomery, and Adams counties, asking that the law regulating the pay of short-hand reporters be not repealed.

Referred to Committee on Judiciary.

By Senator McCoid: Communication from A. E. Martin, Warden of Additional Penitentiary at Anamosa.

Referred to Committee on Penitentiary.

By Senator Harmon: Asking that the law regulating the pay of short-hand reporters be not repealed.

Referred to Committee on Judiciary.

By Senator Miller: Asking certain changes in the school law.

Referred to Committee on Schools.

INTRODUCTION OF BILLS.

By Senator Hanna: Senate File No. 169, a bill for an act to repeal section 487, chapter 10, title 4, of the Code, and to enact a substitute therefor.

Read first and second time, and referred to Committee on Municipal Corporations.

By Senator Webb: Senate File No. 170, a bill for an act to amend section 463, chapter 24, of the acts of the Sixteenth General Assembly, of cities and incorporated towns.

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

By Senator Arnold: Senate File No. 171, a bill for an act to exempt certain lands situated within the limits of incorporated towns and cities from municipal taxation.

Read first and second time, and referred to Committee on Municipal Corporations.

By Senator Arnold: Senate File No. 172, a bill for an act to establish a central station of the Iowa Weather Service, and for the appointment of a director thereof.

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

By Senator Patterson: Senate File No. 173, a bill for an act to repeal section 829, chapter 1, title 6, of the Code, and to enact a substitute therefor in relation to board of equalization in cities and towns.

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

By Senator Clark: Senate File No. 174, a bill for an act to extend aid to the State University of Iowa.

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

By Senator Gallup: Senate File No. 175, a bill for an act requiring licenses from solicitors of advertisements for papers, posters, placards or circulars.

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

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 passed the following bill and resolutions, in which the concurrence of the Senate is asked:

House File No. 259, a bill for an act to amend the charters of all municipal corporations existing and acting under special charters not now having the powers herein granted, and conferring additional powers upon such cities.

Joint resolution relative to the public credit and specie payment.

Also joint resolution relative to the destruction of Supreme Court Reports by fire, in Emmet county, and providing for supplying them by the State.

W. V. LUCAS, *Clerk.*

INTRODUCTION OF BILLS.

By Senator Woolson: Senate File No. 176, a bill for an act to provide for an additional circuit and the election of an additional Circuit Judge in each Judicial District of the State.

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

By Senator Woolson: Senate File No. 177, a bill for an act providing for a court expense fee for the benefit of the District and Circuit Judges.

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

By Senator Carr: Senate File No. 178, a bill for an act to repeal section 4746 of the Code, and section 2, chapter 40 of the laws of the Sixteenth General Assembly, and to enact a substitute therefor, providing for the appointment, by the Governor, of the wardens of the penitentiary at Ft. Madison and Anamosa.

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

HOUSE MESSAGES.

House File No. 208, a bill for an act for taxing sleeping and dining cars, was taken up, read first and second time, and referred to Committee on Ways and Means.

House File No. 63, a bill for an act to amend section 6, of chapter 70 of the acts of the Fifteenth General Assembly in relation to the protection of wild grasses for meadow and other purposes, was taken up, read first and second time, and referred to Committee on Agriculture.

Joint Resolution relative to furnishing a set of Iowa Supreme Court Reports to the county of Emmet, was taken up, read first and second time, and referred to Committee on Judiciary.

Joint Resolution relative to the remonetization of silver, was taken up, read first and second time, and referred to Committee on Federal Relations.

House File No. 259, a bill for an act to amend the charters of all municipal corporations existing and acting under special charters not now having the powers herein granted, and conferring additional powers upon such cities, was taken up, read first and second time, and referred to Committee on Municipal Corporations.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 75, a bill for an act to repeal sections 511 and 512 of the Code, and 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 pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 88, a bill for an act relating to lost instruments and proceedings therein beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

Insert after the word "exchange" in second line, the words "or in any action;" strike out of third line the words "set off in the defense of any action," and insert the words "counter claim" after the words "as a" in third line; strike out the publication clause, and when so amended it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 87, a bill for an act to relieve Frederick Hess from the payment of certain taxes in Webster 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 Senate File No. 152, a bill for an act to legalize the levy of certain bridge taxes by the Board of Supervisors of Greene 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 Senate File No. 110, a bill for an act to define the crime of purchasing goods on credit with intent to defraud, and providing a penalty therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 149, a bill for an act to amend section 1381, title 11, chapter 1, of the Code, relating to the support of the poor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Ways and Means.

J. N. W. RUMPLE, *Chairman.*

So referred.

Senator Bestow, from the Committee on Agricultural College, submitted the following report:

MR. PRESIDENT—Your Committee on Agricultural College, to whom was referred Senate File No. 142, a bill for an act to appropriate \$7,472.25 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 the Senate with the recommendation that it do pass.

S. L. BESTOW, *Chairman.*

On motion of Senator Arnold the bill was referred to Committee on Appropriations.

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

MR. PRESIDENT—Your Committee on Enrolled Bills ask leave to report that they have examined the following bill, and find the same correctly enrolled:

House File No. 40, a bill for an act to legalize the acts of and establish the independent district of Martelle.

Also, your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate File No. 71, an act to legalize the incorporation, ordinances and acts of the officers of the town of Wilton, in the county of Muscatine.

M. N. JOHNSON, *Chairman.*

Senator Harmon, 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 Senate File No. 128, a bill for an act authorizing Sioux county, Iowa, to have made corrected index and record of deed record "A," from Woodbury 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 County and Township Organization, to whom was referred Senate File No. 41, a bill for an act to amend chapter 39 of the Public Acts of the Fifteenth General Assembly, in relation to dividing counties into supervisor 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 without recommendation.

HARMON, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS.

Senate File No. 70, a bill for an act to repeal section 1786 of the Code, relating to examination of teachers and issuing certificates and enacting a substitute therefor, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Bronson, Carr, Clark, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Webb, Woolson, and Wright—33.

The nays were:

Senators Chase, Foster, Harned, Kinne, McCormack, Madson, Maginnis, Merrell, Russell, Stoneman, Teale, Wilson, Wonn, and Young—14.

Absent or not voting:

Senators Blackman, Hartshorn, and Shelley—3.

So the bill passed and the title was agreed to.

On motion of Senator Maginnis, Senate File No. 127, a bill for an act to prohibit the sale of wine, beer and spirituous liquors within three miles of the Cedar Valley Seminary, at Osage, Iowa, with amendments recommended by the committee, was taken up and the amendments adopted.

Senator McCormack moved to refer the bill to the Committee on Judiciary, and that the bill be ordered printed.

The motion was adopted.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, it being Senate File No. 75, a bill for an act to provide for a Board of State Charities, and to define the duties of the same, with amendments recommended by the committee. It was taken up, and the bill considered by sections, and the amendments of the committee were adopted.

Senator Haines moved to strike out, in section 9, all after the word "visit," in the second line, to and inclusive of the word "visit," in the fourth line.

Senator Stoneman moved that the bill be printed as amended.

Senator Woolson moved to amend the motion to print, by adding, and that it be made a special order for Tuesday, the 19th inst., at 10 o'clock, A. M.

The amendment was adopted, and the bill was ordered printed.

On motion of Senator Haines, House File No. 75, a bill for an act to repeal sections 511 and 512 of the Code, and to enact a substitute therefor, with report of committee recommending it do pass, was taken up and considered.

Senator Haines moved to amend the publication clause, by adding the words "the provisions of section 33 of the Code to the contrary notwithstanding."

Senator Dashiell moved as a substitute of the amendment that the publication clause be stricken out.

The substitute was adopted, and the publication clause stricken out.

Senator Haines moved that the eleventh rule be suspended and the bill 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 Arnold, Bestow, Bronson, Carr, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Graham, Haines, Hanna, Harmon, Harned, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madsen, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Stoneman, Webb, Wilson, Woolson, Wright, and Young—40.

The nays were—

Senators Chase, Gilmore, and Johnson—3.

Absent or not voting:

Senators Blackman, Hartshorn, Ham, Russell, Shelley, Teale, and Wonn—7

So the bill passed and the title was agreed to.

Senator Young called up the joint resolution relative to repeal of the bankrupt act.

The question being on the motion of Senator Stoneman, to reconsider the vote by which the substitute was adopted, Senator Young raised the point of order, that no motion having been filed to reconsider the vote by which the joint resolution passed the Senate no action could be had on the motion as filed.

The chair decided the point of order well taken.

At 12, M., the President declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 13, 1878. }

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

Prayer by the Rev. Mr. Murphy.

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 has passed the following Joint Resolution in which the concurrence of the Senate is asked:

Joint Resolution relative to furnishing Buena Vista county with a set of Supreme Court reports.

W. V. LUCAS, *Clerk*.

PETITIONS AND MEMORIALS.

By Senator Lawrence: Petition from the members of the bar of the seventh judicial district, asking that the law regulating the pay of short-hand reporters be not repealed.

Referred to Committee on Judiciary.

By Senator Harned: Asking a law for the destruction of noxious plants and weeds.

Referred to Committee on Agriculture.

By Senator Merrell: Asking a law to lessen court expenses.

Referred to Committee on Jury Fees and Court Expenses.

INTRODUCTION OF BILLS.

By Senator Ham: Senate File No. 179, a bill for an act to regulate the manner of collecting debts by proceedings in attachments.

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

By Senator Ham: Senate File No. 180, a bill for an act to authorize clerks of courts to enter up judgments in certain cases.

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

By Senator Bronson: Senate File No. 181, a bill for an act to repeal section 3055, and enact a substitute therefor, and to amend sections 3056, 3057, 3058, 3059, and 3060, of chapter 2, title 18, of the Code, relating to indemnifying bonds.

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

By Senator Nichols of Guthrie: Senate File No. 182, a bill for an act to repeal section 3849 of the Code of Iowa, and to enact a substitute therefor, and to restore capital punishment.

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

By Senator Harmon: Senate File No. 183, a bill for an act to amend chapter 6, title 11, of the Code, relating to the sale of intoxicating liquor.

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

By Senator Haines: Senate File No. 184, a bill for an act to prevent officers of State institutions from being intrusted in contracts with or furnishing supplies for State institutions and to punish the violation of the same.

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

By Senator Hanna: Senate File No. 185, a bill for an act to promote the collection of revenue in incorporated cities acting under special charters.

Read first and second time, and referred to Committee on Municipal Corporations.

By Senator McCormack: Senate File No. 186, a bill for an act to provide for the construction and maintenance of fish-ways, and to establish the office of Fish Wardens.

Read first and second time, and referred to Committee on Fish and Game.

By Senator Clark: Senate File No. 187, a bill for an act to amend section 796 of the Code relating to the amount of levy for State revenue.

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

RESOLUTIONS.

Senator Meyer offered the following:

WHEREAS, The income and the cost of living of all classes, are reduced, industry paralyzed, and the wages of laborers, mechanics, clerks, and all in private life are reduced to one-third or half what they used to be; and,

WHEREAS, This result follows from the prostration of business and the inability of the employers to pay better wages; and,

WHEREAS, The officers and employes of the State and those of our charitable and penal institutions receive their pay through the taxation of those same classes; therefore,

Resolved, That the Committee on Retrenchment take into consider-

ation and report by bill or otherwise, the propriety of a general reduction of all salaries or wages which are directly or indirectly paid out of the State treasury.

2. *Resolved*, That the said committee also take into consideration, and report by bill or otherwise, a reduction in the general support of the charitable and penal institutions of the State, and whether said reduction cannot be made to correspond with the reduction there has been in the materials that enter into said support, since said allowances were fixed.

The resolution was adopted.

Senator Meyer offered the following:

Resolved, That the committee of Ways and Means be instructed, at their earliest convenience, to collate "and have printed" the estimated income of the State from all sources for the next two years.

Also, the amount of all salaries which are to be paid out of the State treasury, the amount of the support fund, the amount of the contingent fund, the amount of each of the appropriations asked for by the various State institutions, and to add in addition to the foregoing the amount of any and everything that will require payment out of the State treasury within the next two years, so that in the report the Senate can have a comprehensive view of the whole financial situation, and after deducting \$350,000, the floating indebtedness of the State, or whatever it may be, from the assets, it will be presented in a clearer light to the judgment of Senators how much and what kind of appropriations asked for or proposed must be modified or stricken out so that the running expenses of the State and the appropriations made shall not exceed the amount coming into the treasury.

On motion of Senator Larrabee the resolution was referred to the Committee on Ways and Means.

HOUSE MESSAGE.

Joint Resolution in relation to supreme court reports for Buena Vista county, Iowa.

It was taken up, read first and second time, and referred to Committee on Judiciary.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 56, a bill for an act to repeal section 4420 of chapter 27 of the Code, relating to the trial of an issue of fact in an indictment, and enacting 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 pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 170, a bill for an act to legalize Independent District number seven, of Dayton township, in Chickasaw county, Iowa, beg leave to report that they have had the same under consideration,

and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 206, a bill for an act to legalize the incorporation of the town of Sheldon and its ordinances, and the acts of its 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 do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 36, a bill for an act to repeal section 853 of the Code of Iowa, in relation to when taxes become a lien upon real estate, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate Joint Resolution No. 6, in relation to liens of judgments in Federal Courts, beg leave to report that they 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 Dashiell, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments, to whom was referred Joint Resolution proposing to amend section 11, article 1, of the Constitution of the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Constitutional Amendments, to whom was referred Joint Resolution No. 2, proposing to amend section 11, article 1, of the Constitution of the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, without recommendation.

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your Committee on Constitutional Amendments, to whom was referred Senate File No. 60, a bill for an act to provide for the decision by the electors of the question, "shall there be a convention to revise the constitution and amend 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.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Constitutional Amendments, to whom was referred Joint Resolution No. 3, proposing to amend section 4, of article 3, of the Constitution of the State of Iowa, beg leave to report that they have had the same under consideration, and the majority of said committee have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

HENRY L. DASHIELL, *Chairman.*

Ordered passed on file.

Senator Foster, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 64, a bill for an act requiring proprietors of houses of entertainment to provide means of escape in cases of fire, beg leave to report that 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 Municipal Corporations, to whom was referred Senate File No. 9, a bill for an act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading-rooms, 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 Municipal Corporations, to whom was referred House File No. 1, a bill for an act to authorize cities and towns to procure the right of way for persons, animals and vehicles over railroad bridges across 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 all constitutional and legal questions be referred to the Committee on Judiciary.

FOSTER, *Chairman.*

Bill was so referred.

Senator Arnold moved to take up Senate File No. 143, and that the same be referred to the Committee on State University.

The motion was adopted and the bill so referred.

Senator Graham, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate File No. 39, a bill for an act to prohibit and punish the sale of ale, wine and beer within two miles of the corporate limits of any municipality which has prohibited the sale of said liquors within said corporate limits, beg leave to report that 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 "have" in the second line, first section, the words "license or," and when so amended, that it do pass.

WM. GRAHAM, *Chairman.*

Ordered passed on file.

Senator Carr, from the Committee on Jury Fees and Court Expenses, submitted the following report:

MR. PRESIDENT—Your Committee on Jury Fees and Court Expenses, to whom was referred substitute for House File No. 5, a bill for an act to amend section 3829, title 23, of the Code, in relation to attorneys' fees for defending persons charged with crime, beg leave to report 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, and that the substitute do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Jury Fees and Court Expenses, to whom was referred Senate File No. 102, a bill for an act to repeal section 3829 of the Code, in relation to the fees of attorneys appointed by the court to defend persons charged with crime, 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 be indefinitely postponed, a substitute for the same having been already reported.

H. C. CARR, *Chairman.*

Ordered passed on file.

SPECIAL ORDER.

The hour having arrived for the consideration of Senate File No. 67, a bill for an act to repeal section 487 of the Code of 1873, Senator Bestow moved to make the bill a special order for Friday next, at 10:30, A. M., and that it be printed.

The motion was agreed to.

On motion of Senator Russell, Senate File No. 152, a bill for an act to legalize the levy of certain bridge taxes by the Board of Supervisors of Greene county, with report of committee recommending 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 motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Bronson, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumple, Russell, Shelley, Teale, Webb, Wilson, Wonn, Wright, and Young—46.

The nays were:

Senator Stoneman—1.

Absent or not voting:

Senators Blackman, Dows, and Woolson—3.

So the bill passed and the title was agreed to.

On motion of Senator Lawrence, Senate File No. 128, a bill for an

act authorizing Sioux county, Iowa, to have made a corrected index and record of deed record "A" from Woodbury county, with report of committee recommending that it do pass, was taken up and considered.

Senator Lawrence moved that the rule be suspended, and the bill 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 Arnold, Bestow, Bronson, Carr, Clark, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kimball, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, and Young—43.

The nays were—None.

Absent or not voting:

Senators Blackman, Chase, Dows, Johnson, Kinne, Woolson, and Wright—7.

So the bill passed and the title was agreed to.

On motion of Senator Hartshorn, House File No. 206, a bill for an act to legalize the incorporation of the town of Sheldon, and its ordinances and acts of its officers thereunder, with report of committee recommending its passage, was taken up and considered.

Senator Hartshorn moved that the rule be suspended, and the bill 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 Arnold, Bestow, Bronson, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Miller, Nichols of Benton, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, and Wright—44.

The nays were—None.

Absent or not voting:

Senators Blackman, Dows, Meyer, Nichols of Guthrie, Woolson, and Young—6.

So the bill passed and the title was agreed to.

On motion of Senator Lawrence, Senate File No. 129, a bill for an act amending section 3812 of chapter 3, title 23, of the Code of 1873, was taken up and referred back to the Judiciary Committee.

BILLS ON SECOND READING.

Senate File No. 3, a bill for an act to amend sections 181 and 3777, of the Code, providing for the appointment, defining the duties and fixing the compensation of short-hand reporters in the district and circuit courts, with report of committee recommending a substitute, was taken up, considered, and the report of the committee was adopted.

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

Senator Hartshorn moved to reconsider the vote by which the eleventh rule was suspended, and the bill ordered read a third time now.

The motion did not prevail.

The bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Bronson, Carr, Chase, Dashiell, Dwelle, Ford, Gilmore, Haimes, Hanna, Harned, Hebard, Johnson, Kimball, Larrabee, Lewellen, McCoid, McCormack, Maginnis, Merrell, Meyer, Nichols of Benton, Patterson, Rumble, Russell, Stoneman, Teale, Webb, Wilson, Wonn, Wright, and Young—33.

The nays were:

Senators Foster, Gallup, Graham, Ham, Harmon, Hartshorn, Hemenway, Lawrence, Madson, Miller, and Shelley—11.

Absent or not voting:

Senators Blackman, Clark, Dows, Kinne, Nichols of Guthrie, and Woolson—6.

Senator Teale moved to amend the title by inserting after the word "Code," the words "and enacting a substitute therefor."

The motion prevailed.

So the bill passed and the title as amended was agreed to.

Senate File No. 77, a bill for an act to amend section 1015, chapter 9, title 13, of the Code, relating to notice to quit by landlords to tenants, with report of committee recommending indefinite postponement, was taken up and considered.

On motion of Senator Shelley the bill was referred back to the Committee on Judiciary.

Senate File No. 1, a bill for an act entitled an act relating to the trial of equitable actions, with report of committee recommending amendments, was taken up, considered, and the report of the committee was adopted.

Senator Wright moved to strike out the publication clause.

The motion was agreed to.

The bill was then ordered engrossed, and read a third time tomorrow.

Senate File No. 2, a bill for an act to regulate the herding of cattle on the prairies, with the report of committee recommending that it do pass, was taken up and considered.

Senator Hartshorn moved to amend by striking out the word "one," in third line of section 1, and inserting "one-half."

The amendment prevailed.

On motion of Senator Young, publication clause was stricken out.

On motion of Senator Ford, the word "fifty" was stricken out of second line of first section, and the words "one hundred" inserted.

The bill was then lost on engrossment.

Resolution relative to printing Governor Newbold's Message, Governor Gear's Inaugural Address, and Auditor of State's Report in the German and other foreign languages, with report of committee recommending indefinite postponement, was taken up, considered, and report of committee adopted.

On motion of Senator Russell, Joint Resolution No. 6, in relation to liens of judgments in Federal Courts, with report of committee recommending its passage, was taken up and considered.

On motion of Senator Russell, 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 Arnold, Bestow, Bronson, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Wright, and Young—46.

The nays were—None.

Absent or not voting:

Senators Blackman, Dows, Kinne, and Woolson—4.

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

Senate File No. 78, a bill for an act to regulate the practice of medicine in the State of Iowa, with report of committee recommending its reference to a special committee of five, was taken up and so referred.

On motion of Senator Young, the vote by which Senate File No. 2 was lost on engrossment, was reconsidered and the bill was passed on file.

Senate File No. 121, a bill for an act to repeal section 3835 of the Code and enact a substitute therefor, with report of the committee recommending its indefinite postponement, was taken up, considered, and report of committee adopted.

Senate File No. 97, a bill for an act to collect taxes semi-annually, with report of committee recommending its indefinite postponement, was taken up and considered.

On motion of Senator Rumble, the bill was referred to Committee on Ways and Means.

Senate File No. 42, a bill for an act to amend chapter 9, title 17, of the Code, regulating the verdict of juries in civil actions, with report of committee recommending its indefinite postponement, was taken up, considered, and report of committee adopted.

House resolution, relative to printing 6,000 copies of the report of the Secretary of the State Agricultural Society, with report of committee recommending its passage, was taken up and considered.

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

Senate File No. 104, a bill for an act to repeal section 3829 of the Code, in relation to the fees of attorneys appointed to defend criminals, and to enact a substitute therefor, with report of committee recommending an amendment, was taken up, considered, and report of committee adopted.

Senator McCoid moved to postpone the hour of adjournment until the bill under consideration is disposed of.

The motion did not prevail.

At 12 m., the President declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 14, 1878. }

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

Prayer by the Rev. Dr. Murphy.

Journal of yesterday's proceedings 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 has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 36, a bill for an act to provide for the destruction of grasshoppers and their eggs.

Also, the House has passed, without amendment, Senate File No. 59, a bill for an act to legalize the sale of certain school lands in Cherokee county, Iowa.

W. V. LUCAS, *Chief Clerk.*

PETITIONS AND MEMORIALS.

Sy Senator Hartshorn: Petitions from the citizens of Palo Alto, Kossuth and Emmet counties, asking that the forty-third parallel land grant be conferred upon the Milwaukee & St. Paul Railroad company.

Referred to Committee on Railroads.

By Senator Lawrence: Petition from citizens of Sioux county, on same subject.

Referred to Committee on Railroads.

By Senator Stoneman: From the citizens of Clayton county, asking that the forty-third parallel land grant be conferred upon the Milwaukee & St. Paul Railroad Company.

Referred to Committee on Railroads.

By Senator Kimball: Petition from the citizens of Howard county, on the same subject.

Referred to same committee.

Petitions were presented by Senators Arnold, Ford, Maginnis, Gallup, Bestow, Webb and Gilmore, asking the creation and maintenance of an eclectic chair in the medical department of the State University.

Referred to Committee on State University.

By Senator Foster: Petition from the citizens of Scott county.

Referred to Committee on Judiciary.

By Senators Miller, Madson, Wright, Hanna and Teale: Petitions asking the creation and maintenance of an eclectic department in the State University.

Referred to Committee on State University.

By Senator Dows: Petition from the citizens of Cedar Rapids, asking that no change be made with the liquor law of the State.

Referred to Committee on Suppression of Intemperance.

Also, petition from the ladies of Cedar Rapids, on the same subject, which was referred to same committee.

By Senator Graham: A large number of petitions asking that the sale of malt and beer be prohibited.

Referred to Committee on Suppression of Intemperance.

By Senator Bronson: A number of petitions on the same subject, which were referred to same committee.

By Senator Merrell: Petition asking that the School law be amended.

Referred to Committee on Schools.

By Senator McCoid: Petition from John Moore and others.

Referred to Committee on Municipal Corporations.

INTRODUCTION OF BILLS.

By Senator Merrell: Senate File No. 188, a bill for an act to authorize the establishment of a department of eclectic medicine as a part of the medical department of the State University, and to make an appropriation therefor.

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

By Senator Larrabee: Senate File No. 189, a bill for an act to further protect the rights of the holders of warehouse receipts or vouchers for grain, beef, pork, and beef and pork products.

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

By Senator Miller: Senate File No. 190, a bill for an act making an appropriation for the Asylum for Feeble-minded Children of the State of Iowa, at Glenwood.

Read first and second time, and referred to Committee on Asylum for Feeble-minded Children.

By Senator Harned: Senate File No. 191, a bill for an act to amend chapter 61 of the Public Acts of the Fifteenth General Assembly, relating to the re-location of town plats.

Read first and second time, and referred to Committee on Municipal Corporations.

By Senator Haines: Senate File No. 192, a bill for an act to legalize the incorporation of the Chester Dairy Association.

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

By Senator Maginnis: Senate File No. 193, a bill for an act to repeal sections 1862 and 1863 of the Code, and to enact substitutes therefor.

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

By Senator Lawrence: Senate File No. 194, a bill for an act to establish and maintain a normal school at Le Mars, in the county of Plymouth.

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

HOUSE MESSAGES.

House File No. 36, a bill for an act to provide for the destruction of grasshoppers and their eggs was taken up.

Read first and second time, and referred to Committee on Roads and Highways.

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 Senate File No. 98, a bill for an act to amend an act relating to cities organized and existing under special charter, chapter 116, acts of Sixteenth 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 amended by striking out sections 2 and 3, and that, when so amended, it do pass.

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 82, a bill for an act for the repose of certain taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out section 2, and that when so amended it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 107, a bill for an act to provide for the assessment and taxation of property of telegraph proprietors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that section 1 be amended by inserting in the tenth line after the word "state," the following: "except when such telegraph lines or property are owned or operated by railway companies, in which case there shall not be a double assessment of the same," and that when so amended, it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 149, a bill for an act to amend section 1381, title 11, chapter 1, of the Code, relating to the support of the poor, beg leave to report that 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 Senate File No. 17, a bill for an act to amend sections 866 and 891, title 6, chapter 2 of the Code, relating to the collection of taxes and redemption of land from tax sale, beg leave to report that 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 Senate File No. 79, a bill for an act to amend section 796, chapter 1, title 6 of the Code in relation to revenue, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

W. M. LARRABEE, *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 House File No. 185, a bill for an act to legalize the incorporation of the town of Ossian, in Winneshiek county, Iowa, its ordinances, and the acts of its 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 do pass.

M. A. MCCOID, *Chairman*.

Ordered passed on file.

Senator Dwelle, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 91, a bill for an act to provide for ditching lands by open or tile drains, beg leave to report 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 do pass.

L. DWELLE, *Chairman*.

Ordered passed on file.

Senator Young, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 69, a bill for an act to amend chapter 123 of the public acts of the Sixteenth General Assembly in relation to taxes in aid 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 not pass.

LAFAYETTE YOUNG, *Chairman*.

Ordered passed on file.

Senator Nichols, of Benton, 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 concurrent resolution relating to compensation of clerks and employes of the present 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 further consideration thereof be indefinitely postponed.

NICHOLS, of Benton, *Chairman*.

Ordered passed on file.

Senator Carr, from the Committee on Jury Fees and Court Expenses, submitted the following report:

MR. PRESIDENT—Your Committee on Jury Fees and Court Ex-

penses, to whom was referred Senate File No. 23, a bill for act to repeal section 3818 of the Code, in relation to the payment of witnesses for the defendant in criminal cases, 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 be indefinitely postponed.

Ordered passed on file.

Also, the following:

MR. PRESIDENT—Your Committee on Jury Fees and Court Expenses, to whom was referred Senate File No. 24, a bill for an act to provide for subpoenaing witnesses for defendants in criminal actions, beg leave to report that 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.

H. C. CARR, *Chairman*.

Ordered passed on file.

Senator Wilson, from the Committee on Engrossed Bills, submitted the following report :

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate File No. 1, a bill for an act relating to the trial of equitable actions, and find the same correctly engrossed.

WM. WILSON, *Chairman*.

Senator Carr, from the Committee on Jury Fees and Court Expenses, submitted the following report:

MR. PRESIDENT—Your Committee on Jury Fees and Court Expenses, to whom was referred Senate File No. 94, a bill for an act to repeal section 3818 of the Code, in relation to the fees of witnesses in criminal cases, 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 without recommendation.

H. C. CARR, *Chairman*.

Ordered passed on file.

Senator Meyer, from special committee to visit and report upon the condition of the Additional Penitentiary at Anamosa, submitted a report, which was ordered printed, and passed on file.

Senator Johnson submitted a report from special committee to visit and report upon the condition of the Reform School for Girls.

Ordered printed and passed on file.

Senator Arnold submitted a report from the special committee to visit and report upon the condition of the Soldiers' Orphans' Home.

Passed on file and ordered printed.

Senator Hebard submitted a report from the special committee to visit and report upon the condition of the Asylum for the Blind, at Vinton, which was passed on file and ordered printed.

Senator Kimball offered the following concurrent resolution :

WHEREAS, The State of Iowa has expended about \$300,000 in erecting buildings at Vinton, Iowa, as a "College for the Blind," which buildings are large and commodious, and believed to be ample for the accommodation of at least two hundred and fifty pupils—the present attendance being only about one hundred blind pupils; and

WHEREAS, There are reported to be in attendance at the Deaf and Dumb Asylum, at Council Bluffs, Iowa, about one hundred and two pupils only; and

WHEREAS, In other states these two classes of pupils have been taught and cared for in the same institution, with very satisfactory results; and

WHEREAS, In view of the depleted condition of the state treasury, a necessity for a rigid economy in the management of our state institutions exists; therefore,

Resolved, That the Committee on College for the Blind, and Deaf and Dumb, be requested to enquire into the expediency and desirableness of transferring the pupils attending the Deaf and Dumb Asylum at Council Bluffs, to Vinton, Iowa, to be cared for during the next two years, and that they be authorized to report by bill or otherwise.

The resolution was adopted.

THIRD READING OF BILLS.

Senate File No. 1, a bill for an act entitled an act relating to the trial of equitable actions, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Bronson, Carr, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Graham, Gilmore, Haines, Ham, Hanua, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madaon, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Wright, and Young—45.

The nays were—None.

Absent or not voting:

Senators Blackman, Chase, Kinne, Russell, and Woolson—5.

So the bill passed and the title was agreed to.

Senate File No. 41, was taken up, and on motion of Senator Harts-horn, was referred to the Committee on Judiciary.

BILLS ON SECOND READING.

Senate File No. 104, bill for an act to repeal section 3829 of the Code, in relation to the fees of attorneys appointed to defend criminals, and to enact a substitute therefor, which was under consideration at the hour of adjournment yesterday, was taken up.

Senator Foster moved to amend by striking out "fifty" in 5th line, and inserting "two hundred;" and to strike out "twenty-five in the 6th line, and inserting "fifty;" and to strike out the word "five" in the 7th line, and inserting "ten."

Pending which, Senator Dashiell moved to postpone the hour of adjournment until this bill is disposed of.

The motion prevailed.

Senator Bestow moved the previous question.

The motion was seconded, the main question ordered.

The question being on the amendments of Senator Foster, the motion did not prevail.

The bill was then ordered engrossed.

Senator Larrabee moved to reconsider the vote by which the bill was ordered engrossed.

The motion prevailed.

On motion of Senator Larrabee, the eleventh rule was suspended and the bill read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Bronson, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kimball, Larrabee, Lawrer oe, Lewellen, McCoid, McCormack, Madson, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Wright, and Young—41.

The nays were:

Senators Foster, Maginnis, and Rumble—3.

Absent or not voting:

Senators Blackman, Dows, Johnson, Kinne, Russell, and Woolson—6.

So the bill passed and the title was agreed to.

At 12:05, P. M., the President declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, Feb. 15, 1878. }

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

Prayer by the Rev. Mr. Lucas.

Pending reading of the Journal of yesterday, Senator Gallup moved to suspend further reading of the Journal.

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 has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 143, a bill for an act to amend section 4332, chapter 18, title 25 of the Code.

Also have passed, without amendment, Senate File No. 50, a bill for an act to legalize the organization and official proceedings of Independent District No. 7. of Decatur township, in Decatur county.

Senate File No. 68, a bill for an act to amend section 591, title 5, chapter 1, of the Code relating to terms of office of township trustees.

Senate File No. 29, a bill for an act to legalize the sale of certain lands in Pottawattamie county, Iowa.

Also have adopted concurrent resolution relative to appointing committee to report upon the legality and practicability of consolidating the Agricultural College and State University.

Joint resolution instructing our Senators and Representatives in Congress to vote against the bill for the limitation of transportation of live stock, unless shipped in patent cars.

In which resolutions the concurrence of the Senate is asked.

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

House File No. 40, a bill for an act to legalize the acts of and to establish the Independent School District of Martelle.

W. V. LUCAS, *Clerk.*

PETITIONS AND MEMORIALS.

By Senators Graham and Kimball: Petitions asking a law to prohibit the sale of wine and beer.

Referred to Committee on Suppression of Intemperance.

By Senators Hartshorn, Dwelle, Stoneman and Johnson: Petitions asking that the 43rd parallel land grant be conferred upon the Milwaukee & St. Paul Railroad Company.

Referred to Committee on Railways.

By Senator Wilson: A remonstrance from the citizens of Washington county, against the restoration of capital punishment.

Referred to Judiciary Committee.

INTRODUCTION OF BILLS.

By Senator Ham: Senate File No. 195, a bill for an act for the protection of cemeteries in the State of Iowa.

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

By Senator Maginnis: Senate File No. 196, a bill for an act to legalize conveyances and acknowledgments of deeds.

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

HOUSE MESSAGES.

House File No. 143, a bill for an act to amend section 4332, chapter 18, title 25 of the Code, was taken up.

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

Concurrent resolution relative to appointment of committee to consider the expediency of consolidating the Agricultural College and State University, was taken up, considered, and the Senate refused to concur.

Joint resolution instructing our Senators and Representatives in Congress to vote against the bill for the limitation of transportation of live stock unless shipped in patent cars, was taken up.

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

REPORTS OF COMMITTEES.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 164, a bill for an act to reduce the penalty on delinquent taxes, and to amend section 866 of the Code, beg leave to report that they have had the same under consideration, and have adopted the following as a 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—Your Committee on Ways and Means, to whom was referred Senate File No. 111, a bill for an act requiring boards of supervisors to make settlement with county treasurers at each of their regular meetings in January, April, June and September, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that section 1 be amended by striking out the words "April and September," and by inserting after the word "June" in the third line the words "and at such other time as the board may deem proper;" and by adding to said section the following: "Any settlement other than at their regular meeting in January and June may be made by the board, or by any member thereof appointed by the board for that purpose," and that section 2 be stricken out, and that when so amended it do pass.

WM. LARRABEE, *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 House File No. 82, a bill for an act to legalize the incorporation and official acts of the council of the town of Colfax, 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 Senate File No. 103, a bill for an act to amend chapter 10, of title 4, of the Code of Iowa, relating to incorporated towns, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: insert in first line of section 1, after the word "marshal," the words, "who shall be the principal ministerial officer of the corporation and a"; insert in last line of same section, after the word "compensation," the words, "for services rendered under the ordinances of the town"; add to section 1, the following: "And for other services the same compensation that constables are now entitled to receive for like services"; and when so amended that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 19, a bill for an act to amend section 3636, chapter 1, title 22, of the Code, so as to allow defendants in criminal actions to become witnesses in their own behalf, 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 when adopted that it do pass.

M. A. McCoid, Chairman.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred House Joint Resolution asking our Representatives and Senators in Congress to favor the passage of a law providing that manufacturers alone be held liable to patentees for the wrongful use or manufacture of patented articles, beg leave to report that they 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.

MILLER, Chairman.

Ordered passed on file.

Senator Gallup, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred House resolution in regard to printing 6,000 copies of "The Report of the Secretary and Board of Directors of the State Agricultural 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 indefinitely postponed.

W. H. GALLUP, Chairman.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined Senate File No. 59, a bill for an act to legalize the sale of certain school lands in Cherokee county, Iowa, and find the same correctly enrolled.

M. N. JOHNSON, Chairman.

REPORT OF SPECIAL COMMITTEES.

Senator Chase submitted a report from the special committee to visit and report upon the condition of the State University, which was ordered printed and passed on file.

Senator Bestow submitted a report from the special committee to visit and report upon the condition of the Agricultural College.

Passed on file and ordered printed.

By leave, Senator Foster introduced Senate File No. 199, a bill for an act to repeal sections 3829, 3830 and 3831, relative to compensation of attorneys appointed to defend persons indicted for crime.

Read first and second time.

Senator Foster moved to suspend the eleventh rule and read the bill a third time now.

The motion did not prevail.

Senator Merrell moved to lay the bill on the table.

The motion prevailed.

BILLS ON SECOND READING.

Senate File No. 130, a bill for an act to repeal section 3829 of the Code of 1873, with report of Committee recommending indefinite postponement, was taken up, considered, and the report of the Committee adopted.

Senate File No. 8, a bill for an act to provide for the investigation of the diseases of swine reported back from committee without recommendation, was taken up and considered.

Senator Bestow moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion did not prevail.

The bill was lost on engrossment.

Senate File No. 72, a bill for an act relating to the election of township trustees, with report of committee recommending that it do pass was taken up and considered.

Senator Harmon moved to indefinitely postpone the bill.

The motion was agreed to.

Senate File No. 89, a bill for an act prohibiting justices of the peace and attorneys from occupying the same room, with report of committee recommending amendments was taken up, considered, and the report of the committee was adopted.

Senator McCoid moved that the eleventh rule be suspended, and the bill 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 Arnold, Bestow, Bronson, Carr, Chase, Dashiell, Dwelle, Foster, Gilmore, Ham, Hanna, Harmon, Harned, Hartshorn, Kimball, McCoid, McCormack, Merrell, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Shelley, Stoneman, Webb, Wilson, Wonn, Wright, and Young—29.

The nays were:

Senators Clark, Ford, Graham, Haines, Hebard, Johnson Larrabee, Lawrence, Madson, Maginnis, Meyer, and Miller—12.

Absent or not voting:

Senators Blackman, Dows, Gallup, Hemenway, Kinne, Lewellen, Russell, Teale, and Woolson—9

So the bill passed and the title was agreed to.

Senate File No. 34, a bill for an act to amend chapter 47, laws of the Sixteenth General Assembly in relation to empowering cities to extend their corporate limits, with report of committee recommending it do pass, was taken up, and considered.

Senator Dashiell moved to strike out the publication clause.

The motion was adopted.

Senator Stoneman moved that the eleventh rule be suspended, and

the bill 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 Arnold, Bestow, Bronson, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Foster, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Lawrence, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Shelley, Stone-man, Teale, Webb, Wilson, Wonn, Wright, and Young—42.

The nays were:

Senator Larrabee—1.

Absent or not voting:

Senators Blackman, Dows, Gallup, Kinne, Lewellen, Russell, and Woolson—7.

So the bill passed and the title was agreed to.

SPECIAL ORDER.

Senate File No. 67, a bill for an act to repeal section 487 of the Code, of 1873, in relation to labor on streets and highways in municipal corporations, was taken up and considered.

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

Senator Merrell moved to amend by striking out of the fifth line in section 1, the words "forty-five" and inserting "fifty."

The amendment was adopted.

Senator Rumble moved to amend by inserting after the word "corporation," in the seventh line, the words, "or the road district in which such corporation is situate."

On motion of Senator Stoneman the bill was recommitted to the Committee on Judiciary.

Senate File No. 84, a bill for an act to repeal section 963 of the Code, and to enact a substitute therefor, with report of committee recommending it do pass, was taken up, considered, and on motion was referred to Judiciary Committee and ordered printed.

Senate File No. 112, a bill for an act to repeal section 4509 of the Code, and to enact a substitute therefor, with recommendation of committee that it do pass, was taken up, considered, and ordered engrossed.

Senate File No. 99, a bill for an act to repeal section 3580, chapter 1, of the Code of 1873, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 106, a bill for an act in relation to special terms of court, repealing section 166 of the Code and enacting a substitute therefor, and legalizing special terms heretofore ordered, with report of committee recommending a substitute, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Rumble the bill was referred back to the Judiciary Committee.

Senate File No. 88, a bill for an act relating to lost instruments and proceedings thereon, with report of committee recommending amend-

ments, was taken up, considered, and the report of the committee was adopted.

Senator Larrabee moved that the eleventh rule be suspended, and the bill 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 Arnold, Bestow, Bronson, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Johnson, Kimball, Larrabee, Lawrence, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumple, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Wright, and Young—43.

The nays were—None.

Absent or not voting:

Senators Blackman, Dows, Hemenway, Kinne, Lewellen, Russell, and Woolson—7.

So the bill passed and the title was agreed to.

Senate File No. 87, a bill for an act to relieve Frederick Hess from the payment of certain taxes in Webster county, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 110, a bill for an act to define the crime of purchasing goods on credit with intent to defraud, and providing a penalty therefor, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

House File No. 56, a bill for an act to repeal section 4420, chapter 27, title 25, of the Code, relating to the trial of an issue of fact in an indictment, and enacting a substitute in lieu thereof, with report of committee recommending it do pass, was taken up and considered.

Senator Dashiell moved to strike out publication clause. Adopted.

Senator Rumple moved that the eleventh rule be suspended and the bill 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 and nays were as follows:

The yeas were:

Senators Arnold, Bestow, Bronson, Carr, Dashiell, Dwelle, Ford, Foster, Gallup, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kimball, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Miller, Nichols of Benton, Patterson, Rumple, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, and Wright—38.

The nays were:

Senators Chase, Clark, Gilmore, Johnson, Meyer, Nichols of Guthrie, and Young—7.

Absent or not voting:

Senators Blackman, Dows, Kinne, Russell, and Woolson—5.

So the bill passed and the title was agreed to.

House File No. 170, a bill for an act to legalize independent district

No. 7, of Dayton township, Chickasaw county, Iowa, with report of committee recommending it do pass, was taken up and considered.

Senator Kimball moved that the eleventh rule be suspended, and the bill 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 Arnold, Bestow, Bronson, Carr, Clark, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Wright, and Young—44.

The nays were—None.

Absent or not voting:

Senators Blackman, Chase, Dows, Kinne, Russell, and Woolson—6.
So the bill passed and the title was agreed to.

Senator Arnold was excused till Tuesday.

Senate File No. 36, a bill for an act to repeal section 853 of the Code of Iowa, in relation to when taxes become a lien on real estate, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Joint Resolution No. 2, proposing to amend section 11, article 1, of the Constitution of the State of Iowa, reported back without recommendation, was taken up and considered.

On motion of Senator Teale, further consideration was made a special order for Wednesday, February 20, at 10:30, A. M.

REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bill, to-wit:

House File No. 40, a bill for an act to legalize the acts of and to establish the independent school district of Martelle.

M. N. JOHNSON, *Chairman.*

By leave, Senator Foster introduced Senate File No. 198, a bill for an act to repeal section 1321 of chapter 5, title 10, of the Code, and to provide for the apportionment of the assessed valuation of railroads for municipal taxation.

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

Also, Senate file No. 199, a bill for an act in relation to claims and actions for damages against cities and towns in certain cases.

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

Senate File No. 60, a bill for an act to provide for the decision by the electors of the question "Shall there be a convention to revise the

constitution and amend the same," with report of committee without recommendation, was taken up, considered, and on motion of Senator Young, the bill was laid on the table.

RESOLUTION.

Senator Kimball offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That,

WHEREAS, The report of the committee to visit the Girls' Reform School at Salem, Henry county, Iowa, report that the lease to the State of the buildings and grounds for said school will expire on the 1st of April next, necessitating the removal of said Reform School, and

WHEREAS, In view of the probable removal of the inmates of the Deaf and Dumb Asylum at Council Bluffs, to Vinton, Iowa, the buildings there remaining will be sufficient for the accommodation of the said Reform School, and,

WHEREAS, The transfers above named, if practicable, would save to the State in the next two years appropriations for buildings to the amount of \$100,000, and other appropriations and expenses of \$25,000 more, therefore,

Resolved, That the Committees on Reform School and Institutions for the Deaf and Dumb be requested to inquire into the expediency and desirability of transferring the inmates of the Girls' Reform School to Council Bluffs, Iowa, to be there maintained for the next two years, and that they be authorized to report by bill or otherwise.

The resolution was adopted.

Joint resolution proposing to amend the Constitution, with report of committee recommending indefinite postponement was taken up and considered.

Senator Hartshorn moved to make the joint resolution a special order for Wednesday, February 20, 10:30, A. M.

The motion prevailed.

Senate File No. 64, a bill for an act requiring proprietors of houses of entertainment to provide means of escape in case of fire, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Senate File No. 9, a bill for an act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms, was taken up and considered.

Senator Ham moved that the bill be indefinitely postponed, which motion did not prevail.

Senator Wright moved to strike out the words "one mill" in 4th line of section 1, and insert the words "1-8 mill."

Senator Foster moved to make the further consideration a special order for the 28th, at 11 o'clock, A. M. Adopted.

Senate File No. 39, a bill for an act to prohibit and punish the sale of wine, ale and beer within two miles of the corporate limits of any municipality which has prohibited sale of said liquors within said corporate limits, with report of committee recommending amendments was taken up, considered, and the report of the committee was adopted.

On motion of Senator Larrabee, the bill was referred to Committee on Judiciary.

Substitute for House File No. 5, a bill for an act to amend section 3829, title 23 of the Code, in relation to attorney's fees for defending persons accused with crime, with recommendation of committee that it do pass, was taken up, considered, and on motion of Senator Carr, was indefinitely postponed.

Senate File No. 182, a bill for an act to repeal section 3829 of the Code, in relation to the fees of attorneys appointed by the court to defend persons charged with crime, and to enact a substitute therefor, with report of committee recommending its indefinite postponement was taken up, considered, and the report of the committee was adopted.

Senate File No. 2, a bill for an act to regulate the herding of cattle on the prairie, was taken up, considered, and lost on engrossment.

Joint resolution No. 1, in relation to fixing time for the introduction of appropriation bills, and the report of the joint committee on the disagreeing vote of the two houses, was taken up, and the report of the committee to indefinitely postpone was adopted.

Senate File No. 98, a bill for an act to amend an act relating to cities organized and existing under special charters, with report of committee recommending amendments, was taken up, and the report of the committee was adopted.

On motion of Senator Larrabee the further consideration of the bill was postponed until Monday, February 18.

The following communication from the President's table was read by the Secretary, and referred to Committee on Public Buildings.

STATE OF IOWA,
OFFICE OF THE SECRETARY OF STATE,
DES MOINES, IOWA, Feb. 15th, 1878. }

HON. F. T. CAMPBELL, *President of Senate*:

I herewith submit a paper (which explains itself) to the Senate.

Very truly,

JOSIAH T. YOUNG, *Secretary of State*.

DES MOINES, IOWA, February 14, 1878.

HON. JOSIAH T. YOUNG—*Dear Sir*: As you were not in when I called this morning, I submit the following answer to your enquiry:

I was one of the committee appointed by the City Council to determine the position of the entries of the Watson Coal and Mining Company, at their mine No. 1. We found that the location does not correspond with their map, and that the east end of the entry, south of the "Governor's Square," is about one hundred and twenty feet north from where the company supposed it to be. Consequently they must have encroached to about that extent upon the state grounds.

Our report is in the hands of the City Council, and has been for several weeks, and a map of the entry as located by us, may be seen at any time in the office of the City Engineer.

Yours truly,

J. E. HENDRICKS.

At 12 o'clock, M., the President declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 16, 1878. }

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

Prayer by Rev. Mr. Oneal.

Journal of yesterday read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 180, a bill for an act to repeal section 2316, title 16, chapter 1, of probate jurisdiction of the Code and to enact a substitute therefor.

W. V. LUCAS, *Chief Clerk.*

PETITIONS AND MEMORIALS.

By Senators Larrabee, Chase and Johnson: Petitions asking that the forty-third parallel land grant be conferred upon the Milwaukee & St. Paul Railroad Company.

Referred to Committee on Railroads.

By Senator Harmon: Remonstrance from the citizens of Buchanan county against the passage of a bill to hold the sessions of the supreme court at Des Moines.

Referred to Committee on Judiciary.

By Senator Dows: A petition from the employes of the Burlington & Cedar Rapids Railway Company, asking no change in the law for the suppression of intemperance.

Referred to Committee on Suppression of Intemperance.

By Senator Lawrence: Report of the merchants exchange of Sioux City.

Referred to Committee on Railroads.

By Senator Merrell: Asking a law for the investigation of the disease of swine.

Referred to Committee on Agriculture.

By Senator Miller: A letter from T. M. Fee.

Referred to Committee on Judiciary.

By Senator Clarke: A remonstrance against the restoration of capital punishment.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Graham: Senate File No. 200, a bill for an act to amend section 1114, chapter 3, title 9, of the Code, and to extend the provisions thereof to the State Agricultural Society.

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

By Senator Ford: Senate File No. 201, a bill for an act to legalize certain tax levies and assessments made by the counties of Boone and Crawford in the State of Iowa.

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

By Senator Merrell: Senate File No. 202, a bill for an act to legalize the use of the dictionary index and its improvements for county and other public records.

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

By Senator Dashiell: Senate File No. 203, a bill for an act to prescribe the punishment for a violation of section 1548 of the Code.

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

By Senator Dashiell, Senate File No. 204, a bill for an act to repeal section 1558 of the Code, and to enact a substitute therefor.

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

RESOLUTIONS.

Senator Graham offered the following:

Resolved, That on and after Tuesday, 19th day of February, 1878, the Senate will hold two daily sessions, commencing at 10 A. M. and 2 P. M., except that on Saturday of each week, there shall be but one session.

Senator Dashiell moved to amend by striking out "10 A. M." and inserting 9:30 A. M.

The motion prevailed.

The resolution was then lost.

HOUSE MESSAGES.

House File No. 180 was taken up, read first and second time, and referred to Committee on Judiciary.

REPORT OF COMMITTEES.

Senator Graham, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate File No. 166, a bill for an act to prohibit the sale of wine or beer by the glass or drink, and to abolish wine or beer saloons, beg leave to report that they 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. GRAHAM, *Chairman*.

Ordered passed on file.

Senator Hebard, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—The Committee on Claims, to whom was referred the petition of Mrs. A. Van Dyke, asking relief on account of the death of her husband by falling from a scaffolding while at work on the new capitol building, find that the State is not liable on account of the carelessness or neglect of her agents, or as a wrong done by reason of ordering the said Van Dyke to any dangerous duty beyond what was common to all employes on the work. Her case commands kindly and charitable feeling, but your committee do not think it within the province of their duty, to recommend appropriations for relief in such cases.

ALFRED HEBARD, *Chairman*.

Ordered passed on file.

Senator Dwelle, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 105, a bill for an act to repeal sections 789 and 799 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.

L. DWELLE, *Chairman*.

Ordered passed on file.

Senator Gallup submitted a report from the special committee appointed to visit and report upon the condition of the State Hatching House at Anamosa.

Ordered printed and passed on file.

BILLS ON THIRD READING.

Senate File No. 112, a bill for an act to repeal section 4509 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 Bestow, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hebard, Hemenway, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madison, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Patterson, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, and Young—36.

The nays were:

Senator Johnson—1.

Absent or not voting:

Senators Arnold, Blackman, Bronson, Carr, Clark, Hartshorn, Kimball, Kinne, Nichols of Guthrie, Ruple, Russell, Woolson, and Wright—13.

So the bill passed and the title was agreed to.

Senator Wright was excused for to-day.

Senator Nichols, of Guthrie, was excused until Wednesday.

Senator Kimball was excused until Monday.

Senator Carr was excused until Wednesday, February 27.

Senator Bronson was excused until Monday.

BILLS ON SECOND READING.

Senate File No. 82, a bill for an act for the repose of certain taxes, with report of committee recommending amendments was taken up, considered, and the report of the committee was adopted.

Senator Shelley moved that the eleventh rule be suspended, and the bill 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 Bestow, Clark, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Harmon, Hebard, Hemenway, Larrabee, Lawrence, McCormack, Madson, Maginnis, Merrell, Miller, Nichols of Benton, Patterson, Shelley, Stoneman, Webb, and Wonn—26.

The nays were:

Senators Chase, Dashiell, Ham, Hanna, Harned, Johnson, Lewellen, McCoid, Meyer, Wilson, and Young—11.

Absent or not voting:

Senators Arnold, Blackman, Bronson, Carr, Hartshorn, Kimball, Kinne, Nichols of Guthrie, Rumple, Russell, Teale, Woolson, and Wright—13.

So the bill passed and the title was agreed to.

Senate File No. 107, a bill for an act to provide for the assessment and taxation of property of telegraph companies, with report of committee recommending amendments was taken up, considered, and the report of the committee was adopted.

Senator Larrabee moved that the eleventh rule be suspended, and the bill 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 Bestow, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Patterson, Shelley, Stoneman, Teale, Webb, Wilson Wonn, and Young—38.

The nays were:

Senator Hanna—1.

Absent or not voting :

Senators Arnold, Blackman, Bronson, Carr, Kimball, Kinne, Nichols of Guthrie, Rumple, Russell, Woolson, and Wright—11.

So the bill passed and the title was agreed to.

Senator Larrabee moved to reconsider the vote by which Senate File No. 82, a bill for an act for the repose of certain taxes, passed the Senate.

The motion was adopted.

Senator Larrabee moved a reconsideration of the vote by which the eleventh rule was suspended, and the bill was read a third time.

Agreed to.

On motion of Senator Larrabee the bill was recommitted to the Ways and Means Committee.

REPORT OF COMMITTEES.

By leave, Senator Foster, from the Committee on Municipal Corporations, submitted the following report :

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 154, a bill for an act to repeal section 520 of the Code, and to enact a substitute therefor, relative to the number of wards in cities of the second class, beg leave to report that they 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 Municipal Corporations, to whom was referred Senate File No. 169, a bill for an act to repeal section 487, chapter 10, title 4, 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 be referred to the Committee on Judiciary.

So referred.

Also the following :

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 126, a bill for an act to authorize cities and towns to lay down sidewalks, and protect the same, 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.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 125, a bill for an act to repeal section 487 of the Code, and enact a substitute therefor, in relation to municipal corporations requiring labor to be performed upon streets and alleys and collections of forfeitures in case of foreclosure, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Judiciary.

So referred.

Also the following:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 22, a bill for an act to authorize cities and towns to regulate the sale of coal oil, beg leave to report 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 in lieu thereof, and that said substitute do pass.

Ordered passed on file.

Also the following :

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 45, a bill for an act to amend section 1, chapter 47 of the acts of the Fourteenth General Assembly,

relative to the manufacturing, keeping and sale of certain oils, beg leave to report that 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 for the reason that the provisions thereof are incorporated in substitute for Senate File No. 22.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 57, a bill for an act to prohibit the sale of coal oil of a lower grade than one hundred and fifty test, beg leave to report that 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 the provisions thereof are incorporated in a substitute recommended in Senate File No. 22.

FOSTER, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House File No. 206, an act to legalize the incorporation of the town of Sheldon and its ordinances and the acts of its officers thereunder;

Senate File No. 50, a bill for an act to legalize the organization and official proceedings of independent district No. 7, of Decatur township, in Decatur county, Iowa;

Senate File No. 68, a bill for an act to amend section 591, title 5, chapter 1, of the Code, relating to terms of office of township trustees;

Senate File No. 29, a bill for an act to legalize the sale of certain school lands in Pottawattamie county, Iowa, and find the same correctly enrolled.

M. N. JOHNSON, *Chairman*.

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 bills, to-wit:

House File No. 75, a bill for an act to repeal section 511 of the Code and to enact substitutes therefor.

House File No. 206, a bill for an act to legalize the incorporation of the town of Sheldon, its ordinances, and the acts of its officers thereunder.

House joint resolution, amending the bankrupt act.

M. N. JOHNSON, *Chairman*.

Senator Wilson called up substitute for Senate File No. 91, and moved that it be ordered printed.

The motion was adopted.

Senator Hartshorn moved that Senator Lewellen be added to the special committee of five to consider and report upon bills regulating the practice of medicine.

The motion prevailed.

Senate File No. 149, a bill for an act to amend section 1381, title 11, chapter 1 of the Code, relating to the support of the poor, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Senator Clark moved that the Senate adjourn at 11:30, A. M., until Tuesday, at 10 o'clock, A. M.

Senator Shelley moved to amend by meeting at 2 o'clock, P. M., on Monday.

The amendment was adopted.

The motion was then agreed to.

Senate File No. 17, a bill for an act to amend sections 886, and 891, title 6, chapter 2 of the Code, relating to the collection of taxes and redemption of land from tax sales, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Senate File No. 79, a bill for an act to amend section 796, chapter 1, title 4 of the Code, in relation to revenue, with report of committee recommending indefinite postponement was taken up and considered.

Senator Larrabee moved to postpone further consideration of the bill till Thursday, and that it be printed.

Senator McCoid moved to amend by inserting "at 10:30," which motion did not prevail.

Senator Larrabee's motion was then adopted.

Senator Hartshorn was excused until Wednesday.

House File No. 185, a bill for an act to legalize the incorporation of the town of Ossian, in Winneshiek county, Iowa, its ordinances and the acts of its officers thereunder, with report of committee recommending that it do pass was taken up and considered.

Senator Johnson moved that the eleventh rule be suspended, and the bill 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 Bestow, Chase, Clark, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hebard, Johnson, Larrabee, Lawrence, Lewellen, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Patterson, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, and Young—35.

The nays were—None.

Absent or not voting:

Senators Arnold, Blackman, Bronson, Carr, Dows, Hartshorn, Hemmeway, Kimball, Kinne, McCoid, Nichols of Guthrie, Rumple, Russell, Woolson, and Wright—15.

So the bill passed and the title was agreed to.

Concurrent resolution relative to pay of clerks and employes, with report of committee recommending indefinite postponement, was taken up.

Senator Haines moved to refer to Committee on Retrenchment.

The motion did not prevail.

The question being on the adoption of the report of the committee to indefinitely postpone the resolution, the yeas and nays were demanded, and

The yeas were:

Senators Chase, Foster, Graham, Ham, Harmon, Harned, Hem-enway, Johnson, Lawrence, McCoid, Madson, Maginnis, Nichols of Benton, Webb, Wonn, and Young—16.

The nays were:

Senators Bestow, Clark, Dashiell, Dwelle, Ford, Gallup, Gilmore, Haines, Hanna, Hebard, Larrabee, Lewellen, McCormack, Merrell, Meyer, Miller, Nichols of Guthrie, Shelley, Stoneman, Teale, and Wilson—21.

Absent or not voting :

Senators Arnold, Blackman, Bronson, Carr, Dows, Hartshorn, Kimball, Kinne, Patterson, Rumble, Russell, Woolson, and Wright—13.

So the recommendation of the committee was not agreed to.

At 11:30, A. M., the President announced the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 18, 1878. }

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

Prayer by the Rev. J. Telleen.

Pending the reading of the Journal of Saturday, Senator Bestow moved that further reading of the Journal be dispensed with.

The motion prevailed.

PETITIONS AND MEMORIALS.

By Senator Harmon: Asking for the continued enactment of the present railroad tariff law, and protesting against the passage of the Railroad Commissioner bill.

Referred to Committee on Railroads.

By Senator Kinne: Six petitions from citizens of the State of Iowa, asking for a judicious license law in place of the existing prohibitory liquor law.

Referred to Committee on Suppression of Intemperance.

By Senator Graham: Two petitions from citizens of Iowa, for protection from the legalized sale of all intoxicating beverages, including ale, beer, and native wine.

Referred to Committee on Suppression of Intemperance.

RESOLUTIONS.

Senator Dows introduced the following resolution, which was adopted:

Resolved by the Senate, the House concurring, That all bills asking for appropriations for new buildings, or additions to present buildings, be accompanied by an itemized statement showing the following details, viz:

Dimension of building.

Kind of material to be used.

Kind of roof proposed.

With or without basement or cellar.

Kind of stone and stone-work.

Price of stone, per cubic foot in the wall.

Price of brick, per thousand, in the wall.

Price of dimension and furnishing lumber, per thousand feet delivered.

Price of plastering per yard, and any other facts that may be necessary for the information of the General Assembly relative to such buildings or improvements.

Senator Wonn offered the following resolution, which was adopted:

Resolved, That on and after Friday, the 22d, there shall be no bills introduced in the Senate except through the committees, unless by unanimous consent.

REPORTS OF COMMITTEES.

Senator Hebard, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate File No. 115, and House File No. 23, bills for acts to extend the provisions of chapter 63, laws of the Eighth General Assembly, so as to include the lands bought by Joseph Bore, under an execution issued upon foreclosure of original contract of Isaac Murphy, beg leave to report that they have had the same under consideration, and in lieu thereof, report the following bill as a substitute, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. HEBARD, *Chairman*.

Ordered passed on file.

Senator Haines, from State Library Committee, submitted the following report:

MR. PRESIDENT—The Committee on the State Library, have directed me to report the following bill:

R. M. HAINES, *Chairman*.

Senate File No. 205, a bill for an act to amend section 1890, chapter 13, title 12 of the Code in relation to the appointment of State Librarian.

Read first and second time, and passed on file.

REPORTS OF SELECT COMMITTEES.

Senator Dows, from the Joint Committee to visit the Iowa State Penitentiary at Fort Madison, submitted a report.

Ordered printed, and passed on file.

Senator Johnson moved to print nine hundred copies of the report. Which was lost.

Senator Wright submitted a report from the Joint Committee to visit the State Normal School at Cedar Falls.

On motion of Senator Young, the reading of the report was dispensed with; and it was ordered printed, and passed on file.

BILLS ON SECOND READING.

Concurrent Resolution relating to the salary of officers and employes, was taken up and considered.

Senator Haines offered the following substitute:

Resolved by the Senate, the House concurring, That in the opinion of the General Assembly, the habit of allowing pay to the employes of the two houses for Sundays, in cases where no services are required or rendered on Sundays, is without authority of law, and is an abuse that should be remedied.

Resolved, That the officers whose duty it is to certify the time of employes, are hereby directed not to include Sundays in the time certified, except in cases where services are rendered on Sunday.

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

The yeas were:

Senators Bestow, Bronson, Dashiell, Dows, Dwelle, Foster, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hebard, Hemenway, Johnson, Kinne, Larrabee, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Wright, and Young—35.

The nays were—None.

Absent or not voting:

Senators Arnold, Blackman, Carr, Chase, Clark, Ford, Gallup, Hartshorn, Kimball, Lawrence, Nichols of Guthrie, Patterson, Rumple, Russell, and Woolson—15.

So the substitute was adopted.

Upon the question of adopting the resolution as amended, the yeas and nays were demanded, and

The yeas were:

Senators Bronson, Clark, Dashiell, Dwelle, Foster, Gilmore, Haines, Hanna, Larrabee, McCormack, Merrell, Meyer, Miller, Stoneman, Teale, Wilson, and Wright—17.

The nays were:

Senators Graham, Ham, Harmon, Harned, Hebard, Hemenway, Johnson, Kinne, Lewellen, McCoid, Madson, Maginnis, Nichols of Benton, Shelley, Webb, Wonn, and Young—17.

Absent or not voting:

Senators Arnold, Bestow, Blackman, Carr, Chase, Dows, Ford, Gallup, Hartshorn, Kimball, Lawrence, Nichols of Guthrie, Patterson, Rumple, Russell, and Woolson—16.

The vote being a tie, the President voted yea, so the resolution was adopted.

Senate File No. 69, a bill for an act to amend chapter 123 of the Public Acts of the Sixteenth General Assembly, in relation to taxes in aid of railroads, with report of committee recommending it do not pass, was taken up and considered.

Senator Young moved to lay the bill upon the table.

The motion prevailed.

Senate File No. 23, a bill for an act to repeal section 3818 of the Code, in relation to the payment of witnesses for the defendant in criminal cases, and to enact a substitute therefor, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and, on motion of Senator Young, was referred to Committee on Judiciary.

Senate File No. 24, a bill for an act to provide for subpoenaing witnesses for defendants in criminal actions, with report of committee recommending its indefinite postponement, was taken up, considered, and, upon motion of Senator Young, was referred to Committee on Judiciary.

Senate File No. 94, a bill for an act to repeal section 3818 of the Code, in relation to the fees of witnesses in criminal cases, and to enact a substitute therefor, with report of committee without recommendation, was taken up, considered, and, on motion of Senator Miller, was referred to Committee on Judiciary.

Senate File No. 164, a bill for an act to reduce the penalty on delinquent taxes and to amend section 866 of the Code, with report of committee recommending a substitute, was taken up, considered, and the substitute adopted, and the bill passed on file.

Senate File No. 111, a bill for an act requiring boards of supervisors to make settlements with county treasurers at each of their regular meetings in January, April, June and September, with report of committee recommending amendments, was taken up, considered, and the report of the committee was adopted.

Senator Stoneman offered the following amendment: Insert in seventh line, after word "settlement," these words: "the treasurer shall be required at each settlement to make oath in writing, which oath shall be filed with the auditor, that the money on hand is the actual money of the county and not borrowed for the purpose of making the settlement." The amendment was adopted, and the bill ordered engrossed.

House File No. 82, a bill for an act to legalize the incorporation and official acts of town of Colfax, Iowa, with report of committee recommending its passage, was taken up and considered.

Senator Merrell 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 Bestow, Bronson, Chase, Clark, Dashiell, Dows, Dwelle, Foster, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hebard, Hemenway, Johnson, Kinne, Larrabee, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Nichols of Benton, Shelley, Stoneman, Webb, Wilson, Wonn, Wright, and Young—35.

The nays were—None.

Absent or not voting:

Senators Arnold, Blackman, Carr, Ford, Gallup, Hartshorn, Kimball, Lawrence, Miller, Nichols of Guthrie, Patterson, Rumple, Russell, Teale, and Woolson—15.

So the bill passed and the title was agreed to.

Senate File No. 103, a bill for an act to amend chapter 10, of title 4, of the Code, relating to incorporated towns, with report of committee recommending amendments, was taken up, considered, and the report of the committee was adopted and the bill ordered engrossed.

Senate File No. 19, a bill for an act to amend section 3636, chapter 1, title 22 of the Code, so as to allow defendants in criminal actions to become witnesses in their own behalf, with report of committee recommending a substitute, was taken up and considered.

Senator Nichols, of Benton, offered the following amendment:

Strike out, after the word attorneys, in the 7th line of section one, and insert the following: "shall be deemed guilty of contempt, and shall, by the court be summarily punished therefor."

The amendment was lost.

The substitute was then adopted.

On motion of Senator Chase the further consideration of the bill was postponed until Thursday next, at 11 o'clock, A. M.

Joint resolution relating to report of the Secretary and Board of Directors of State Agricultural Society, with report of committee recommending its indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Joint resolution relating to patentees, with report of committee recommending that it do not pass, was taken up, considered, and the joint resolution lost on engrossment.

On motion of Senator Larrabee, Senate File No. 98, a bill for an act to amend an act relating to cities organized and existing under special charter, chapter 116, acts of the Sixteenth General Assembly, which was made a general order for to-day, was taken up, and referred to the Committee on Municipal Corporations.

By leave, Senator Clark introduced Senate File No. 206, a bill for an act to amend section 1799 of the Code, relating to the change of township lines.

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

By unanimous consent the following bills were introduced:

By Senator Merrell: Senate File No. 207, a bill for an act to repeal section 3818 of the Code, and to enact a substitute therefor.

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

By Senator Ham: Senate File No. 208, a bill for an act to define the rights of creditors under chattel mortgages of stocks in trade.

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

Also, Senate File No. 209, a bill for an act to repeal section 1923 of the Code of Iowa, relating to the recording of bills of sale and mortgages, and to enact a substitute therefor.

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

Senator Ford was excused until to-morrow.

On motion of Senator Miller, the Senate at 4:40 P. M., adjourned until to-morrow at 9:30 o'clock, A. M.

SENATE CHAMBER.
DES MOINES, IOWA, Feb. 19, 1878. }

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

Prayer by the Rev. Gelwicks.

Journal of yesterday's proceedings 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:

House File No. 42, a bill for an act to amend section 1, chapter 39, of the acts of the Fifteenth General Assembly.

House File No. 61, a bill for an act to amend section 3588 of the Code, in relation to appeals from Justices of the Peace.

House File No. 73, a bill for an act to amend section 2590, chapter 5, title 17, of the Code, limiting the number of changes of the place of trial in civil cases.

House File No. 85, a bill for an act to repeal section 3751 of the Code, relating to depositions, and to enact a substitute therefor.

Substitute for House File No. 158, a bill for an act to amend section 4117, title 25, of the Code.

House File No. 186, a bill for an act to amend chapter 64, of the laws of Sixteenth General Assembly, &c.

House File No. 287, a bill for an act to amend sections 1 and 2, of chapter 33, of the laws of the Sixteenth General Assembly, in relation to the election of certain cities of the first class, and to revive that portion of section 534 of the Code thereby repealed.

House File No. 12, a bill for an act to confer exclusive jurisdiction upon Justices of the Peace in certain cases, and to limit appeals therefrom, and for the taxation of costs in such cases, being amendatory to chapter 1, title 21, of the Code.

Also with amendments:

Senate file No. 40, a bill for an act to amend section 521 of the Code, title 4, chapter 10, of cities and incorporated towns. See amendment notice on bill.

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 :

Senate File No. 59, a bill for an act to legalize the sale of certain school lands in Cherokee county, Iowa.

House File No. 75, an act to repeal sections 511 and 512 of the Code, and to enact a substitute therefor.

House File No. 206, an act to legalize the town of Sheldon and its ordinances, &c.

Also joint resolution relative to amending the bankrupt act.

W. V. LUCAS, Clerk.

PETITIONS AND MEMORIALS.

By Senator Kinne: Nine petitions from citizens of Iowa, asking for a license law in place of the existing liquor law.

Referred to Committee on Suppression of Intemperance.

By Senator Graham: Petition from five hundred and fifty-six tax payers of Warren county, asking for the re-enactment of the death penalty.

Referred to Committee on Judiciary.

By Senator Webb: Petition from Capital City Temperance Reform Club, of East Des Moines, asking for a law to prohibit the sale of ale, wine and beer.

Referred to Committee on Suppression of Intemperance.

By Senator Rumble: Petitions from citizens of Iowa and Poweshiek counties, asking for a law to legalize a public highway, and for a law to make all county lines public highways.

Referred to Committee on Highways.

INTRODUCTION OF BILLS.

By Senator Lewellen: Senate File Fo. 210, a bill for an act to exempt directors of common schools from poll tax and duties as jurors.

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

HOUSE MESSAGES.

House File No. 42, a bill for an act to amend section 1, chapter 39, of the acts of the Fifteenth General Assembly, was taken up, read first and second time, and referred to the Committee on County and Township Organizations.

House File No. 61, a bill for an act to amend section 3588 of the Code, relating to appeals from justices of the peace, was taken up, read first and second time, and referred to Committee on Judiciary.

Senate File No. 73, a bill for an act to amend section 2590, chapter 5, title 17, of the Code, limiting the number of changes of the place of trial in civil cases, was taken up, read first and second time, and referred to Committee on Judiciary.

House File No. 85, a bill for an act to repeal section 3751 of the Code, relating to depositions, and to enact a substitute therefor was taken up.

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

Substitute for House File No. 158, a bill for an act to amend section 4117, title 25, chapter 4 of the Code, was taken up.

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

House File No. 186, a bill for an act to amend chapter 64, laws of the Sixteenth General Assembly, amending section 1793, providing for the county superintendent as arbitrator in case of disagreement of the boards of directors, determining where children shall attend school, was taken up.

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

House File No. 287, a bill for an act to amend sections 1 and 2, of chapter 33, of the laws of the Sixteenth General Assembly, in relation to the election of certain officers in certain cities of the first class, and to revive that portion of section 534 of the Code thereby repealed, was taken up.

Read first and second time, and referred to Committee on Municipal Corporations.

House File No. 12, a bill for an act to confer exclusive jurisdiction upon justices of the peace in certain cases, and to limit appeals therefrom, and for the taxation of costs in such cases, being amendatory to chapter 1, title 21 of the Code, was taken up.

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

ENROLLED BILLS.

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

MR. PRESIDENT—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bill, to-wit:

Senate File No. 59, a bill for an act to legalize the sale of certain school lands in Cherokee county, Iowa.

M. N. JOHNSON, *Chairman.*

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred House Joint Resolution, instructing our Senators and Representatives in Congress to vote against the bill for the limitation of transportation of live stock unless shipped in patent cars, beg leave to report that they 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.

JOSHUA MILLER, *Chairman.*

Ordered passed on file.

Senator Graham, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate File No. 200, a bill for an act to amend section 1114, chapter 3, title 9 of the Code, and to extend the provisions thereof, to the State Agricultural 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 do pass.

WM. GRAHAM, *Chairman.*

Ordered passed on file.

Senator Wilson, from the Committee on Engrossed bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills, respectfully report that they have examined Senate File No. 111, a bill for an act

requiring boards of supervisors to make settlement with county treasurers at each of their regular meetings in January and June.

Also, Senate File No. 103, a bill for an act to amend chapter 10, title 4 of the Code of Iowa, relating to incorporated towns, and find the same correctly engrossed.

WM. WILSON, *Chairman.*

BILLS ON THIRD READING.

Senate File No. 103, a bill for an act to amend chapter 10, title 4 of the Code of Iowa, relating to incorporated towns, was taken up, and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Bronson, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hebard, Hemenway, Johnson, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madison, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Rumble, Shelley, Stoneman, Teale, Webb, Wilson, Wright, and Young—41.

The nays were—None.

Absent or not voting:

Senators Blackman, Carr, Hartshorn, Kimball, Nichols of Guthrie, Patterson, Wonn, Russell, and Woolson—9.

So the bill passed and the title was agreed to.

Senate File No. 111, a bill for an act requiring boards of supervisors to make settlement with county treasurers, at each of their regular meetings in January, April, June and September, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Bronson, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hebard, Hemenway, Johnson, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madison, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Rumble, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Wright, and Young—42.

The nays were—None.

Absent or not voting:

Senators Blackman, Carr, Hartshorn, Kimball, Nichols of Guthrie, Patterson, Russell, and Woolson—8.

So the bill passed and the title was amended by striking out the words "April and September," and as thus amended was agreed to.

Senate File No. 40, a bill for an act to amend section 521 of the Code, chapter 10, title 4, of cities and incorporated towns, with House amendments, was taken up.

On the question, shall the Senate concur in the House amendment?

The yeas were:

Senators Arnold, Bestow, Bronson, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hebard, Johnson, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madison, Maginnis, Merrell, Meyer, Miller,

Nichols of Benton, Rumple, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Wright, and Young—42.

The nays were—None.

Absent or not voting:

Senators Blackman, Carr, Hartshorn, Hemenway, Kimball, Nichols of Guthrie, Patterson, and Woolson—8.

So the Senate concurred in the House amendment.

BILLS ON SECOND READING.

Senate File No. 166, a bill for an act to prohibit the sale of wine and beer by the glass or drink, and to abolish wine and beer saloons, with report of committee recommending it do pass, was taken up and considered.

Senator Foster moved that the bill be laid upon the table, on which question the yeas and nays were demanded, and

The yeas were:

Senators Foster, Ham, Harned, Kinne, Larrabee, Lawrence, McCormack, Merrell, Nichols of Benton, Rumple, Russell, Shelley, Stoneman, Webb, Wilson, Wonn, and Wright—17.

The nays were:

Senators Arnold, Bestow, Bronson, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Hebard, Hemenway, Johnson, Lewellen, McCoid, Madson, Maginnis, Meyer, Miller, Teale, and Young—26.

Absent or not voting:

Senators Blackman, Carr, Hartshorn, Kimball, Nichols of Guthrie, Patterson, and Woolson—7.

So the motion to lay upon the table was lost.

Senator Foster moved to refer the bill to the Committee on Judiciary, on which question the yeas and nays were demanded, and

The yeas were—

Senators Chase, Clark, Foster, Ham, Hanna, Harmon, Harned, Hebard, Hemenway, Johnson, Kinne, Lawrence, McCormack, Madson, Merrell, Nichols of Benton, Rumple, Russell, Shelley, Teale, Wilson, Wonn, Wright, and Young—24.

The nays were—

Senators Arnold, Bestow, Bronson, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Larrabee, McCoid, Maginnis, Meyer, Miller, Stoneman, and Webb—18.

Absent or not voting—

Senators Blackman, Carr, Hartshorn, Kimball, Lewellen, Nichols of Guthrie, Patterson, and Woolson—8.

So the motion to refer 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 resolution, in which the concurrence of the Senate is asked:

Joint Resolution asking for copies of Supreme Court Reports of Iowa for Ida county.

And also, the House has refused to concur in Senate Resolution relative to pay of employes of the two houses on Sunday.

BEN. VAN STEINBURG, *Assistant Clerk.*

Senate File No. 165, a bill for an act to repeal sections 798 and 799 of the Code of 1873, with report of committee recommending it do pass, was taken up, considered, and ordered engrossed.

The hour for the special order having arrived, it being the consideration of Senate File No. 75, on motion of Senator Rumble it was postponed until Tuesday next, at 10:30, A. M.

Senate File No. 154, a bill for an act to repeal section 520, chapter 10, title 4, of the Code, relating to the number of wards in cities of the second class, and to enact a substitute therefor, with report of committee recommending it do pass, was taken up, considered, and ordered engrossed.

Senate File No. 126, a bill for an act to authorize cities and towns to lay down sidewalks and protect the same, with report of committee recommending it do pass, was taken up, considered, and ordered engrossed.

Senate File No. 22, a bill for an act to authorize cities and towns to regulate the sale of coal-oil, with report of committee recommending substitute, was taken up, considered, and on motion of Senator Larrabee the bill was passed on file.

Senate File No. 45, a bill for an act to amend section 1, chapter 47, of the Fourteenth General Assembly, relative to the manufacturing, keeping and sale of certain oils, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate File No. 57, a bill for an act to prohibit the sale of coal-oil of a lower grade than one hundred and fifty test, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate File No. 91, a bill for an act to provide for ditching land by open or tile drain, with report of committee recommending a substitute, was taken up, considered, and the substitute was adopted.

Senator Haines moved to refer the bill to the Committee on Judiciary. Motion lost.

Senator Merrell moved to recommit to the Committee on Agriculture, which motion prevailed.

Senate File No. 205, a bill for an act to amend section 1890, chapter 13, title 12 of the Code, in relation to the appointment of State Librarian, was taken up and considered.

Senator Teale moved that the bill be indefinitely postponed, which motion prevailed.

Substitute for Senate File No. 164, a bill for an act to reduce the penalty on delinquent taxes, and to amend section 866 of the Code, was taken up and considered.

Senator Larrabee moved that further consideration of the bill be postponed until to-morrow, which motion prevailed.

House File No. 23, and Senate File No. 5, bills for an act for the relief of Joseph Bone, with report of committee recommending a substitute, was taken up, considered, and the substitute was adopted.

Senator Chase moved that the rule be suspended, and the bill 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 Arnold, Bestow, Bronson, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hebard, Hemenway, Johnson, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Rumple, Russell, Webb, Wilson, Wright, and Young—39.

The nays were—None.

Absent or not voting:

Senators Blackman, Carr, Hartshorn, Kimball, Nichols of Guthrie, Patterson, Shelley, Stoneman, Teale, Wonn, and Woolson—11.

So the bill passed and the title was agreed to.

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

MR. PRESIDENT—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

House File No. 75, a bill for an act to repeal sections 511 and 512, of the Code, and to enact substitutes therefor.

Joint Resolution amending the bankrupt act.

House File No. 206, a bill for an act to legalize the incorporation of the town of Sheldon and its ordinances, and the acts of its officers thereunder.

M. N. JOHNSON, *Chairman*.

The President presented the following communication:

To the Honorable Senate of the State of Iowa:

You are cordially invited to attend the temperance lecture under the auspices of the Woman's Christian Temperance Union, this (Tuesday) evening, at Exposition building.

Respectfully signed,

MRS. C. D. MILLER, *President*.

On motion of Senator Harmon the Senate, at 11:25 A. M., adjourned until to-morrow morning at 9:30.

SENATE CHAMBER,
DES MOINES, IOWA, February 20, 1878. }

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

Prayer by the Rev. Mr. Clark.

Pending the reading of the Journal of yesterday, Senator Dows moved to suspend further reading.

The motion did not prevail.

The Journal of yesterday was read and approved.

MESSAGE FROM THE HOUSE.

The following message was received from the house:

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

House File No. 13 a bill for an act to amend section 3811, chapter 3, title 23 of the Code, regulating fees of jurors.

House File No. 30, a bill for an act to amend chapter 3, title 5 of the Code, regulating the election of supervisors of highways, and of township assessors in certain cases.

House File No. 184, a bill for an act to amend section 798, of title 6, chapter 1 of the Code, relating to exemptions for planting and cultivating forest trees.

Also, have passed without amendment, concurrent resolution relative to itemized statements in appropriation bills for new buildings.

W. V. LUCAS, *Chief Clerk*.

PETITIONS AND MEMORIALS.

By Senator Harned: Asking a law to compel the destruction of noxious weeds and plants.

Referred to Committee on Agriculture.

By Senator Shelley: A remonstrance from the citizens of Lee county, against the repeal of the wine and beer clause.

Referred to Committee on Suppression of Intemperance.

By Senator Shelley: Communication from A. B. Hamill, asking a revision of the military Code.

Referred to Committee on Military.

INTRODUCTION OF BILLS.

By Senator Larrabee, from the Committee on Ways and Means: Senate File No. 211, a bill for an act authorizing the establishment of a depository in the city of Des Moines, for the collections of drafts, checks and certificates of deposit received by the Treasurer of State, in payment of State dues.

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

Also, Senate bile No. 212, a bill for an act relating to the revenue, and to repeal sections 908, 913, 914, and 915 of the Code, and to enact a substitute therefor.

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

By Senator Larrabee: Senate File No. 213, a bill for an act to amend section 1428 of the Code.

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

By Senator Rumble: Senate File No. 214, a bill for an act to legalize certain orders for special terms of court and the proceedings thereunder.

Read first and second time.

On motion of Senator Rumble the eleventh rule was suspended, and the bill read a third time, now.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Bronson, Chase, Clark, Dasbiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Wright, and Young—45.

The nays were—None.

Absent or not voting:

Senators Blackman, Carr, Ham, Maginnis, and Woolson—5.

So the bill passed and the title was agreed to.

By Senator Shelley: Senate File No. 215, a bill for an act to provide for the reduction of the limits of cities incorporated under special charters.

Read first and second time, and referred to Committee on Municipal Corporations.

By Senator Stoneman: Senate File No. 216, a bill for an act to prevent the wanton destruction of birds.

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

By Senator Rumble: Senate File No. 217, a bill for an act to repeal section 149 and to enact a substitute therefor, and to repeal the last paragraph of section 3771 of the Code of 1873.

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

By Senator Rumble: Senate File No. 218, a bill for an act to amend section 3164 of the Code, in relation to appeals from the superintendent of public instruction to the supreme court.

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

By Senator Lawrence: Senate File No. 219, a bill for an act to resume rights and lands conferred upon the Sioux City & St. Paul Railway Company, by an act approved April 3, 1866, and to regrant the same to the Sioux City & Pembina Railway Company.

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

By Senator Foster: Senate File No. 220, a bill for an act to provide for the incorporation of boards of trade, additional to chapter 2, title 9, of the Code, corporations other than those for pecuniary profit.

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

By Senator Hemenway: Senate File No. 221, a bill for an act to amend section 1717 of the Code, relating to school taxes.

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

Also, Senate File No. 222, a bill for an act to amend section 1147 of the Code, relating to insurance.

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

By Senator Chase: Senate File No. 223, a bill for an act to legalize the organization and acts of the Central Block Association of Webster City, Iowa.

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

By Senator Larrabee: Senate File No. 224, a bill for an act in relation to the time which pupils may be entitled to the privileges of the deaf and dumb asylum.

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

REPORT OF COMMITTEES.

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

MR. PRESIDENT—The Committee on Enrolled Bills, ask leave to report that they have examined the following bills, and find the same correctly enrolled:

House File No. 170, a bill for an act to legalize Independent District Number Seven, of Dayton township, in Chickasaw county, Iowa.

Senate File No. 40, a bill for an act to amend section 521 of the Code, title 4, chapter 10, of cities and incorporated towns.

M. N. JOHNSON, *Chairman*.

Senator Wilson, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined:

Senate File No. 165, a bill for an act to repeal sections 798 and 799 of the Code of 1873;

Senate File No. 154, a bill for an act to repeal section 520 of the Code, and to enact a substitute therefor;

Senate File No. 126, a bill for an act to authorize cities and towns to lay down sidewalks and protect the same;

And find the same correctly engrossed.

WM. WILSON, *Chairman*.

RESOLUTION.

By Senator Teale: Joint Resolution No. 8, authorizing the Governor to employ a special agent to collect war claims of the general government.

Read first and second time and ordered engrossed.

SPECIAL ORDER.

The hour having arrived for the consideration of joint resolution relative to amending the constitution, Senator Teale moved to postpone the consideration until next Tuesday, at 11 o'clock, A. M.

The motion prevailed.

RESOLUTION.

Senator Ham offered the following resolution :

Resolved by the Senate, That Friday, the 22d inst., being Washington's birth day, when the Senate adjourn on Thursday, the 21st inst., it be until Monday, the 25th inst., at 2 o'clock, P. M.

Senator Young, moved to amend by striking out the words "Monday, 25th inst., 2 o'clock P. M.," and inserting "Saturday, at 9:30 o'clock, A. M."

The amendment was adopted.

On the adoption of the resolution as amended, the yeas and nays were demanded, and

The yeas were:

Senators Arnold, Bronson, Gallup, Hartshorn, Kimball, Lewellen, Maginnis, Russell, Teale, Webb, Wonn, and Young—12.

The nays were:

Senators Bestow, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hebard, Hemenway, Johnson, Kinne, Larrabee, Lawrence, McBid, McCormack, Madson, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Kumble, Shelley, Wilson, and Wright—34.

Absent or not voting:

Senators Blackman, Carr, Stoneman, and Woolson—4.

So the resolution did not prevail.

HOUSE MESSAGES.

Joint resolution relative to furnishing supreme court reports of Iowa to Ida county, was taken up, read first and second time, and referred to Committee on Judiciary.

House File No. 13, a bill for an act to amend section 3811, chapter 3, title 23, of the Code, regulating fees of jurors, was taken up.

Read first and second time, and referred to Committee on Jury Fees and Court Expenses.

House File No. 30, a bill for an act to amend chapter 3, title 5, of the Code, regulating the election of supervisors of highways, and of township assessors, in certain cases, was taken up.

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

House File No. 184, a bill for an act to amend section 798, of title 6, chapter 1, of the Code, relating to exemptions for planting and cultivating forest trees, was taken up.

Read first and second time, and referred to Committee on Horticulture and Forestry.

REPORT OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 143, a bill for an act to amend section 4332, chapter 18, title 25, 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 Senate File No. 182, a bill for an act to repeal section 3849 of the Code of Iowa of 1873, and to enact a substitute therefor, and to restore capital punishment, 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 Senate File, No. 179, a bill for an act to regulate the manner of collecting debts by proceedings in attachment, beg leave to report that 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 Senate File No. 176, a bill for an act to provide for an additional Circuit, and the election of an additional Circuit Judge in each Judicial District 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 indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 184, a bill for an act to prevent trustees and other officers of State institutions from furnishing supplies to, or being interested in contracts with such institutions, and to punish the violation 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 adding to section 2 these words, "or imprisonment in the county jail not exceeding one year, or both such fine and imprisonment in the discretion of the court;" and when so amended that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House joint resolution in relation to furnishing a set of Iowa Su-

preme Court Reports to the county of Emmet, beg leave to report that 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 House Resolution to furnish Buena Vista county with a set of Supreme Court 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.

M. A. McCOID, *Chairman.*

Ordered passed on file.

Senator Young, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 92, a bill for an act to amend chapter 123 of the laws of the Sixteenth General Assembly relating to taxes in aid of railroads, which is entitled an act to enable townships and incorporated towns and cities to aid in the construction of railroads, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LAFAYETTE YOUNG, *Chairman.*

Ordered passed on file.

Senator Gallup, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate File No. 175, a bill for an act to require license from solicitors of advertisements for papers, posters, placards, circulars, &c., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

In section 1, line 4, strike out the words "shall have authority," and substitute the words "may by ordinance;" that in line 8, section 1, there be inserted the words "programme or any other publication;" so that it shall read "papers, posters, placards, programme, or any other publications;" that the word "general," in line 7, section 1, be stricken out, and that when so amended, the bill do pass.

W. H. GALLUP, *Chairman.*

Ordered passed on file.

Senator Dows, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred resolution relative to the re-location of the Asylum for the Deaf and Dumb, beg leave to report that 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, for the following reasons: While your committee think the policy contained in the resolution a good one, and should have been carried into effect years ago, yet the amount of money invested in the buildings of

the institution, and the present financial condition of the State, does not justify any such removal or re-location at the present time.

S. L. Dows, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 81, a bill for an act to amend chapter 9, title 12, of the Code, in relation to the duties of the board of directors of common schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 48, a bill for an act to repeal section 1774 of chapter 9, title 12 of the Code of 1873, in relation to the duty of County Superintendents, beg leave to report that they 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 Senate File No. 35, 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 do not pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 100, a bill for an act to provide for a township treasurer to receive and disburse school funds, in lieu of treasurers for each school 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 not pass.

D. ARNOLD, *Chairman*.

Ordered passed on file.

Senator Foster, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred House File No. 287, a bill for an act to amend sections 1 and 2 of chapter 33, of the laws of the Sixteenth General Assembly, in relation to the election of certain officers in certain cities of the first class, and to revive that portion of section 534 of the Code thereby repealed, beg leave to report that they 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.

FOSTER, *Chairman*.

Ordered passed on file.

Senator Dows, from the committee to visit and report upon the con-

dition of the buildings of the deaf and dumb asylum at Council Bluffs, submitted the following report, which was ordered printed and 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:

Senate File No. 29, an act to legalize the sale of certain school lands in Pottawattamie county, Iowa.

Senate File No. 50, an act to legalize the organization and official proceedings of Independent District No. 7, of Decatur township, in Decatur county.

Senate File No. 68, an act to amend section 591, title 5, chapter 1, of the Code, relating to terms of office of township trustees.

BEN. VAN STEINBURG, *Assistant Clerk.*

On motion of Senator Foster, House File No. 287, a bill for an act to amend sections 1 and 2, of chapter 33, of the laws of the Sixteenth General Assembly, in relation to the election of certain officers in certain cities of the first class, and to revive that portion of section 534, of the Code, thereby repealed, with report of Committee recommending it do pass, was taken up and considered.

Senator Foster moved that the eleventh rule be suspended, and the bill 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 Arnold, Bestow, Bronson, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hebard, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rump, Russell, Shelley, Stoneman, Teal, Webb, Wilson, Wonn, Wright, and Young—45.

The nays were—None.

Absent or not voting:

Senators Blackman, Carr, Hartshorn, Hemenway, and Woolson—5.
So the bill passed and the title was agreed to.

BILLS ON THIRD READING.

Senate File No. 126, a bill for an act to authorize cities and towns to lay down sidewalks and protect the same, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Ford, Foster, Patterson, Russell, Shelley, Stoneman, and Wright—9.

The nays were—

Senators Bronson, Chase, Clark, Dashiell, Dows, Dwelle, Gallup,

Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Rumble, Webb, Wonn, and Young—36.

Absent or not voting:

Senators Blackman, Carr, Teale, Wilson, and Woolson—5.

So the bill not having received a constitutional majority was lost.

Senator Dashiell moved to reconsider the vote by which the bill was lost.

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

The motion to reconsider was passed on file.

Senate File No. 154, a bill for an act to repeal section 520 of the Code, and enact a substitute therefor, was taken up, and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Chase, Clark, Foster, Gallup, Gilmore, Graham, Haines, Harmon, Hartshorn, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCoid, McCormack, Madson, Merrell, Nichols of Benton, Nichols of Guthrie, Rumble, Russell, Shelley, Webb, and Wright—28.

The nays were:

Senators Dashiell, Dows, Dwelle, Ford, Ham, Harned, Hebard, Maginnis, Meyer, Miller, Patterson, Teale, Wilson, and Young—14.

Absent or not voting:

Senators Blackman, Bronson, Carr, Hanna, Lewellen, Stoneman, Wonn, and Woolson—8.

So the bill passed and the title was agreed to.

Senate File No. 165, a bill for an act to repeal section 798 and 799 of the Code of 1873, was taken up, and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bestow, Dashiell, Dows, Dwelle, Graham, Haines, Hanna, Harmon, Harned, Hebard, Kinne, Larrabee, McCoid, McCormack, Maginnis, Meyer, Nichols of Benton, Patterson, Rumble, Shelley, and Wonn—21.

The nays were:

Senators Arnold, Bronson, Chase, Clark, Ford, Foster, Gallup, Gilmore, Ham, Hartshorn, Hemenway, Johnson, Kimball, Lawrence, Lewellen, Madson, Merrell, Nichols of Guthrie, Russell, Stoneman, Teale, Webb, Wilson, Wright, and Young—25.

Absent or not voting:

Senators Blackman, Carr, Miller, and Woolson—4.

So the bill not having received a constitutional majority was lost.

By leave, Senator Wright introduced Senate File No. 225, a bill for an act to amend section 1227, chapter 7, title 14 of the Code, relating to assignments for creditors.

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

Senator Stoneman, from the special committee to visit and report upon the condition of the Insane Asylum at Mt. Pleasant, submitted a report which was passed on file, and ordered printed.

ENROLLED BILLS.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate File No. 50, a bill for an act to legalize the organization and official proceedings of independent district No. 7, of Decatur township, Decatur county, Iowa.

Senate File No. 68, a bill for an act to amend section 591, title 5, chapter 1 of the Code, relating to terms of office of township trustees.

Senate File No. 29, a bill for an act to legalize the sale of certain school lands in Pottawattamie county, Iowa.

M. N. JOHNSON, *Chairman.*

SECOND READING OF BILLS.

House joint resolution relative to transportation of live stock in patent cars, with the recommendation of the committee that it do pass, was taken up and considered.

Senator Miller moved the suspension of the eleventh rule, and that the joint resolution be read a third time now.

Senator McCoid moved to amend the resolution by striking out two first preambles, and inserting the word "which" after the word "bill" in the first line of the third preamble.

Pending the discussion the President declared the Senate, at 12 m., adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 21st, 1878. }

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

Prayer by Rev. Mr. Corkhill.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

By Senator Wilson: Petition from citizens of Washington county, asking a law to prohibit the sale of wine and beer within two miles of incorporated towns where the sale of wine and beer is prohibited.

Referred to Committee on Suppression of Intemperance.

By Senator Johnson: Asking that the 43d parallel land grant be conferred upon the Milwaukee & St. Paul R. R. Co.

Referred to Committee on Railways.

By Senator Hemenway: Asking a law to prohibit the sale of wine and beer.

Referred to Committee on Suppression of Intemperance.

Senator McCoid moved to reconsider the vote by which Senate File No. 287 passed the Senate.

The motion prevailed.

On motion of Senator McCoid the vote by which the bill was ordered to a third reading, was reconsidered, and the bill was referred to the Judiciary Committee.

Senator McCoid moved that the vote by which Senate File No. 126 was ordered to a third reading, be reconsidered, and that the bill be ordered printed and made a special order for next Wednesday, at 10 o'clock, A. M.

The motion prevailed.

PETITIONS AND MEMORIALS.

By Senator Stoneman: Asking a law for the maintenance of uniformed military companies.

Referred to Committee on Military.

By Senator Wright: Petition from members of the Baptist Church of Council Bluffs, Iowa, asking a law to prohibit the sale of wine and beer.

Referred to Committee on Suppression of Intemperance.

By Senator Webb: Petition from the Woman's Suffrage Association of Polk County, asking an amendment to the state constitution.

Referred to Committee on Constitutional Amendments.

By Senator Harmon: Petition from the ladies of Buchanan county, on the same subject and referred to the same committee.

By Senator Hartshorn: Petition from citizens of Palo Alto county, asking that the the forty-third parallel land grant be conferred upon the Milwaukee & St. Paul Railroad Company.

Referred to Committee on Railways.

By Senator Dashiell: Petition from the Woman's Suffrage Association asking an amendment to the Constitution.

Referred to Committee on Constitutional Amendments.

INTRODUCTION OF BILLS.

By Senator Shelley: Senate File No. 226, a bill for an act to amend sections 865 and 867 of chapter 2, title 6 of the Code.

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

By Senator McCoid: Senate File No. 227, a bill for an act for the leasing of grounds and buildings for the girls' department of the State Reform School, and to make appropriations therefor.

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

By Senator Dashiell: Senate File No. 228, a bill for an act to subject the interest of mortgagors of personal property to levy and sale upon execution.

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

RESOLUTIONS.

Senator Merrell offered the following:

Resolved, That true economy and the interest of the people of this State, demand,

First—That the buildings and grounds of the Deaf and Dumb Asylum at Council Bluffs, be granted to the county of Pottawattamie, in consideration of said county assuming to pay the outstanding indebtedness of the State on account of said Asylum.

That said institution be located at the city of Des Moines, provided said city shall furnish suitable buildings and grounds therefor free of expense to the State until the old capitol building can be used for that purpose.

Referred to Committee on Public Buildings.

Senator Bestow offered the following concurrent resolution :

WHEREAS, The report of the visiting committee at the Penitentiary at Fort Madison indicates great irregularities in the finances of that institution, and the impression prevails that gross mismanagement has prevailed there to the effect that the funds provided by the State have been mismanaged, misappropriated, and used for purposes prohibited by the laws of the State of Iowa,

Therefore be it resolved by the Senate, the House concurring, That a joint committee consisting of two members on the part of the Senate and three on the part of the House be appointed to investigate the financial and other affairs of the Penitentiary at Fort Madison, in regard to the illegal or improper use of funds belonging to said Penitentiary from whatever source arising.

And be it further resolved, That the investigation of said committee shall extend through the entire term of Seth H. Craig as warden of said Penitentiary, taking careful account, among other things, of all the moneys received and disbursed by said warden, and carefully examining and reporting whether the same have been expended for their legitimate and lawful uses, and that to accomplish these ends and secure a fair and full investigation and report of the matters herein contained, the said committee shall have power to send for persons and papers to compel the attendance of witnesses, and to employ a clerk, a short-hand reporter, an expert accountant, and any other assistance they may deem necessary; to sit during the session of the Senate and the House and to do all things necessary to render its investigation thorough and complete, and to make a report to this General Assembly, and to have the report printed by the State printer for the use of the Senate and the House.

The resolutions were adopted.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 61, a bill for an act to amend section 3588 of the Code, relative to appeals from justices of the peace, beg leave to report that they have had the same under consideration, and have in-

structed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 209, a bill for an act to repeal section 1923 of the Code of Iowa, relating to the recording of bills of sale and mortgages, 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 be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred substitute for Senate File No. 106, and House File No. 25, a bill for an act in relation to special terms of court, repealing section 186 of the Code, and enacting a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out sections 2 and 3, and when so amended, it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 192, a bill for an act to legalize the incorporation of the Chester Dairy Association, in Poweshiek 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 Senate File No. 47, a bill for an act in relation to liens on real estate, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: In line three of section 4, after the word "by," the word "the;" strike out the word "recorded" in fourth line of section 4, and insert the word "filed," and insert in same line, in same section, after the word "in" the words "the office of the clerk of the court in," and when so amended it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 26, a bill for an act to amend chapter 125, acts of the Sixteenth 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 amended by adding to section 1 the following: "Provided nothing in this act shall be construed to permit a county which has already bonded its indebtedness to again bond the same," and when so amended it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 169, a bill for an act to repeal section 487, chapter 10, title 4, of cities and incorporated towns, Code of 1873, and 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 be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 87, a bill for an act to repeal section 487 of the Code of 1873, in relation to labor on streets and highways in municipal corporations, beg leave to report that 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 in 8th line after the word "corporation," the words "or the road district in which such corporation or any part thereof is situated;" strike out of 6th line the word "November" and insert "September;" insert after the word "commissioner" in 12th line, the words "or other proper officer;" add to said section these words, "and the same shall be a lien on all the property of the delinquent that may be listed for taxation, and assessed and owned by him on the 1st day of November of the same year," and when so amended it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 157, a bill for an act to repeal section 3327, chapter 4, of the Code, and to enact the following as a substitute therefor, relating to the satisfaction of mortgages, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

M. A. McCoid, *Chairman*.

Ordered passed on file.

Senator Young, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 18, a bill for an act in relation to the lands granted to the State of Iowa, by act of Congress entitled an act for a grant of lands to the State of Iowa, in alternate sections to aid in the construction of a railroad in said State, approved, May 12, 1864, beg leave to report that they have had the same under consideration, and have prepared the accompanying substitute, and have instructed me to report the same back to the Senate with the recommendation that it be adopted and when adopted that it do pass.

LAFAYETTE YOUNG, *Chairman*.

Senator Wonn, from the Committee on Horticulture and Forestry, submitted the following report:

MR. PRESIDENT—Your Committee on Horticulture and Forestry, to whom was referred Senate File No. 184, a bill for an act to amend

- section 798, of title 6, chapter 1 of the Code, relating to exemptions for planting and cultivating forest trees, beg leave to report that 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 after "land" in the 4th line of 1st section, and when so amended it do pass.

H. A. Wonn, *Chairman*.

Ordered passed on file.

Senator Gilmore, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred substitute for House File No. 36, a bill for an act to provide for the destruction of grasshoppers and their eggs, beg leave to report that they 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.

THOS. R. GILMORE, *Chairman*.

Ordered passed on file.

BILLS ON THIRD READING.

Joint Resolution, relative to war claims of the State of Iowa, against the general government, was taken up and read a third time.

On the question, shall the joint resolution pass?

The yeas were:

Senators Arnold, Bestow, Bronson, Chase, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Teale, Webb, Wilson, Wonn, and Young—39.

The nays were—None.

Absent or not voting:

Senators Blackman, Carr, Clark, Dows, Ham, McCoid, McCormack, Shelley, Stoneman, Woolson, and Wright—11.

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

BILLS ON SECOND READING.

Joint resolution relative to the transportation of stock in patent cars, under consideration at the hour of adjournment, was taken up.

The question being on the adoption of Senator McCoid's amendment, it was withdrawn.

Senator Miller moved to amend by striking out all after the word "Congress" in the first line to the word "virtually" in the second line; strike out the third, fourth and fifth lines; all in sixth line to the word "would," and insert the following: "which in our judgment," then strike out all from the word "live stock" in the sixth line to the word "therefore," in fourteenth and fifteenth lines.

The amendment was adopted.

The joint resolution was then ordered engrossed.

Senate File No. 200, a bill for an act to amend section 1114 of chapter 3, title 9 of the Code, and to extend the provisions thereof to the State Agricultural Society, was taken up, considered, and on motion of Senator McCoid, the eleventh rule was suspended and the bill read a third time now.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Bronson, Chase, Clark, Dashiell, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, Madson, Maginnis, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Stoneman, Teale, Webb, Wilson, Wright, and Young—38.

The nays were:

Senators Foster, Ham, Harned, Kinne, Merrell, Shelley, and Wonn—7.

Absent or not voting:

Senators Blackman, Carr, Dows, McCormack, and Woolson—5.

So the bill passed and the title was agreed to.

Substitute for Senate File No. 22, a bill for an act to authorize cities and towns to regulate the sale of coal oil, with report of committee recommending it do pass, was taken up and considered.

Senator Dashiell moved to amend the bill by striking out the words "or by both" in the sixth line of section 3.

The amendment was adopted.

Senator Larrabee moved to amend by striking out all after the word "purposes" in the third line of section 4, down to and including the word "sale" in the fourth line.

The amendment was lost.

Senator Larrabee moved to amend by striking out the words "in which an inspector is appointed," in the second line of section 4.

The amendment was lost.

Senator Young moved to amend by inserting after the word "may" in second line of section 1, the words "or the township trustees in townships wherein no city or incorporated town is situated."

Senator Meyer moved to recommit the bill to the Committee on Municipal Corporations, with instructions, which motion prevailed.

Senator Bestow moved that when the Senate adjourn to-day it be until Monday next at 2 o'clock, P. M.

On this question the yeas and nays were demanded, and

The yeas were:

Senators Bestow, Clark, Gallup, Gilmore, Ham, Harmon, Kinne, McCoid, Madson, Merrell, Miller, Nichols of Benton, Nichols of Guthrie, Russell, Shelley, Wonn, and Wright—17.

The nays were:

Senators Arnold, Bronson, Chase, Dashiell, Dwelle, Ford, Foster, Graham, Haines, Hanna, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, Maginnis, Meyer, Patterson, Rumble, Stoneman, Teale, Webb, Wilson, and Young—28.

Absent or not voting:

Senators Blackman, Carr, Dows, McCormack, and Woolson—5.

So the motion did not prevail.

By leave, Senator Webb introduced Senate File No. 229, a bill for

an act granting to the Des Moines & Minneapolis Railway Co., of Iowa, certain lands heretofore granted to the McGregor & Missouri River Railway Co., and afterward resumed to the State by the General Assembly.

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

The hour having arrived for the consideration of Senate File No. 19, Senator Hanna moved to postpone consideration thereof till next Thursday, at 10, A. M.

The motion prevailed.

Substitute for Senate File No. 164 was taken up, and, on motion of Senator Larrabee, passed on file.

House File No. 148, a bill for an act to amend section 4332, chapter 18, title 25, of the Code, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

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

MR. PRESIDENT—Your Committee on Enrolled Bills ask leave to report that they have examined the the following bills and find the same correctly enrolled:

House File No. 82, a bill for an act to legalize the incorporation of the town of Colfax, Jasper county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

House File No. 56, a bill for an act to repeal section 4420, of chapter 27, title 25, of the Code, relating to the trial of an issue of fact in an indictment, and enacting a substitute in lieu thereof.

House File No. 185, a bill for an act to legalize the incorporation of the town of Ossian, in Winneshiek county, Iowa, its ordinances and the acts of its officers thereunder.

M. N. JOHNSON, *Chairman.*

Senate File No. 182, a bill for an act to repeal section 3849 of the Code of Iowa, and to enact a substitute therefor, and to restore capital punishment, with report of committee recommending it do pass, was taken up and considered.

Senator McCoid moved to make further consideration a special order for next Wednesday, at 10 o'clock, A. M.

The motion prevailed.

Senate File No. 179, a bill for an act to regulate the manner of collecting debts by proceedings in attachment, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

Senate File No. 176, a bill for an act to provide for an additional circuit and the election of an additional circuit judge in each judicial district of the State, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee adopted.

Senate File No. 184, a bill for an act to prevent trustees and other officers of State institutions from furnishing supplies to or being interested in contracts with such institutions, and to punish the violation of the same, with report of committee recommending amendments, was taken up, considered, and the report of the committee was adopted.

Senator McCoid moved that the eleventh rule be suspended, and the bill 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 Arnold, Bestow, Bronson, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumple, Russell, Shelley, Teale, Webb, Wilson, Wonn, Wright, and Young—45.

The nays were—None.

Absent or not voting:

Senators Blackman, Carr, McCormack, Stoneman, and Woolson—5.
So the bill passed and the title was agreed to.

By leave, Senator Ham introduced Senate File No. 230, a bill for an act to amend section 334, chapter 4, title 4, of the Code, to limit the term of county treasurers.

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

House Joint Resolution, relative to furnishing supreme court reports to Emmet county, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

House Joint Resolution, relative to furnishing supreme court reports to Buena Vista county, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

Senate File No. 93, a bill for an act to amend chapter 123, of the laws of the Sixteenth General Assembly, relating to taxes in aid of railroads, entitled an act to enable townships and incorporated towns and cities to aid in the construction of railroads, with report of committee recommending that it do pass was taken up, considered, and, on motion of Senator Stoneman, was ordered passed on file.

Senate File No. 175, a bill for an act requiring license from solicitors of advertisements for papers, posters, placards or circulars, with report of committee recommending amendments was taken up, considered, and the report of the committee was adopted.

Senator Young moved that the bill be ordered printed, and passed on file.

The motion prevailed.

Senator Stoneman moved that when the Senate adjourn it be until 9:45 A. M., to-morrow.

The motion was adopted.

Senator Stoneman moved to make the consideration of substitute for Senate File No. 18, a special order for next Tuesday, at 10 o'clock, A. M.

Senator Dashiell moved to instruct the Railroad Committee to report back Senate File No. 229, before the time agreed upon for the consideration of substitute for Senate File No. 18. Adopted.

Senator McCoid moved to amend Senator Stoneman's motion by striking out "Tuesday," and inserting "Friday, March 1."

Pending which Senator Larrabee moved to postpone the hour of adjournment ten minute.

The motion was agreed to.

The question recurring on the amendment of Senator McCoid, it was lost.

Senator Stoneman's motion was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 425, a bill for an act appropriating money to defray inauguration expenses.

Also without amendment, substitute for Senate File No. 5, and House File No. 23, a bill for an act for the relief of Joseph Bone.

W. V. LUCAS, *Chief Clerk.*

By leave, Senator Dows introduced Senate File No. 231, a bill for an act granting to the Burlington, Cedar Rapids & Northern Railway Company of Iowa, certain lands heretofore granted to the McGregor & Missouri River Railway Company, and afterwards resumed to the State by the General Assembly, as minority report of R. R. Committee.

Ordered printed and passed on file.

Senator Kinne moved to adjourn. Lost.

Joint resolution relative to re-location of the Deaf and Dumb Asylum at Council Bluffs, with report of committee recommending indefinite postponement, was taken up and considered.

Pending discussion, the President declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 22, 1878. }

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

Prayer by the Rev. McCoughan.

Journal of yesterday's proceedings read and approved.

PETITIONS AND MEMORIALS.

By Senator Lewellen: A petition from the citizens of Belmont county, asking a law for the better Suppression of Intemperance.

Referred to Committee on Suppression of Intemperance.

By Senator Shelley: A petition from citizens of Lee county, asking that the wine and beer clause be not repealed.

Referred to Committee on Suppression of Intemperance.

By Senator Dows: A petition from citizens of Linn county, asking a sub-division of a school district.

Referred to Committee on Schools.

By Senator McCoid: A petition from the citizens of Mahaska county, asking the passage of a law making fines and costs assessed in violation of our liquor laws, a lien upon real estate.

Referred to Committee on Suppression of Intemperance.

By Senator McCormack: A petition from citizens of Davenport, protesting against the passage of a law taxing church property.

Referred to Committee on Ways and Means.

INTRODUCTION OF BILLS.

By Senator Ham: Senate File No. 232, a bill for an act to amend section 1322 of the Code, relating to the assessment and taxation of railroad corporations for municipal purposes.

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

By Committee on Appropriations: Senate File No. 233, a bill for an act to provide for the payment of the expenses of the committees appointed to visit the State institutions.

Read first and second time, and passed on file.

By Senator Arnold: Senate File No. 234, a bill for an act appropriating money to defray the expenses incurred by reason of threatened riots during the summer of 1877.

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

By Senator Dows: Senate File No. 235, a bill for an act to provide for the management of the State penitentiaries.

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

By Senator Hanna: Senate File No. 236, a bill for an act providing for the election or appointment of certain officers by cities acting under special charters.

Read first and second time, and referred to Committee on Municipal Corporations.

By Senator Hemenway: Senate File No. 237, a bill for an act to prevent the publication of false statements relative to the business of fire insurance.

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

By Senator Russell: Senate File No. 238, a bill for an act requiring the boards of Supervisors to cancel the unpaid taxes voted in aid of railroads since the first day of January, 1868.

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

By Senator Chase: Senate File No. 239, a bill for an act to amend section 3791 of the Code of 1873, more clearly defining the compensation of members of boards of supervisors.

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

HOUSE MESSAGES.

House File No. 425, a bill for an act appropriating money to defray inauguration expenses was taken up.

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

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 the petition of E. M. Ford and others, in relation to peddlers' licenses, beg leave to report that 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.

So referred.

Also the following:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 132, a bill for an act to repeal chapter seventy-nine of the acts of the Sixteenth General Assembly, in relation to the sale of lands and town lots for taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 172, a bill for an act to establish a central station of the "Iowa Weather Service," and for the appointment of a director thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *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 House File No. 287, a bill for an act to amend sections 1 and 2, of chapter 33, of the laws of the Sixteenth General Assembly, in relation to the election of certain officers in certain cities of the first-class, and to revive that portion of section 534 of the Code, thereby repealed, beg leave to report that they 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 House File No. 85, a bill for an act to repeal section 3751 of the Code, relating to depositions, and 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 pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 73, a bill for an act to amend section 2590, chapter 5, title 17, of the Code, limiting the number of changes of the place of trial in civil cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 180, a bill for an act to authorize clerks of courts to enter up judgments in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 196, a bill for an act to legalize conveyances by executors in other States, and conveyances executed in other 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 Judiciary, to whom was referred House Joint Resolution, asking for copies of supreme court reports of Iowa, for Ida 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 Senate File No. 41, a bill for an act to amend chapter 39, of the public acts of the Fifteenth General Assembly, in relation to dividing counties into superior 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: By adding to section 1, "or at such regular meeting, they may abolish supervisor districts, and provide for electing supervisors for the county at large," and when so amended it do pass.

M. A. McCoid, *Chairman*.

Ordered passed on file.

Senator Harmon, from the Committee on County and Township Organizations, submitted the following report:

MR. PRESIDENT—Your Committee on County and Township Or-

ganizations, to whom was referred Senate File No. 206, a bill for an act to amend section 1799 of the Code, relating to the change of township lines, beg leave to report that they have had the same under consideration, and have instructed me to report to the Senate the accompanying substitute, with the recommendation that the same be adopted, and when adopted that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on County and Township Organizations, to whom was referred House File No. 42, a bill for an act to amend section 1, chapter 39, of the acts 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 without recommendation.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on County and Township Organizations, to whom was referred Senate File No. 151, a bill for an act to amend chapter 1, title 4, of the Code of Iowa, in relation to the re-location of county seats, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Judiciary.

So referred.

Also the following:

MR. PRESIDENT—Your Committee on County and Township Organizations, to whom was referred Senate File No. 202, a bill for an act to legalize the use of the dictionary index and its improvements for county and other public records, beg leave to report that 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.

HARMON, *Chairman.*

Ordered passed on file.

Senator Russell, from the Committee on Retrenchment, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment, to whom was referred Senate File No. 217, a bill for an act to repeal section 149 of the Code, and enact a substitute therefor, and to repeal the last paragraph of section 3771 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 Retrenchment to whom was referred Senate File No. 224, a bill for an act in relation to the time that pupils shall be entitled to the privileges of the Deaf and Dumb Asylum, beg leave to report that they 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 Rumble, from the Committee on State University, submitted the following report:

MR. PRESIDENT—Your Committee on State University, to whom was referred Senate File No. 174, a bill for an act making appropriations for the support of the State University, beg leave to report that they have had the same under consideration, and recommend the accompanying substitute, and have instructed me to report the same back to the Senate with the recommendation that said substitute be adopted, and when adopted the same do pass.

J. N. W. RUMPLE, *Chairman*.

Ordered passed on file.

We, the undersigned members of the Committee on State University, hereby instruct our chairman to report back to the Senate Senate Bill No. 174, with the accompanying substitute as received by joint Committee of both houses.

GEO. F. WRIGHT,
M. A. MCCOID,
R. M. HAINES,
M. N. JOHNSON,

The undersigned, non-concurring in the above, will submit a minority report.

FRED TEALE.

Senator Dows, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred Senate File No. 138, a bill for an act to provide for rebuilding the main building and the east wing of the buildings of the Deaf and Dumb Asylum at Council Bluffs, and to refurnish 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 referred to the Committee on Appropriations, with the recommendation that an appropriation be made in accordance with the former report of this committee, in relation to foundation and further construction of the buildings for said institution.

So ordered.

Also the following:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred Senate File No. 135, a bill for an act in relation to the new capitol building, and making additional appropriations therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Appropriations, with the recommendation that as large an appropriation be made as in the judgment of that committee, the revenues of the State will permit.

S. L. DOWS, *Chairman*.

So referred.

Senator Dwelle, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 83, a bill for an act to amend section 6 of chapter 70, of the acts of the Fifteenth General Assembly in relation to the

protection of wild grasses for meadows and 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.

DWELLE, *Chairman.*

Ordered passed on file.

Senator Foster, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 115, a bill for an act to amend section 6, of chapter 116, laws of the Sixteenth General Assembly, the same being an act relating to cities organized under special charters, conferring additional powers and amending the charter of such cities, beg leave to report that they have had same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the substitute herewith presented be adopted, and and that the same do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 98, a bill for an act to amend an act relating to cities organized and existing under special charter, chapter 116, acts of the Sixteenth 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 the substance thereof is incorporated in substitute to Senate File No. 115.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred House File No. 259, a bill for an act to amend the charters of all municipal corporations existing and acting under special charters, not now having the powers herein granted, and conferring additional powers upon such cities, beg leave to report that they 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 Municipal Corporations, to whom was referred Senate File No. 191, a bill for an act to amend chapter 61 of the public laws of the Fifteenth General Assembly, relating to the vacation of town plats, beg leave to report that 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.

FOSTER, *Chairman.*

Ordered passed on file.

Senator Young, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 55, a bill for an act to resume and grant to the Dubuque Southwestern Railroad Company, certain lands heretofore

conditionally granted to the Cedar Rapids & Missouri River Railroad Company, to aid in the building of a railroad between Marion and Cedar Rapids, in Linn county, Iowa, by an act approved March 26, 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 162, a bill for an act to resume and grant to the Chicago, Bellevue, Cascade & Western Railroad Company certain lands heretofore conditionally granted to the Cedar Rapids & Missouri River Railroad Company, to aid in the building of a railroad between Marion and Cedar Rapids, in Linn county Iowa, by an act approved March 26, 1860, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

LAFAYETTE YOUNG, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 5, a bill for an act for the relief of Joseph Bone ;

Senate File No. 214, a bill for an act to legalize certain orders for special terms of court and the proceedings therein ;

And find the same correctly enrolled.

M. N. JOHNSON, *Chairman*.

Senator Hebard, from the Committee on Claims, submitted the following report :

MR. PRESIDENT—You Committee on Claims, to whom was referred petition of James and O. P. Wickham, asking remuneration for expenses incurred in repairing damage done to Deaf and Dumb Asylum, beg leave to report that they have had the same under consideration, and have instructed me to report the following bill.

A. HEBARD, *Chairman*.

Senate File No. 240, a bill for an act for the relief of James and O. P. Wickham, contractors for the erection of the west lateral wing of the deaf and dumb asylum, at Council Bluffs, and making appropriations therefor.

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

BILLS ON SECOND READING.

On motion of Senator McCoid, House File No. 287, a bill for an act to amend sections 1 and 2, chapter 33, of the laws of the Sixteenth General Assembly, in relation to certain officers in certain cities of the first class, and to revive that portion of section 534 of the Code thereby repealed, with report of committee recommending it do pass, was taken up and considered.

Senator McCoid moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Bronson, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—45.

The nays were—None.

Absent or not voting:

Senators Bestow, Carr, Clark, Ham, and Miller—5.

So the bill passed and the title was agreed to.

On motion of Senator Shelley, House File No. 259, a bill for an act to amend the charters of all municipal corporations, existing and acting under special charters, not now having the powers herein granted, and conferring additional powers upon such cities, with report of committee recommending it do pass, was taken up and considered.

Senator Shelley moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Bronson, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Hanna, Harned, Hartshorn, Kinne, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Nichols of Benton, Patterson, Rumble, Shelley, Stoneman, Teale, Webb, Wilson, and Wonn—32.

The nays were:

Senators Chase, Clark, Haines, Harmon, Hebard, Johnson, Larrabee, Miller, Nichols of Guthrie, Russell, Wright, and Young—12.

Absent or not voting:

Senators Bestow, Carr, Ham, Hemenway, Kimball, and Woolson—6.

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE.

The following resolution was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed, without amendment, Senate File No. 214, a bill for an act to legalize certain orders for special terms of court, and the proceedings therein.

I am also directed to inform your honorable body that the House has passed the following bills and concurrent resolution, in which the concurrence of the Senate is asked:

House File No. 53, a bill for an act to repeal section 1558 of the Code of Iowa, in relation to fines and costs assessed and judgments rendered for violations of the intoxicating liquor law, and to enact a substitute therefor.

House File No. 99, a bill for an act to prohibit the sale of intoxicating liquors within two miles of cities and towns, and on election days.

Concurrent resolution relative to itemized statements in appropriation bills for new buildings.

W. V. LUCAS, *Clerk*.

By leave, Senator McCoid introduced Senate File No. 241, a bill for an act to repeal chapter 100, of the laws of the Sixteenth General Assembly, and to revive chapter 8, title 14, of the Code.

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

Senators Bestow and Miller were excused till Tuesday next.

BILLS ON THIRD READING.

Joint Resolution, relative to transportation of live stock in patent cars, was taken up, and read a third time.

On the question, shall the joint resolution pass?

The yeas were:

Senators Arnold, Bronson, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Haines, Hanna, Harmon, Harned, Hartshorn, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Merrell, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Webb, Wonn, Woolson, and Wright—36.

The nays were:

Senators Gilmore, Graham, Hebard, Hemenway, Madson, Maginnis, Wilson, and Young—8.

Absent or not voting:

Senators Bestow, Blackman, Carr, Ham, Miller, and Teale—6.

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

BILLS ON SECOND READING.

Senate File No. 211, a bill for an act authorizing the establishment of a depository in the City of Des Moines for the collection of drafts, checks, and certificates of deposit, received by the Treasurer of State in payment of State dues, was taken up and considered.

Senator Arnold moved to amend by inserting after the word "delay," in third line of section 3, "and shall charge no greater per cent. for such collection than the maximum per cent. charged to other parties.

The amendment was adopted.

Senator Chase moved to refer the bill to the Judiciary Committee.

Pending discussion the President announced that the hour for the consideration of joint resolutions to amend the State Constitution, had arrived.

Senator Teale moved to postpone consideration of special order till Wednesday, at 10:30 o'clock, A. M.; which motion did not prevail.

Joint Resolution No. 3, relative to amendments of the constitution, with report of the committee recommending indefinite postponement, was taken up and considered, and the Senate refused to adopt the report.

Senator Hartshorn moved the suspension of the eleventh rule, and that the joint resolution be read a third time now.

Agreed to, and the joint resolution was read a third time.

On the question, shall the joint resolution pass? the yeas and nays were as follows:

The yeas were:

Senators Arnold, Blackman, Bronson, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Hanna, Harmon, Hartshorn, Hebard, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Stoneman, Teale, Webb, Woolson, Wright, and Young—38.

The nays were:

Senators Haines, Harned, Hemenway, Johnson, Merrell, Shelley, Wilson, and Wonn—8.

Absent or not voting:

Senators Bestow, Carr, Ham, and Miller—4.

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

Joint Resolution No. 2, proposing to amend the constitution, with report of the committee without recommendations, was taken up and considered.

Senator Teale moved to postpone further consideration until 10:30 A. M., next Tuesday.

The motion prevailed.

By leave, Senator Dashiell introduced Senate File No. 242, a bill for an act to prevent dogs from running at large upon the premises of persons who are not their owners.

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

Senate File No. 211 was taken up, considered, and ordered passed on file.

Senate File No. 212, a bill for an act relating to the revenue and to repeal sections 908, 913, 914 and 915 of the Code, and to enact a substitute therefor, was taken up, and, on motion of Senator Russell, the consideration of the bill was made a special order for Monday next, at 10 o'clock, A. M.

Joint resolution relative to re-location of the Deaf and Dumb Asylum at Council Bluffs, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

Senate file No. 181, a bill for an act to amend chapter 9, title 12, of the Code, in relation to the duties of the Board of Directors of Common Schools, with report of committee recommending it do not pass, was taken up, considered, and the bill was lost on engrossment.

Senate File No. 48, a bill for an act to repeal section 1774 of chapter 9, title 12 of the Code of 1873, in relation to the duties of county superintendents, with report of committee recommending it do not pass, was taken up, considered, and was lost on engrossment.

Senate File No. 35, 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 officer, with report of committee recommending it do not pass was taken up, considered, and, on motion of Senator Foster, was ordered passed on file.

Senate File No. 100, a bill for an act to provide for township treasurers to receive and disperse school funds, in lieu of treasurers for each school board with report of committee recommending it do not pass was taken up, considered, and, on motion of Senator Foster, was ordered passed on file.

Substitute for Senate File No. 164, was taken up, considered, and, on motion of Senator Larrabee, further consideration was postponed until the bill providing for the payment of taxes semi-annually, was taken up.

House File No. 61, was taken up, considered, and, on motion Senator Larrabee, was ordered passed on file.

Senate File No. 209, a bill for an act to repeal section 1923 of the Code of Iowa, relating to the recording of bills of sale and mortgages, and to enact a substitute therefor, with the report of the committee recommending indefinite postponement was taken up, and the recommendation of the committee was adopted.

On motion of Senator Stoneman, the Senate at 11:55, adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 23, 1878. }

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

Prayer by the Rev. Mr. Lucas.

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 has passed the following bills and resolutions, in which the concurrence of the Senate is asked:

House File No. 26, a bill for an act to repeal section 2272 of the Code, in relation to the guardianship of drunkards, spendthrifts and lunatics, and enact a substitute therefor.

House File No. 374, a bill for an act to legalize the official acts of T. E. Moore, a justice of the peace of Van Meter township, Dallas county, Iowa.

Also, without amendment, Senate resolution relative to appointing an investigating committee to Fort Madison penitentiary.

Also, joint resolution, authorizing the Governor to appoint a special agent to collect war claims of the General Government.

W. V. LUCAS, *Clerk.*

PETITIONS AND MEMORIALS.

By Senator Hemenway: A petition from the citizens of Black Hawk county on the subject of suppression of intemperance.

Referred to Committee on Suppression of Intemperance.

By Senator Dashiell: A petition from citizens of Iowa asking an amendment to the Constitution.

Referred to Committee on Elections.

By Senator Woolson: A petition from citizens of Henry county asking that the wine and beer clause be repealed.

Referred to Committee on Suppression of Intemperance.

By Senator Nichols, of Guthrie: A petition asking the repeal of the railroad tariff law.

Referred to Committee on Railways.

By Senator Woolson: A petition from the trustees of the Iowa Manual Labor Institute, ordered printed, and referred to Committee on Reform Schools.

By Senator Bronson: A petition asking that the railroad tariff law be not repealed.

Referred to Committee on Railways.

The President announced the following a committee on the part of the Senate to investigate the affairs of the Penitentiary at Ft. Madison: Senators Bestow and Merrell.

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:

House File No. 56: An act to repeal section 4420 of chapter 27, title 25 of the Code, relating to the trial of an issue of fact in an indictment, etc.

House File No. 82: An act to legalize the incorporation of the town of Colfax, Jasper county, Iowa.

House File No. 180: An act to legalize Independent District No. 7, of Dayton township, in Chickasaw county, Iowa.

House File No. 185: An act to legalize the incorporation of the town of Ossian, Winnebiek county, Iowa.

Senate File No. 40: An act to amend section 521 of the Code, title 4, chapter 10 of cities and incorporated towns.

BEN. VAN STEINBURG, *Assistant Clerk.*

INTRODUCTION OF BILLS.

Senator Hartshorn, introduced Senate File No. 243, a bill for an act providing for trials on copies of indictments in cases where the originals have been lost.

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

By Senator Wilson: Senate File No. 244½, a bill for an act to amend section 3626, chapter 1, title 21 of the Code.

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

HOUSE MESSAGES.

House File No. 99, a bill for an act to prohibit the sale of intoxicating liquors within two miles of cities and towns, where the same is prohibited, and on election days, was taken up, read first and second time, and referred to Committee on Suppression of Intemperance.

House File No. 53, a bill for an act to repeal section 1558 of the Code, in relation to fines and costs assessed and judgments rendered for violations of the intoxicating liquor law, and to enact a substitute therefor, was taken up.

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

House File No. 374, a bill for an act to legalize the official acts of T. E. Moore, justice of the peace of Van Meter township, Dallas county, Iowa, was taken up.

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

House File No. 26, a bill for an act to repeal section 2272 of the Code, in relation to the guardianship of drunkards, spendthrifts and lunatics, and enact a substitute therefor, was taken up.

Read first and second time, and 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 bills, which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House:

Senate File No. 214, an act to legalize certain orders for special terms of court and the proceedings therein.

Senate File No. 5, an act for the relief of Joseph Bone.

BEN. VAN STEINBURG, *Assistant Clerk.*

REPORT OF COMMITTEES.

Senator Hemenway, from the Committee on Jury Fees and Court Expenses, submitted the following report:

MR. PRESIDENT—Your Committee on Jury Fees and Court Expenses, to whom was referred House File, No. 13, a bill for an act to amend section 3811, chapter 3, title 23, of the Code, regulating the fees of jurors, 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.

H. C. HEMENWAY, *of Committee.*

Ordered passed on file.

Senator Young, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 229, a bill for an act granting to the Des Moines & Minneapolis Railroad Company, of Iowa, certain lands heretofore granted to the McGregor & Missouri River Railroad Company, and afterward resumed to the State by the General Assembly, beg leave to

report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 108, a bill for an act to amend section 1288 of the Code, in relation to the liability of railway corporations for a failure to make proper cattle-guards, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: In the third line after the word "sustained" insert the words "in case of injuries to stock as herein provided," and that when so amended it do pass.

YOUNG, *Chairman.*

Ordered passed on file.

Senator Hemenway, from the committee appointed to visit and report upon the Deaf and Dumb Asylum at Council Bluffs, submitted a report, which was ordered printed, and passed on file.

RESOLUTIONS.

Senator Harmon, by leave, offered the following resolution, which was adopted :

Resolved by the Senate, That the Chairman of the Committee on Ways and Means be appointed a member of the Committee on Appropriations, and that the Chairman of the Committee on Appropriations be made a member of the Committee on Ways and Means.

Senator Meyer offered the following joint resolution :

Joint Resolution proposing to amend section one (1), of article two (2), and section four (4), of article three (3), of the Constitution of the State of Iowa :

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

1st. Strike the word "male," from section one (1), article two (2), of said constitution.

2d. Strike the word "male," from section four (4), article three (3), of said constitution.

Provided further, That the foregoing proposed amendments to the said constitution be and the same are hereby referred to the legislature to be chosen at the next general election for members of the General Assembly, and that the Secretary of State cause the same to be published for three months previous to the day of said election, in two weekly newspapers in each congressional district in the state.

Read first and second time, and passed on file.

BILLS ON SECOND READING.

Substitute for House File No. 25 and Senate File No. 106, a bill for an act in relation to special terms of court, repealing section 166 of the Code, and enacting a substitute therefor, with report of committee rec-

ommending amendments was taken up, considered, and the 1st amendment recommended by the committee was adopted.

The Senate refused to adopt the recommendation to strike out publication clause.

On motion of Senator Rumble, the eleventh rule was suspended, and the bill was read a third time now.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Bronson, Chase, Dashiell, Dwelle, Ford, Foster, Gilmore, Haines, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Maginnis, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Shelley, Teale, Webb, Wilson, Woolson, Wright, and Young—37.

The nays were—None.

Absent or not voting:

Senators Bestow, Carr, Clark, Dows, Gallup, Graham, Ham, Madson, Merrell, Miller, Russell, Stoneman, and Wonn—13.

So the bill passed and the title was agreed to.

Senators Merrell, Miller, Russell, Dows, and Graham, were excused till Tuesday next. Senator Dashiell was excused until March 5.

Senate File No. 192, a bill for an act to legalize the incorporation of the Chester Dairy Association in Poweshiek county, with report of committee recommending it do pass, was taken up, considered, and ordered engrossed for a third reading.

Senate File No. 47, a bill for an act in relation to liens on real estate, with report of committee recommending amendments, was taken up and considered.

Senator Dashiell moved to amend by inserting the word "district," before the word "court," agreed to. The amendment of the committee was then adopted.

Senator Larrabee moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Bronson, Chase, Dashiell, Dwelle, Ford, Foster, Gilmore, Haines, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Maginnis, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Shelley, Stoneman, Teale, Webb, Wilson, Woolson, Wright, and Young—38.

The nays were—None.

Absent or not voting:

Senators Bestow, Carr, Clark, Dows, Gallup, Graham, Ham, Madson, Merrell, Miller, Russell, and Wonn—12.

Senator Larrabee moved to amend the title by adding "of judgments in the district and circuit courts of the United States." Adopted.

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

Senate File No. 26, a bill for an act to amend chapter 125, acts of the Sixteenth General Assembly, in relation to bonding county indebtedness, with report of committee recommending amendments, was taken up, considered, and the report of the committee adopted.

The bill was then ordered engrossed.

Senate File No. 169, a bill for an act to repeal section 487, chapter 10, title 4, of cities and incorporated towns, Code of 1873, and to enact a substitute therefor, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

Senate File No. 67, a bill for an act to repeal section 487 of the Code of 1873, in relation to labor on streets and highways in Municipal corporations, with report of committee recommending amendments, was taken up, considered, and the first and second amendments of the committee were adopted, and on motion the bill was recommitted to the Judiciary 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 appointed Messrs. Gleason, Miles and Bloom, on part of the House, as members of the committee to investigate the affairs of the Penitentiary at Ft. Madison, Iowa.

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

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

MR. PRESIDENT—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

Senate File No. 214, a bill for an act to legalize certain orders for special terms of court, and the proceedings therein.

Senate File No. 40, a bill for an act to amend section 521 of the Code, title 4, chapter 10, of cities and incorporated towns.

Senate File No. 5, a bill for an act for the relief of Joseph Bone.

M. N. JOHNSON, *Chairman*.

Senate File No. 157, a bill for an act to repeal section 3327, chapter 4, of the Code, and to enact the following as a substitute therefor, relating to the satisfaction of mortgages, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

House File No. 184, a bill for an act to amend section 798, of title 6, chapter 1, of the Code, relating to exemptions for planting and cultivating forest trees, with report of committee recommending amendments, was taken up and considered.

Senator Dashiell moved to amend the amendment of the committee by leaving in the bill the words "on which the trees are grown." Adopted.

Senator Larrabee moved to amend by inserting at the end of section 1 the words "and section 799 is hereby repealed."

The motion was adopted.

On motion, the bill was recommitted to the Committee on Horticulture and Forestry.

Senators Clark and Nichols, of Guthrie, were excused till Tuesday morning.

House File No. 36, with report of committee recommending it do

pass, was taken up, considered, and, on motion of Senator Hartshorn, was passed on file.

Senate File No. 93, with report of committee recommending it do pass, was taken up, considered, and, on motion of Senator Stoneman, was passed on file.

Senate File No. 132, a bill for an act to repeal chapter 79 of the acts of the Sixteenth General Assembly, in relation to the sale of land and town lots for taxes, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

Senate File No. 172, was taken up, considered, and on motion of Senator Arnold was ordered passed on file.

House File No. 85, a bill for an act to repeal section 3751 of the Code, relating to depositions and to enact a substitute therefor, with report of committee recommending it do pass, was taken up and considered.

Senator Wright moved that the eleventh 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 Arnold, Blackman, Bronson, Chase, Dashiell, Dwelle, Ford, Gilmore, Haines, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Maginnis, Patterson, Rumples, Shelley, Stoneman, Teale, Webb, Wilson, Woolson, Wright, and Young—34.

The nays were:

Senators Foster, and Meyer—2.

Absent or not voting:

Senators Bestow, Carr, Clark, Dows, Gallup, Graham, Ham, Madson, Merrell, Miller, Nichols of Benton, Nichols of Guthrie, Russell, and Wonn—14.

So the bill passed and the title was agreed to.

House File No. 73, with report of committee recommending indefinite postponement, was taken up, and on motion of Senator Stoneman, was recommitted.

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

MR. PRESIDENT—The Committee on Enrolled Bills, respectfully report that they have this day presented to the Governor for his approval, the following bills, to-wit:

House File No. 56, a bill for an act to repeal section 4420 of chapter 27, title 25 of the Code, relating to the trial of an issue of fact in an indictment, and enacting a substitute in lieu thereof.

House File No. 82, a bill for an act to legalize the incorporation of the town of Colfax, Jasper county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

House File No. 170, a bill for an act to legalize Independent District No. 7, of Dayton township, in Chickasaw county, Iowa.

House File No. 185, a bill for an act to legalize the incorporation of the town of Ossian, in Winneshiek county, Iowa, its ordinances, and the acts of its officers thereunder.

M. N. JOHNSON, *Chairman.*

Senator Haines moved that when the Senate adjourn, to-day, it be until Monday, at 2 o'clock, p. m.

Senator McCoid moved to amend by adjourning until 9:30 o'clock, Tuesday morning.

The motion did not prevail.

The motion of Senator Haines then prevailed.

Senate File No. 180, a bill for an act to authorize clerks of courts to enter up judgments in certain cases, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 196, a bill for an act to legalize conveyances by executors in other states and conveyances executed in other states, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

Joint resolution relative to furnishing Supreme Court Reports to Ida county, with report of committee recommending indefinite postponement was taken up, considered, and report of committee was adopted.

Senate File No. 41, a bill for an act to amend chapter 39, of the public acts of the Fifteenth General Assembly, in relation to dividing counties into supervisors' districts, with report of committee recommending amendments was taken up, considered, and the report of the committee was adopted.

Senator Hartshorn moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Bronson, Chase, Dwelle, Ford, Foster, Gilmore, Hanna, Harmon, Hartshorn, Hemenway, Johnson, Kimball, Lawrence, McCoid, Maginnis, Nichols of Guthrie, Patterson, Rumble, Shelley, Stoneman, Wilson, Woolson, Wright, and Young—26.

The nays were:

Senators Dashiell, Harned, Hebard, Larrabee, Lewellen, Meyer, Teale, and Webb—8.

Absent or not voting :

Senators Bestow, Carr, Clark, Dows, Gallup, Graham, Haines, Ham, Kinne, McCormack, Madson, Merrell, Miller, Nichols of Benton, Russell, and Wonn—16.

So the bill passed and the title was agreed to.

The Secretary was excused till Tuesday morning.

Senate File No. 206, with report of committee recommending a substitute was taken up, considered, and the report of the committee was adopted, and the substitute ordered printed and passed on file.

ENROLLED BILLS.

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

MR. PRESIDENT—The Committee on Enrolled Bills, ask leave to report that they have examined the following bill, and find the same correctly enrolled:

House File No. 287, a bill for an act to amend sections 1 and 2, of

chapter 33, of the laws of the Sixteenth General Assembly, in relation to the election of certain officers in cities of the first class, and to revive that portion of section 534 of the Code thereby repealed.

M. N. JOHNSON, *Chairman*.

On motion of Senator Chase, the Senate at 11:50, A. M., adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 25, 1878. }

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

Journal of Saturday read and approved.

PETITIONS AND MEMORIALS.

By Senator Blackman : Two petitions from citizens of Iowa against the repeal of the wine and beer clause.

Referred to Committee on Suppression of Intemperance.

Also petition from John A. Wright, *et al.*, asking a law in relation to bridges on or near county lines.

Referred to Committee on Highways.

By Senator Graham : A proposition from C. B. Lake, proposing to officially cure hog cholera.

Referred to Committee on Agriculture.

By Senator Kimball : Resolutions favoring the bestowal of the 43d parallel land grant upon the Milwaukee & St. Paul R. R. Co.

Referred to Committee on Railroads.

REPORT OF COMMITTEES.

Senator Hebard, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—The Committee on Claims, to whom was referred Senate File No. 234, a bill for an act making appropriations for the payment of certain military companies, and expenses of same, called out during the threatened riots in the summer, 1877, report that the vouchers covering the various amounts, for which provision is made in the accompanying bill, have been examined and approved. Your committee, while recommending the passage of the bill, would further say that in their opinion the men who responded so promptly, when called upon to support law and order, and quell dangerous riots, are entitled not only to pecuniary compensation, but to the gratitude of the community at large, for their ready and willing devotion to duty.

A. HEBARD, *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. 170, a bill for an act to amend section 463, chapter 24, of the acts of the Sixteenth General Assembly, 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 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 Senate File No. 208, a bill for an act to define the rights of creditors under chattel mortgages of stocks in trade, beg leave to report that 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 Senate File No. 195, a bill for an act for the protection of cemeteries in the State of Iowa, beg leave to report that they have had the same under consideration, have instructed me to report the same back to the Senate, with the recommendation that it be amended by striking out the word "organized," in line 2, section 1, line 2, section 2, and line 2, section 3; insert after the word "power," in line 3, the words "subject to the by-laws and regulations of said cemetery;" insert after word "cemetery," in line 8, section 2, the following: "or shall injure or deface any fence, ornament, or monument in any private cemetery," and when so amended, it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 83, a bill for an act to repeal section 4421 of the Code of Iowa, relating to the introduction of witnesses in criminal cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 225, a bill for an act to amend section 2127, chapter 7, title 14, of the Code, relating to assignment of creditors, beg leave to report that they 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 Wilson, from the Committee on Engrossed bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills, respectfully report that they have examined Senate File No. 26, a bill for an act

to amend chapter 125, acts of the Sixteenth General Assembly, in relation to bonding county indebtedness, and find the same correctly engrossed.

WM. WILSON, *Chairman*.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred petition of E. J. Cozad, submitting certain proposed changes in 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 statement that the changes proposed are not advisable at this time, in the judgment of the committee, and the committee asks to be discharged from further consideration of the subject.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 193, a bill for an act to repeal sections 1862 and 1863 of the Code, and to enact the following in lieu thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 137, a bill for an act to amend sections 1802 and 1808 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 Schools, to whom was referred Senate File No. 147, a bill for an act to amend section 1717 of the Code of 1873, and authorizing the compromising of certain indebtedness due school districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 210, a bill for an act to exempt directors of common schools from poll tax and duties as 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 be amended by striking out the second section, and when so amended that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 186, a bill for an act to amend chapter 64, laws of the Sixteenth General Assembly, amending section 1793, providing for

the county superintendent as arbitrator in case of disagreement of the boards of directors, determining where children shall attend 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 after the words "county superintendent," in seventh line of section 1, the words, "of the county where said pupil resides"; and also by inserting between the words, "said" and "district," in said seventh line, the word "adjoining"; and when so amended that it do pass.

JNO. S. WOOLSON, *Chairman.*

Ordered passed on file.

Senator Patterson was excused until Tuesday morning.

BILLS ON THIRD READING.

Senate File No. 192, a bill for an act to legalize the incorporation of the Chester Dairy Association in Poweshiek county, was taken up and read a third time.

On the question, shall the bill pass? the yeas and nays were as follows:

The yeas were:

Senators Arnold, Blackman, Bronson, Chase, Dwelle, Foster, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lewellen, McCoid, McCormack, Maginnis, Meyer, Rumble, Stoneman, Teale, Webb, Wilson, Woolson, Wright, and Young—32.

The nays were—None.

Absent or not voting:

Senators Bestow, Carr, Clark, Dashiell, Dows, Ford, Gallup, Johnson, Lawrence, Madson, Merrell, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Shelley, and Wonn—18.

So the bill passed and the title was agreed to.

Senate File No. 28, a bill for an act to amend chapter 125, acts of the Sixteenth General Assembly, in relation to bonding county indebtedness, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Bronson, Chase, Dwelle, Gilmore, Graham, Harmon, Kimball, Kinne, Lewellen, McCoid, McCormack, Meyer, Rumble, Webb, Woolson, and Wright—18.

The nays were:

Senators Foster, Haines, Ham, Hanna, Hartshorn, Hebard, Hemenway, Larrabee, Maginnis, Stoneman, Teale, Wilson, and Young—13.

Absent or not voting:

Senators Bestow, Carr, Clark, Dashiell, Dows, Ford, Gallup, Harned, Johnson, Lawrence, Madson, Merrell, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Shelley, and Wonn—19.

So the bill not having received a constitutional majority did not pass.

Senator Young moved to reconsider the vote by which the bill was lost.

The motion prevailed.

On motion of Senator Young the vote by which the bill was ordered engrossed, was reconsidered, and the bill was recommitted to the Committee on County and Township Organizations.

BILLS ON SECOND READING.

Senate File No. 234, was taken up, and on motion of Senator Arnold was ordered passed on file.

Senator Young moved to adjourn.

The motion did not prevail.

House File No. 42, was taken up, and, on motion of Senator Hartshorn, was ordered passed on file.

Senate File No. 202, a bill for an act to legalize the use of the dictionary index and its improvements for county and other public records, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

Senate File No. 207, was taken up, and on motion of Senator Rumble was passed on file.

Senate File No. 224, was taken up, considered, and, on motion of Senator Wright, was passed on file.

Senate File No. 195, a bill for an act for the protection of cemeteries in the State of Iowa, with report of committee recommending amendments was taken up, considered, and the report of the committee adopted.

Senator Stoneman moved to amend by striking out of 9th line, section 3, the words "on sight." Adopted.

Senator Ham moved to amend by inserting after word "mayor," the words "or a city."

The motion was adopted.

Senator Ham moved to amend by inserting after the word "*Register*" in 2d line of 4th section, the words "and Iowa State Leader," and to strike out the word "and" before "newspaper." Adopted.

Senator Haines moved to amend by striking out the words, "or both" in 11th line of section 2. Adopted.

Senator McCoid moved to amend by striking out "500," and inserting "100," in 10th line of section 2.

The motion prevailed.

Also, to strike out the words "according to the nature and aggravation of the offense," in 11th and 12th lines. Adopted.

Senator Haines moved to amend by striking out all after the word "acts" in 14th line, section 2.

The motion was lost.

On motion of Senator Chase, the bill was re-committed to the Judiciary Committee.

Senate File No. 174, was taken up, and, on motion of Senator Rumble, was passed on file.

House File No. 63, a bill for an act to amend section 6, chapter 70, of the acts of the Fifteenth General Assembly, in relation to the protection of wild grasses for meadows and other purposes, with report of committee recommending it do not pass was taken up, considered, and was lost on engrossment.

Senate File No. 115, was taken up, and, on motion of Senator Larabee, was passed on file.

Senator Kimball moved that the Senate do now adjourn.

On the adoption of the motion the yeas and nays were demanded, and the yeas were:

Senators Blackman, Bronson, Foster, Harmon, Hartshorn, Kimball,

Kinne, Lewellen, Maginnis, Meyer, Nichols of Benton, Teale, and Young—13.

The nays were:

Senators Arnold, Chase, Dwelle, Gilmore, Graham, Haines, Ham, Hanna, Harned, Hebard, Hemenway, Johnson, Larrabee, McCoid, McCormack, Rumble, Stoneman, Webb, Wilson, Woolson, and Wright—21.

Absent or not voting:

Senators Bestow, Carr, Clark, Dashiell, Dows, Ford, Gallup, Lawrence, Madson, Merrell, Miller, Nichols of Guthrie, Patterson, Russell, Shelley, and Wonn—16.

So the motion did not prevail.

Senate File No. 98, a bill for an act relating to cities organized and existing under special charters, chapter 116, acts of the Sixteenth General Assembly, with report of committee recommending indefinite postponement, was taken up, and the report of the committee was adopted.

Senate File No. 191, a bill for an act to amend chapter 61 of the public laws of the Fifteenth General Assembly, relating to the vacation of town plats, with report of committee recommending its indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 55, a bill for an act to resume and grant to the Dubuque Southwestern Railroad Company, certain lands heretofore conditionally granted to the Cedar Rapids & Missouri River Railroad Company, to aid in the building of a railroad between Marion and Cedar Rapids, in Linn county, Iowa, by an act approved March 26, 1860, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee adopted.

Senate File No. 162, a bill for an act to resume and grant to the Chicago, Bellevue, Cascade and Western Railroad Company, certain lands heretofore conditionally granted to the Cedar Rapids & Missouri River Railroad Company, to aid in the building of a railroad between Marion and Cedar Rapids, in Linn county, Iowa, by an act approved March 26, 1860, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate File No. 175, a bill for an act requiring licenses from solicitors of advertisements for papers, placards, or circulars, was taken up, considered, and passed on file.

Senate File No. 93 was taken up, considered, and, on motion of Senator Stoneman, was passed on file.

Senator Foster moved to adjourn; on the adoption of the motion the yeas and nays were demanded, and

The yeas were:

Senators Bronson, Chase, Foster, Gilmore, Hanna, Harmon, Harned, Hartshorn, Hebard, Johnson, Kinne, Lewellen, Nichols of Benton, Rumble, Stoneman, Teale, and Young—17.

The nays were:

Senators Arnold, Blackman, Graham, Haines, Ham, Hemenway, Kimball, Larrabee, McCoid, McCormack, Maginnis, Meyer, Miller, Webb, Wilson, Woolson, and Wright—17.

Absent or not voting:

Senators Bestow, Carr, Clark, Dashiell, Dows, Dwelle, Ford, Gallup

Lawrence, Madson, Merrell, Nichols of Guthrie, Patterson, Russell, Shelley, and Wonn—16.

The vote being a tie, the President voted yea, and the Senate adjourned at 3:12, P. M., until 9:30 to-morrow morning.

SENATE CHAMBER,
DES MOINES, IOWA, February 26, 1878. }

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

Prayer by the Rev. Mr. Cain.

Pending reading of the journal of yesterday, Senator Miller moved to suspend further reading. The motion did not prevail.

The journal was 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 has passed the following bills, in which the concurrence of the Senate is asked.

House File No. 160, a bill for an act to vest title in the heirs, devisees, or assignees of deceased patentees.

House File No. 252, a bill for an act to legalize the official acts of F. D. Lindsly, a justice of the peace in and for Benton county.

House File No. 269, a bill for an act to legalize the incorporation of the town of Stuart and its ordinances, and the acts of its officers thereunder.

House File No. 270, a bill for an act to amend section 921, title 7, chapter 1, of the Code, in relation to the width of roads in certain cases.

Substitute for House File No. 239, a bill for an act for the better protection of persons traveling on railways, and the punishment of offenders thereon.

House File No. 402, a bill for an act to amend section 1384, chapter 2, title 11, of the Code.

House File No. 417, a bill for an act to confer the tax voted in Whitebreast Township, Warren county, Iowa, June 10, 1876, upon the Chariton, Des Moines & Southern Railway Company.

House File No. 476, a bill for an act to legalize the organization of the Independent School District of Delta, Keokuk county, Iowa.

House File No. 348, a bill for an act to legalize an election held for the purpose of redistricting the township of Van Buren, in Keokuk county, Iowa, and to legalize the independent districts created in pursuance of the vote at said election.

House File No. 397, a bill to amend chapter 50, section 1, of the Twelfth General Assembly of the State of Iowa.

Also concurred in Senate amendments to print resolution relative to transportation of live stock.

House File No. 480, a bill for an act legalizing a certain mortgage deed made to the school fund of Washington county, Iowa.

House File No. 495, a bill for an act to repeal section 9, of chapter 71, of the laws of the Fifth General Assembly, in relation to the election of officers of the city of Knoxville.

House File No. 380, a bill for an act to amend section 2049, of chapter 1, title 14, of the Code, and fixing the weight of a bushel of charcoal.

Also, without amendment, substitute for Senate File No. 14.

A bill for an act to legalize and establish certain courts organized under chapter 143 of the laws of the Sixteenth General Assembly.

Senate File No. 37, a bill for an act to repeal sections 1060 and 1064 of the Code, relating to corporations for pecuniary profit, and enact substitutes in lieu therefor.

W. V. LUCAS, *Chief Clerk.*

Senator Merrell was excused on his own motion from serving on the committee to investigate the affairs of the Fort Madison Penitentiary.

PETITIONS AND MEMORIALS.

By Senator Meyer: A petition from the citizens of Jasper county, asking a revision of the law regulating the salary of State officials.

Referred to the Committee on Compensation of Public Officers.

Theo. Schreiner, door-keeper of the Senate, was excused for to-day.

By Senator Blackman: A remonstrance against the passage of a law regulating the practice of medicine.

Referred to Committee on Judiciary.

Also, a petition from the bar of Mitchell county in relation to an act changing the places of holding the supreme court.

Referred to Committee on Judiciary.

By Senator Merrell: A petition from the citizens of Clinton county, Iowa, asking a law regulating the practice of medicine.

Referred to special committee of five.

Also asking a law whereby court expenses may be lessened.

Referred to Committee on Jury Fees and Court Expenses.

By Senator Kimball: A petition from citizens of Howard county, Iowa, asking that the 43d parallel land grant be conferred upon the Chicago, Milwaukee & St. Paul R. R. Co.

Referred to Committee on Railways.

RESOLUTIONS.

Senator Shelley offered the following:

Resolved by the Senate, That 300 additional copies of the report of the Visiting Committee on the penitentiary at Fort Madison be printed for the use of the public. Also 300 copies additional of the report of the Committee on Public Buildings be printed for the same purpose.

The resolution did not prevail.

HOUSE MESSAGES.

House File No. 160, a bill for an act to vest title in the heirs, devisees or assignees of deceased patentees was taken up.

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

House File No. 252, a bill for an act to legalize the official acts of F. D. Lindsley, a justice of the peace in and for Benton county, was taken up.

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

House File No. 269, a bill for an act to legalize the incorporation of the town of Stuart, and its ordinances and the acts of its officers thereunder, was taken up.

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

House File No. 270, a bill for an act to amend section 921, title 7, chapter 1, of the Code, in relation to the width of roads in certain cases, was taken up.

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

House File No. 348, a bill for an act to legalize an election held for the purpose of redistricting the township of Van Buren, in Keokuk county, Iowa, and to legalize the independent districts created in pursuance of the vote at said election, was taken up.

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

House File No. 239, a bill for an act for the better protection of persons traveling on railroads, and the punishment of offenders thereon, was taken up.

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

House File No. 402, a bill for an act to amend section 1384, chapter 2, title 11, of the Code, was taken up.

Read first and second time, and referred to Committee on Hospital for Insane.

House File No. 417, a bill for an act to confer the tax voted in Whitebreast township, Warren county, Iowa, June 10, 1876, upon the Chariton, Des Moines & Southern Railroad Company, was taken up.

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

House File No. 495, a bill for an act to amend section 9, chapter 71, of the laws of the Fifth General Assembly, in relation to the election of officers of the city of Knoxville, was taken up, and read first and second time.

Senator McCormack moved to suspend the eleventh 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 Arnold, Bestow, Blackman, Bronson, Chase, Clark, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Patterson, Rumple, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, and Wright—46.

The nays were—None.

Absent or not voting:

Senators Carr, Dashiell, Nichols of Guthrie, and Young—4.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 287, a bill for an act to amend sections 1 and 2 of chapter 33, of the laws of the Sixteenth General Assembly in relation to the election of certain officers in certain cities of the first class.

BEN. VAN STEINBURG, *Assistant Clerk.*

The hour having arrived for the consideration of substitute for Senate File No. 18, and Senate File No. 75, Senator Hartshorn moved that substitute for Senate File No. 18, a bill for an act in relation to the lands granted to the State of Iowa by act of Congress, entitled "An act for a grant of lands to the State of Iowa, in alternate sections, to aid in the construction of a railroad in said State," approved May 12th, 1864, and to grant to and impose upon the Chicago, Milwaukee & St. Paul Railway Company, the powers and liabilities mentioned in chapter four (4), title 10, of the Code, be taken up and considered.

The motion prevailed.

The substitute reported by the committee was then adopted.

Senator Hartshorn moved to suspend the eleventh rule and read the bill 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 Arnold, Bestow, Blackman, Bronson, Chase, Clark, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—48.

The nays were—None.

Absent or not voting:

Senators Carr, and Dashiell—2.

So the bill passed and the title was agreed to.

Senate File No. 75 a bill for an act to provide for a Board of State Charities, and to define the duties of the same, was taken up and considered.

Senator McCoid moved to postpone the consideration five minutes. Lost.

On motion, further consideration of the bill was postponed.

House File No. 476, a bill for an act to legalize the organization of the independent school district of Delta, Keokuk county, Iowa, was taken up, and read first and second time.

Senator Harned moved that the eleventh rule be suspended, and the bill 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 Arnold, Bestow, Blackman, Bronson, Chase, Dows, Dwelle,

Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Woolson, Wright, and Young—46.

The nays were—None.

Absent or not voting:

Senators Carr, Clark, Dashiell, and Wonn—4.

So the bill passed and the title was agreed to.

The hour having arrived for the consideration of Joint Resolution No. 2, relative to amending the State Constitution, Senator Russell moved to postpone consideration until Wednesday, March 6, 1878, at 10 o'clock, A. M.

Senator Hartshorn moved to amend the joint resolution by striking out the word "one" in last line of the resolution, and inserting "two."

The motion prevailed.

The motion to postpone was then lost.

Senator Foster moved to amend by adding to the 1st resolution the following words: But before such prosecution the defendant shall be furnished with a copy of the information against him, upon which shall be indorsed the names of the witnesses to be called in behalf of the State.

Pending which, Senator Woolson moved to take up Senate File No. 75, and that the same be made a special order for Thursday next, at 10 o'clock, A. M.

The motion prevailed.

Senator Foster's amendment was then lost.

Pending further consideration of the joint resolution,

Senator Johnson, 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 in relation to the amount due from the United States to the State of Iowa on account of expenditures incurred growing out of the late war;

House File No. 170, a bill for an act to legalize Independent District number seven, of Dayton township, in Chickasaw county, Iowa;

House File No. 259, a bill for an act to amend the charters of all municipal corporations existing and acting under special charters not now having the powers herein granted, and conferring additional powers upon such cities;

And find the same correctly enrolled.

Also respectfully report that they have this day presented to the Governor for his approval House File No. 287, a bill for an act to amend sections 1 and 2 of chapter 33 of the laws of the Sixteenth General Assembly, in relation to the election of certain officers in certain cities of the first class, and to revive that portion of section 534 of the Code thereby repealed.

M. N. JOHNSON, *Chairman.*

The President announced to fill vacancy on the Investigating Committee Senator Bronson.

At 12, M., the President declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 27, 1878. }

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 bill without amendment:

Substitute for Senate File No. 18, a bill for an act in relation to the lands granted to the State of Iowa by act of Congress, entitled "An act for a grant of lands to the State of Iowa, in alternate sections, to aid in the construction of a railroad in said State," approved May 12, 1864, and to grant to and impose upon the Chicago, Milwaukee & St. Paul Railway Company the powers and liabilities mentioned in chapter 4, title 10, of the Code.

W. V. LUCAS, *Chief Clerk.*

PETITIONS AND MEMORIALS.

By Senator Wilson: A petition from citizens of Washington county that the wine and beer clause be repealed.

Referred to Committee on Suppression of Intemperance.

By Senator Harned: A petition from citizens of Lee county protesting against the re-enactment of the death penalty.

Referred to Committee on Judiciary.

By Senator Merrell: A petition from citizens of Clinton county asking a law for the suppression of noxious weeds.

Referred to Committee on Agriculture.

INTRODUCTION OF BILLS.

By Committee on Highways: Senate File No. 244, a bill for an act in relation to bridges on or near county lines.

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

By Committee on Highways: Senate File No. 245, a bill for an act to amend section 990, chapter 2, title 7, of the Code of 1873.

Read first and second time, and passed on file.

By Committee on Agriculture: Senate File No. 246, a bill for an act authorizing boards of supervisors to establish watering places along highways.

Read first and second time, and passed on file.

RESOLUTIONS.

Senate Hebard offered the following:

Be it resolved by the Senate, the House of Representatives concurring, That the Secretary of State is hereby directed to order of Mills & Co. 350 copies of the report of White's Geological Survey, and to deliver the same as soon as received to the officers and members of the Seventeenth General Assembly and the State officers for distribution; provided that the cost of such reports shall not exceed two dollars and fifty cents per volume.

Senator Woolson offered the following amendment:

Said distribution to be made of two copies thereof to each member of the Seventeenth General Assembly, and the copies remaining to be placed in the State Library for use and subsequent distribution.

Provided, The binding shall be at least equal in material and workmanship to the original issue.

The amendment was adopted.

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

The yeas were:

Senators Arnold, Dows, Ford, Ham, Hartshorn, Hebard, Kinne, Larrabee, Lawrence, Lewellen, Madson, Merrell, Patterson, Rumble, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, and Wright—21.

The nays were:

Senators Blackman, Chase, Dwelle, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harned, Hemenway, Kimball, McCoid, McCormack, Maginnis, Meyer, Miller, Nichols of Benton, Russell, Shelley, and Young—21.

Absent or not voting:

Senators Bestow, Bronson, Carr, Clark, Dashiell, Harmon, Nichols of Guthrie, and Johnson—8.

The vote being a tie, the President voted no, so the resolution did not prevail.

SPECIAL ORDER.

The hour having arrived for the consideration of special order, Senate File No. 182, a bill for an act to repeal section 3849 of the Code of Iowa, of 1873, and to enact a substitute therefor, and to restore capital punishment, it was taken up and considered.

Senator Wolson moved to strike out the first section of the bill.

On the adoption of the amendment, the yeas and nays were demanded, and

The yeas were—

Senators Arnold, Blackman, Carr, Dwelle, Ford, Foster, Hanna, Harmon, Hebard, Hemenway, Lawrence, Lewellen, McCormack, Maginnis, Miller, Nichols of Benton, Rumble, and Woolson—18.

The nays were—

Senators Chase, Dows, Gallup, Gilmore, Graham, Haines, Ham, Harned, Hartshorn, Johnson, Kimball, Kinne, Larrabee, McCoid, Madson, Merrell, Meyer, Patterson, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Wright, and Young—27.

Absent or not voting—

Senators Bestow, Bronson, Clark, Dashiell, and Nichols of Guthrie—5.
So the motion to strike out did not prevail.

Senator Arnold moved to amend by striking out the words, "hanging by the neck until he is dead," in the second line of section 8, and inserting the words, "decapitation by the guillotine."

Pending which,

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

MR. PRESIDENT—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled :

House File No. 85, a bill for an act to repeal section 3751 of the Code, relating to depositions, and to enact a substitute therefor.

Senate File No. 14, a bill for an act to legalize and establish certain courts organized under chapter 143 of the laws of the Sixteenth General Assembly.

Senate File No. 37, a bill for an act to repeal sections 1060 and 1064 of the Code, relating to corporations for pecuniary profit, and enact substitutes in lieu thereof.

Senate File No. 18, a bill for an act in relation to the lands granted to the State of Iowa by act of Congress, entitled "An act for a grant of lands to the State of Iowa, in alternate sections, to aid in the construction of a railroad in said State," approved May 12th, 1864, and to grant to and impose upon the Chicago, Milwaukee & St. Paul Railway Company the powers and liabilities mentioned in chapter four (4), title 10, of the Code.

M. N. JOHNSON, *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 :

Substitute for Senate File No. 18, a bill for an act in relation to the lands granted to the State of Iowa by act of Congress, entitled, "An act for a grant of lands to the State of Iowa, in alternate sections, to aid in the construction of a railroad in said State," approved May 12, 1864, and to grant to and impose upon the Chicago, Milwaukee & St. Paul Railway Company the powers and liabilities mentioned in chapter four (4), title 10, of the Code.

W. V. LUCAS, *Clerk.*

REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval substitute for Senate File No. 18, a bill for an act in relation to the lands granted to the State of Iowa, by act of Congress, entitled

"An act for a grant of lands to the State of Iowa, in alternate sections to aid in the construction of a railroad in said State," approved May 12, 1864, and to grant to and impose upon the Chicago, Milwaukee & St. Paul Railway Company the powers and liabilities mentioned in chapter four (4), title 10, of the Code.

M. N. JOHNSON, *Chairman*.

The consideration of Senate File No. 182 was resumed, pending which, Senator Rumble moved to take up Senate File No. 174, and that the same be referred to Committee on Appropriations.

The motion prevailed.

Senator McCoid moved that when the Senate adjourn, it be until 2:30 o'clock, this afternoon.

The motion prevailed.

On motion of Senator Arnold, the Senate at 11:59, A. M., adjourned.

AFTERNOON SESSION.

2:30 O'CLOCK, P. M.

The 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 herewith present for your signature the following bills and resolution, which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House:

Senate File No. 37, an act to repeal sections 1060 and 1064 of the Code, relating to corporations for pecuniary profit, &c.

Senate File No. 14, an act to legalize and establish certain courts organized under chapter 143 of the laws of the Sixteenth General Assembly.

House File No. 170, an act to legalize Independent District number seven, of Dayton township, in Chickasaw county, Iowa.

House File No. 85, an act to repeal section 3751 of the Code, relating to depositions, and to enact a substitute therefor.

House File No. 259, an act to amend the charters of all municipal corporations existing and acting under special charters, &c.

Joint Resolution in relation to the amount due from the United States to the State of Iowa, on account of expenditures incurred growing out of the late war.

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

The consideration of Senate File No. 182 was resumed.

The question being on the amendment offered by Senator Arnold, pending which

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

MR. PRESIDENT—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

Senate File No. 37, a bill for an act to repeal sections 1060 and 1064 of the Code, relating to corporations for pecuniary profit, and enact substitutes in lieu thereof.

Senate File No. 14, a bill for an act to legalize and establish certain courts organized under chapter 143 of the laws of the Sixteenth General Assembly.

Joint Resolution in relation to the amount due from the United States to the State of Iowa, on account of expenditures incurred growing out of the late war.

M. N. JOHNSON, *Chairman.*

Senator Meyer moved to make further consideration of Senate File No. 182, a special order for to-morrow, at 10 o'clock, A. M.

The motion was agreed to.

On motion of Senator Meyer, the Senate at 5:40 P. M., adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 28, 1878. }

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

Prayer by the Rev. Mr. Thorpe.

Pending the reading of the journal, Senator Arnold moved to suspend further reading.

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 has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 152, a bill for an act to repeal sections 489, 493 and 531, of chapter 10, title 4, of the Code, and enact a substitute therefor.

Substitute for House File No. 276, a bill for an act to legalize corporations for pecuniary profits, organized under the laws of Iowa.

House File No. 505, a bill for an act to legalize the incorporation of the town of Emmetsburg, in Palo Alto county, Iowa, the election of its officers and the acts done and ordinances passed by the council of said town.

Have also passed without amendment, Senate File No. 192, a bill for an act to legalize the incorporation of the Chester Dairy Association, in Poweshiek county.

W. V. LUCAS, *Clerk*.

On motion of Senator Arnold, Senate File No. 233, a bill for an act providing for payment of the expenses of the several committees to visit the State institutions, with report of committee recommending it do pass, was taken up and considered.

Senator Arnold moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Chase, Clark, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, and Wright—44.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, Dashiell, Dows, Nichols of Guthrie, and Young—6.

So the bill passed and the title was agreed to.

On motion of Senator Hebard, Senate File No. 234, a bill for an act to provide for the payment of certain expenses incurred during threatened riots in 1877, with report of committee recommending it do pass was taken up and considered.

Senator Arnold moved to amend by striking out \$1,139.15 in first section, and inserting \$1,326.91.

Senator Hartshorn moved to recommit the bill to the committee on Claims.

Senator Meyer moved to amend by instructing the Committee on Claims to consider the claims of the Newton military company for expenses in attending the funeral of the late Adjutant-General Baker.

Pending which the hour having arrived for the consideration of the special order, it being Senate File No. 182, Senator Woolson moved to postpone the special order ten minutes.

The motion prevailed.

The consideration of Senate File No. 234, was resumed.

Senator Teale offered the following substitute for Senator Meyer's amendment: "And that said committee include in the bill such claims only as arise from actual service of the militia in case of alarm, insurrection, invasion or war."

The substitute was adopted,

The motion to recommit with instructions then prevailed.

The hour having arrived for the special order, it being the consideration of Senate File No. 182, a bill for an act to repeal section 3849 of the Code of Iowa, and to enact a substitute therefor, and to restore capital punishment, which was under consideration at the hour of adjournment yesterday, was taken up.

The question being on the amendment offered by Senator Arnold, to strike out in the 2d line, section 8, the words "hanging by the neck until he is dead," and insert the words "decapitation by the guillotine."

Pending which,

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

MR. PRESIDENT—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly Enrolled:

House File No. 476, a bill for an act to legalize the organization of the independent school district of Delta, Keokuk county, Iowa.

House File No. 495, a bill for an act to amend section 9, of chapter 71 of the laws of the Fifth General Assembly, in relation to the election of officers of the city of Knoxville.

Senate File No. 192, a bill for an act to legalize the incorporation of the Chester Dairy Association in Poweshiek county.

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 bills, to-wit:

House File No. 170, a bill for an act to legalize Independent District number seven, of Dayton township, in Chickasaw county, Iowa.

House File No. 259, a bill for an act to amend the charter of all municipal corporations existing and acting under special charters not now having the powers herein granted, and conferring additional powers upon such cities.

House File No. 85, a bill for an act to repeal section 3751 of the Code, relating to depositions, and to enact a substitute therefor.

M. N. JOHNSON, *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:

Senate File No. 192, an act to legalize the incorporation of the Chester Dairy Association in Poweshiek county.

House File No. 495, an act to amend section 9, of chapter 71, of the laws of the Fifth General Assembly, in relation to the election of officers of the city of Knoxville.

House File No. 476, an act to legalize the organization of the Independent School District of Delta, Keokuk county, State of Iowa.

T. J. REIGART, *Second Assistant Clerk*.

The consideration of Senate File No. 182 was resumed, pending which Senator Woolson moved to postpone the hour of adjournment 30 minutes.

The motion prevailed.

Senator Woolson moved to take up Senate File No. 75, and make the same a special order immediately after the bill under consideration is disposed of.

Agreed to.

REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor, for his approval: Senate File No. 192, a bill for an act to legalize the incorporation of the Chester Dairy Association, in Poweshiek county.

M. N. JOHNSON, *Chairman*.

On motion the bill under consideration was made a special order for to-morrow morning at 10 o'clock, A. M.

On motion of Senator Stoneman, the Senate, at 12:18, P. M., adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 1, 1878. }

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.

PETITIONS AND MEMORIALS.

By Senator Larrabee: A petition from the produce commission of Chicago, asking a law to prevent and punish the fraudulent issue of bills of lading.

Referred to Committee on Commerce.

By Senator Madson: A petition asking a law authorizing counties to bond indebtedness in certain cases.

Referred to Committee on County and Township Organizations.

By Senator Carr: A petition from citizens of Cedar county, asking that no change be made in the present railroad tariff law.

Referred to Committee on Railways.

By Senator Kimball: A petition from the Cedar Valley Sabbath School Union, asking that the wine and beer clause be not repealed.

Referred to Committee on Suppression of Intemperance.

REPORT OF COMMITTEE.

By leave, Senator Hebard, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate File No. 234, a bill for an act appropriating money to defray the expenses incurred by reason of threatened riots during the summer

of 1877, beg 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 therefor, and recommendation that the substitute be adopted, and when so adopted that it do pass.

A. HEBARD, *Chairman.*

On motion of Senator Woolson the bill was taken up, considered, and the report of the committee adopted.

On motion of Senator Arnold the eleventh rule was suspended, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Carr, Chase, Clark, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hemenway, Johnson, Kimball, Larrabee, Lawrence, McCoid, McCormack, Maginnis, Merrell, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Woolson, Wright, and Young—40.

The nays were:

Senator Madson—1.

Absent or not voting:

Senators Bestow, Bronson, Dashiell, Foster, Hebard, Kinne, Lewellen, Miller, and Wonn—9.

So the bill passed and the title was agreed to.

INTRODUCTION OF BILLS.

By Committee on Retrenchment: Senate File No. 247, a bill for an act to amend sections 1384 and 1390 of the Code.

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

Also Senate File No. 248, a bill for an act to repeal section 12 of the Code and enact a substitute therefor.

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

Also Senate File No. 249, a bill for an act to repeal section 3761 of the Code and to provide a substitute therefor, and to fix the compensation of the adjutant-general.

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

HOUSE MESSAGES.

House File No. 397, a bill for an act to amend chapter 50, section 1, acts of the Twelfth General Assembly, was taken up.

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

House File No. 152, a bill for an act to repeal sections 489, 493 and 531, of chapter 10, title 4, of the Code, and to enact a substitute therefor, was taken up.

Read first and second time, and referred to Committee on Municipal Corporations.

Substitute for House File No. 276, a bill for an act to legalize corporations for pecuniary profit, organized under the laws of Iowa, was taken up.

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

House File No. 360, a bill for an act to amend section 2049, of chapter 1, title 14, of the Code, and fixing the weight of a bushel of charcoal, was taken up.

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

House File No. 505, a bill for an act to legalize the incorporation of the town of Emmetsburg, in Palo Alto county, Iowa, the election of its officers, and the acts done and ordinances passed by the council of said town, was taken up.

Read first and second time.

Senator Hartshorn moved a suspension of the eleventh rule, and that the bill be read a third time now.

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

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Carr, Chase, Clark, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Woolson, Wright, and Young—44.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, Dashiell, Hebard, Lewellen, and Wonn—6.

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES.

Senator Wonn, from the Committee on Horticulture and Forestry, submitted the following report:

MR. PRESIDENT—Your Committee on Horticulture and Forestry, to whom was referred Senate File No. 113, a bill for an act to provide for the appointment of a State Entomologist, and to define his 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 accompanying substitute, and recommend that the substitute be adopted, and when so adopted, it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Horticulture and Forestry, to whom was referred House File No. 184, a bill for an act to amend section 798 of title 6, chapter 1 of the Code, relating to exemptions for planting and cultivating forest trees, beg leave 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 recommend that the substitute be adopted, and when adopted, that it do pass.

H. A. Wonn, *Chairman*.

Ordered passed on file.

Senator Dwelle, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 242, a bill for an act to prevent dogs run-

ning at large upon the premises of persons who are not their owners, beg leave to report that 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 Agriculture, to whom was referred Senate File No. 145, a bill for an act in aid of the State Agricultural 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 the words "twenty-five" in second line and inserting "fifteen," and after the word "annually" insert the words "for two years only;" also, strike out publication clause, (section 2) and when so amended, it do pass.

DWELLE, *Chairman.*

Ordered passed on file.

Senator Carr, from the Committee on Normal Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Normal Schools, to whom was referred Senate File No. 140, a bill for an act making appropriation for maintenance of Normal School at Cedar Falls, beg leave to report that 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.

H. C. CARR, *Chairman.*

So referred.

Senator McCormack, from the Committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate File No. 186, a bill for an act to provide for the construction and maintenance of fish-ways, and to establish the office of Fish Warden, beg leave to report that they have had the same under consideration, and have instructed me to report a substitute therefor; and also have instructed me to ask that the substitute hereby submitted be referred to the judiciary committee, as the right of this legislature to compel persons now having dams erected over streams in this State, to build fish-ways, as contemplated in the substitute.

J. S. MCCORMACK, *Chairman.*

Ordered passed on file and substitute so referred.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred substitute for House File No. 158, a bill for an act to amend section 4117, title 25, chapter 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: Strike out of line two the words, "striking out all," and insert the word "inserting"; strike out of third line the words, "and enacting in lieu thereof"; and when so amended it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 129, a bill for an act amending section 3812, 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 accompanying substitute, and recommend that it be adopted, and when adopted that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 151, a bill for an act to amend chapter 1, title 4 of the Code of Iowa, in relation to the re-location of county seats, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 117, a bill for an act to repeal section 4421 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, for the reason that its substance is already embodied in a bill now before the Senate.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 269, a bill for an act to legalize the incorporation of the town of Stuart, and its ordinances, and the acts of its 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 do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 119, a bill for an act to enable the trustees of "The Protestant Methodist Church," of Iowa City, to transfer certain property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended, by striking out of section 1, the words, "towards the erection of a building for said church, for its use as a house of worship, or towards the founding of a public library at Iowa City," and insert the words, "as a donation to the State Historical Society," and when so amended, it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 153, a bill for an act authorizing counties, in case of locating or re-locating county seats, to receive donations of courthouse, grounds, or other public 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.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 66, a bill for an act to repeal section 902 of the Code, and 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 be amended as follows: By adding to section 1, the following, “and, *provided further*, That the foregoing provisions of this section shall not apply where the patent title owner, or those under whom he claims, have been in the actual occupation and possession of the land for a period of five years from and after the execution and recording of the treasurer’s deed; and *provided further*, That the foregoing provisions of this section shall not apply when the real property sold was not subject to taxation for the year or years for which such tax was levied,” and when so amended, it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File, No. 16, a bill for an act to protect judgment debtors, beg leave to report that they 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. 223, a bill for an act to legalize the organization and acts of “The Central Block Association, of Webster City, 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 Senate File No. 167, a bill for an act to vest title in the heirs, devisees, or assignees of deceased patentees, beg leave to report that 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, for the reason that a House bill of a similar nature is now before the Senate.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 160, a bill for an act to vest title in the heirs, devisees, or assignees of deceased patentees, beg leave to report that they 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 House File No. 248, a bill for an act to legalize an election held for the purpose of redistricting the township of Van Buren, in Keo-

kuk county, Iowa, and to legalize the independent districts created in pursuance of the vote at said election, beg leave to report that they 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 House File No. 374, a bill for an act to legalize the official acts of T. E. Moore, a justice of the peace of Van Meter Township, Dallas 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 House File No. 417, a bill for an act to confer the tax voted in Whitebreast township, Warren county, Iowa, June 10, 1876, upon the Chariton, Des Moines & Southern Railroad Company, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 49, a bill for an act to amend chapter 145, of the acts of the Sixteenth General Assembly, in relation to taxing and the sale of public land for taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting the word "college" after the word "agricultural" in line three, section two; strike out all after the word "provided," in tenth line, section two, and insert the following: "that this section shall not in any manner affect or prejudice the rights of any person or party to any action, now pending, which was commenced prior to the 4th day of July, 1876," and that when so amended it do pass.

M. A. McCoid, *Chairman.*

Ordered passed on file.

Senator Foster, from the Committee on Municipal Corporations submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 173, a bill for an act to repeal section 829, chapter 1, title 6, 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 be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 171, a bill for an act to exempt certain lands situated within the limits of incorporated towns and cities from municipal 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.

Ordered passed on file.

Also the following :

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 185, a bill for an act to promote the collection of revenue in incorporated cities acting under 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 the clause herewith submitted be added as section 2, and that when so amended it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 199, a bill for an act in relation to claims and actions for damages against cities and towns in certain cases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

FOSTER, *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 Senate File No. 213, a bill for an act to amend section 1428, of the Code, beg leave to report that they have had the same under consideration, and have adopted the following as a substitute, and have instructed me to report the same back to the Senate with the recommendation that it be adopted and do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 230, a bill for an act to amend section 334, of chapter 4, title 4, of the Code, to limit the term 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 pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 239, a bill for an act to amend section 3791 of the Code of (1873) Iowa, more clearly defining the compensation of members of boards 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 Compensation of Public Officers.

So referred.

Also the following:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Joint Resolution, giving credit to Franklin county for funds claimed by the State which do not appear to have ever been col-

lected or received by the 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 Ways and Means, to whom was referred House File No. 425, a bill for an act appropriating money to defray inauguration expenses, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Senators Arnold, Johnson, and Lewellen were excused until Tuesday morning.

Senator Lawrence reported back sundry petitions, and recommended their reference to the Committee on Constitutional Amendments.

So referred.

Senator Blackman, from the committee to visit and report upon the condition of the Boys' Department of the Reform School, submitted a report, which was ordered printed and passed on file.

The hour having arrived for the consideration of Senate File No. 182, a bill for an act to repeal section 3849 of the Code of Iowa of 1873, and to enact a substitute therefor, and to restore capital punishment, it was taken up.

The question being on the amendment of Senator Arnold, the yeas and nays were demanded, and

The yeas were:

Senators Arnold, Hebard, Rumple, and Woolson—4.

The nays were:

Senators Blackman, Carr, Chase, Clark, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Wright, and Young—43.

Absent or not voting:

Senators Bestow, Bronson, and Dashiell—3.

So the amendment was not agreed to.

Senator Larrabee moved to suspend the eleventh rule and read the bill a third time now.

Pending which, the following message was received from the House:

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

House File No. 17, a bill for an act relating to contracts with certain public officers.

House File No. 163, a bill for an act entitled an act to prevent the spread of contagious diseases in public schools of the State of Iowa.

House File No. 451, a bill for an act to legalize certain tax sales in Fremont county.

W. V. LUCAS, *Clerk.*

The question being on the motion to suspended the eleventh rule, it prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Chase, Clark, Dows, Gallup, Gilmore, Graham, Haines, Ham, Harned, Hartshorn, Johnson, Kimball, Kinne, Larrabee, McCoid, Madison, Merrell, Meyer, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Webb, Wilson, Wonn, Wright, and Young—28.

The nays were:

Senators Arnold, Blackman, Carr, Dwelle, Ford, Foster, Hanna, Harmon, Hebard, Hemenway, Lawrence, Lewellen, McCormack, Maginnis, Miller, Nichols of Benton, Rumble, Teale, and Woolson—19.

Absent or not voting:

Senators Bestow, Bronson, and Dashiell—3.

Senator McCoid moved to amend the title by adding the words, "and repealing all acts inconsistent herewith."

The motion prevailed.

So the bill passed and the title was agreed to.

ENROLLED BILLS.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to wit:

House File No. 476, an act to legalize the organization of the Independent School District of Delta, Keokuk county, Iowa.

House File No. 495, an act to amend section 9, of chapter 71, of the laws of the Fifth General Assembly, in relation to the election of officers of the city of Knoxville.

M. N. JOHNSON, *Chairman*.

On motion of Senator Woolson, Senate File No. 75 was taken up and made a special order for Tuesday next, at 10 o'clock, A. M.

Senator Kimball was excused.

Senator Hartshorn moved that when the Senate adjourn, it be until 2 o'clock this P. M.

The motion did not prevail.

Senator Larrabee moved to reconsider the vote by which Senate File No. 182 passed the Senate, and then moved to lay that motion on the table.

On the adoption of the motion to lay on the table the yeas and nays were demanded, and

The yeas were:

Senators Chase, Clark, Dows, Gallup, Gilmore, Graham, Haines, Ham, Harned, Hartshorn, Johnson, Kimball, Kinne, Larrabee, McCoid, Madison, Merrell, Meyer, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Teale, Webb, Wonn, Wright, and Young—28.

The nays were:

Senators Blackman, Carr, Dwelle, Ford, Foster, Hanna, Harmon, Hebard, Hemenway, Lawrence, Lewellen, McCormack, Maginnis, Miller, Nichols of Benton, Rumble, and Woolson—17.

Absent or not voting :

Senators Arnold, Bestow, Bronson, Dashiell, and Wilson—5.

So the motion to lay upon the table was agreed to.

Senator Gilmore moved that when the Senate adjourn it be until 2 o'clock, P. M., next Monday.

The motion was not agreed to.

On motion of Senator Hanna, Senate File No. 19, was made a special order, to immediately follow the consideration of Senate File No. 75.

At 12, M., the President declared the Senate adjourned.

SENATE CHAMBER, }
Des Moines, Iowa, March 2, 1878. }

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

Prayer by the Rev. W. J. Gill.

Journal of yesterday was read and approved.

HOUSE MESSAGES.

House File No. 163, a bill for an act entitled an act to prevent the spreading of contagious diseases in public schools of the State of Iowa, was taken up.

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

House File No. 17, a bill for an act relating to contracts with certain public officers was taken up.

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

House File No. 451, a bill for an act to legalize certain tax sales in Fremont county, was taken up.

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

REPORT OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred substitute for House File No. 480, a bill for an act legalizing a certain mortgage deed made to the school fund of Washington county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 1, a bill for an act to authorize cities and towns to procure the right-of-way for persons, animals and vehicles, over

railroad bridges across the Mississippi and Missouri rivers, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be referred back to the Committee on Municipal Corporations; that it is the opinion of your committee, that there are legal objections to the passage of the bill, in this: that the subject is within the scope of congressional legislation, under the United States constitution and the present acts of Congress in relation to it; and that under the peculiar circumstances of this case, the property is not subject to condemnation under the power of eminent domain. On the subject of the policy of such legislation, the committee do not express an opinion, but leave that question to the committee to which the bill was originally referred.

So referred.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred substitute for House File No. 276, a bill for an act to legalize corporations for pecuniary profit, organized under the laws of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. N. W. RUMPLE, *Chairman*.

Ordered passed on file.

Senator Dows, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred Senate resolution relative to the removal of the Deaf and Dumb Asylum to Des Moines, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, as your committee have received no proposals on the subject from the citizens of Des Moines.

S. L. DOWS, *Chairman*.

Ordered passed on file.

BILLS ON SECOND READING.

Senate File No. 137, a bill for an act to amend sections 1802 and 1808, of the Code of Iowa, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and, on motion of Senator Blackman, the bill was recommitted to the Committee on Schools.

Substitute for Senate File No. 115, a bill for an act to amend section 6, of chapter 116, laws of the Sixteenth General Assembly, the same being "An act relating to cities organized and existing under special charters," conferring additional powers, and amending the charters of such cities, (additional to the Code: chapter 10, title 4, of cities and incorporated towns), was taken up, with the report of committee recommending a substitute, and the substitute adopted.

Senator Shelley moved that the eleventh 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 Blackman, Carr, Clark, Dows, Dwelle, Ford, Foster, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kinne, Larrabee, Lawrence, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Patterson, Rumble, Russell, Shelley, Stoneman, Webb, Wonn, Woolson, Wright, and Young—34.

The nays were—None.

Absent or not voting:

Senators Arnold, Bestow, Bronson, Chase, Dashiell, Gallup, Gilmore, Graham, Johnson, Kimball, Lewellen, McCoid, Nichols of Benton, Nichols of Guthrie, Teale, and Wilson—16.

So the bill passed and the title was agreed to.

Senators McCoid, Nichols of Benton, Teale, Graham, and Gilmore were excused until next Tuesday morning. Senator Chase was excused until next Tuesday morning.

Senate File No. 231, a bill for an act granting to the Burlington, Cedar Rapids & Northern Railway Company, of Iowa, certain lands heretofore granted to the McGregor & Missouri River Railroad Company, and afterwards resumed to the State by the G. A., was taken up, considered, and on motion of Senator Rumble, was indefinitely postponed.

Senate File No. 229, a bill for an act granting to the Des Moines & Minneapolis Railroad Company, of Iowa, certain lands heretofore granted to the McGregor & Missouri River Railroad Company, and afterwards resumed to the State by the General Assembly, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate File No. 172, a bill for an act to establish a central station of the Iowa Weather Service, and for the appointment of a director thereof, with report of committee recommending it do pass, was taken up, considered, and, on motion of Senator Woolson, it was ordered passed on file.

House File No. 36, a bill for an act to provide for the destruction of grasshoppers and their eggs, with report of committee recommending it do pass, was taken up, considered, and, on motion of Senator Larrabee, further consideration of the bill was postponed until next Tuesday.

Senate File No. 240, a bill for an act for the relief James and A. P. Wickham, contractors for the erection of the west lateral wing of the deaf and dumb asylum at Council Bluffs, and making appropriation therefor, reported by the Committee on Claims, was taken up, considered, and, on motion of Senator Hebard, it was ordered passed on file.

Joint Resolution, proposing to amend section one (1) of article two (2), and section four (4) of article three (3), of the Constitution of the State of Iowa, was taken up and considered.

Senator Meyer moved to make it a special order for Wednesday at 10 o'clock. A. M., and that it be printed.

Senator Rumble moved that it be printed, and referred to Committee on Constitutional Amendments, which motion prevailed.

By leave, Senator Merrell, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT—Your Committee on Public Lands, to whom was referred Senate File No. 158, a bill for an act to legalize the sale of certain school lands in Allamakee 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.

N. A. MERRELL, *Chairman*.

Ordered passed on file.

Senate File No. 206, a bill for an act to amend section 1799 of the Code, relating to the change of township lines, with report of committee recommending a substitute, was taken up, considered, and, on motion of Senator Rumble, it was recommitted to the Committee on County and Township Organizations.

Senate File No. 100, a bill for an act to provide for a township treasurer to receive and disburse school funds in lieu of treasurers for each school board, with report of committee recommending it do pass, was taken up, considered, and, on motion of Senator Harned, it was recommitted to Committee on Schools.

Senate File No. 35, a bill for an act to amend sections 1774 and 1776, of the Code of 1873, prescribing the duties of county superintendent and fixing the salary of such officer, with report of committee recommending it do not pass, was taken up, considered, and on motion of Senator Rumble was indefinitely postponed.

House File No. 61, a bill for an act to amend section 3588 of the Code, relating to appeals from justices of the peace, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate File No. 211, a bill for an act authorizing the establishment of a depository in the city of Des Moines for the collection of drafts, checks and certificates of deposit received by the treasurer of State in payment of State dues, reported by Committee on Ways and Means, was taken up, considered, and, on motion of Senator Hanna, the bill was amended, by striking out the words "in payment," where they occur, and inserting the words "on account," in lieu thereof.

Senator Hanna also moved to amend, by inserting after the word "bondsmen," in line 2, of section 4, the words "or any county treasurer or his bondsmen," which motion prevailed.

Senator Larrabee moved that the eleventh rule be suspended, and the bill 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 Carr, Clark, Dows, Dwelle, Ford, Foster, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kiune, Larrabee, Lawrence, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Patterson, Rumble, Russell, Shelley, Stoneman, Webb, Woun, Woolson, Wright, and Young—33.

The nays were:

Senator Chase—1.

Absent or not voting:

Senators Arnold, Bestow, Blackman, Bronson, Dashiell, Gallup, Gil-

more, Graham, Johnson, Kimball, Lewellen, McCoid, Nichols of Benton, Nichols of Guthrie, Teale, and Wilson—16.

So the bill passed and the title was amended by inserting after the word "depository," in first line, the words "or depositories," and striking out the words "in payment," in third line, and inserting the words "on account," in lieu thereof.

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 has passed the following resolutions, in which the concurrence of the Senate is asked:

Joint Resolution proposing to amend sections 9, 10, 11, and 13, of the Constitution of Iowa.

Also, Joint Resolution proposing to amend section 9 of article 1 of the Constitution of the State of Iowa.

W. V. LUCAS, *Clerk.*

Senate File No. 158, a bill for an act to legalize the sale of certain school lands in Allamakee county, with report of committee recommending it do pass, was taken up and considered.

Senator Kinne moved that the eleventh rule be suspended, and the bill 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 Carr, Chase, Clark, Dwelle, Ford, Foster, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kinne, Larabee, Lawrence, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Patterson, Rumble, Russell, Shelley, Stoneman, Webb, Wonn, Woolson, Wright, and Young—33.

The nays were—None.

Absent or not voting:

Senators Arnold, Bestow, Blackman, Bronson, Dashiell, Dows, Gallup, Gilmore, Graham, Johnson, Kimball, Lewellen, McCoid, Nichols of Benton, Nichols of Guthrie, Teale, and Wilson—17.

So the bill passed and the title was agreed to.

House File No. 348, a bill for an act to legalize an election held for the purpose of re-districting the township of Van Buren, in Keokuk county, Iowa, and to legalize the independent districts created in pursuance of the vote at said election, with report of committee recommending that it do pass was taken up and considered.

Senator Harned moved that the eleventh rule be suspended, and the bill 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 Carr, Chase, Clark, Dwelle, Ford, Foster, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kinne, Larabee, Lawrence, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Patterson, Rumble, Russell, Shelley, Stoneman, Webb, Wonn, Wright, and Young—32.

The nays were—None.

Absent or not voting :

Senators Arnold, Bestow, Blackman, Bronson, Dashiell, Dows, Gallup, Gilmore, Graham, Johnson, Kimball, Lewellen, McCoid, Nichols of Benton, Nichols of Guthrie, Teale, Wilson, and Woolson—18.

So the bill passed and the title was agreed to.

Senate File No. 93, a bill for an act to amend chapter 123, of the laws of the Sixteenth General Assembly, relating to taxes in aid of railroads, which is entitled "an act to enable townships and incorporated towns and cities to aid in the construction of Railways, with report of committee recommending it do pass, was taken up, considered, and, on motion of Senator Stoneman, the bill was amended by striking out the words "said act," in 2d line of section 2, and inserting the words "chapter 123 of the laws of the Sixteenth General Assembly."

Also by striking out all after the word "bonds," in 3d line of section 3.

Also by adding as section 4: "This act being deemed of immediate importance shall take effect and be in force from and after its publication in the *Iowa State Leader* and *Iowa State Register*, newspapers published in Des Moines, Iowa.

Senator Stoneman moved that the eleventh rule be suspended, and the bill 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 Blackman, Carr, Chase, Clark, Dwelle, Ford, Foster, Haines, Ham, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Kinne, Larrabee, Lawrence, Madson, Maginnis, Merrell, Meyer, Miller, Patterson, Rumble, Russell, Shelley, Stoneman, Webb, Wonn, Wright, and Young—31.

The nays were:

Senator McCormack—1.

Absent or not voting:

Senators Arnold, Bestow, Bronson, Dashiell, Dows, Gallup, Gilmore, Graham, Harned, Johnson, Kimball, Lewellen, McCoid, Nichols of Benton, Nichols of Guthrie, Teale, Wilson, and Woolson—18.

So the bill passed and the title was agreed to.

Senate File No 175, a bill for an act requiring license from solicitors of advertisements for papers, posters, placards or circulars, with report of committee recommending its passage, was taken up, considered, and ordered engrossed.

Senate File No. 224, a bill for an act in relation to the time which pupils may be entitled to the privileges of the Deaf and Dumb Asylum, with report of committee recommending its passage, was taken up, considered, and, on motion of Senator Larrabee, was passed on file.

On motion of Senator Russell, Senate File No. 66, a bill for an act to repeal section 902 of the Code, and enact a substitute therefor, was taken up and ordered printed, with the amendments proposed by the committee.

Senate File No. 217, a bill for an act to repeal section 149, and enact

a substitute therefor, and to repeal the last paragraph of section 3771 of the Code of 1873, with report of committee recommending its passage was taken up and considered.

Senator Rumble moved that the eleventh rule be suspended, and the bill 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 Blackman, Carr, Chase, Clark, Dwelle, Ford, Haines, Ham, Hanna, Harmon, Hartshorn, Hemenway, Kinne, Larrabee, Lawrence, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Patterson, Rumble, Russell, Shelley, Stoneman, Webb, Wright, and Young—29.

The nays were:

Senator Foster—1.

Absent or not voting:

Senators Arnold, Bestow, Bronson, Dashiell, Dows, Gallup, Gilmore, Graham, Harned, Hebard, Johnson, Kimball, Lewellen, McCoid, Nichols of Benton, Nichols of Guthrie, Teale Wilson, Wonn, and Woolson—20.

So the bill passed and the title was agreed to.

House File No. 42, a bill for an act to amend section 1, chapter 39, of the acts of the Fifteenth General Assembly, reported back without recommendation was taken up, considered, and ordered passed on file.

House File No. 13, a bill for an act to amend section 3811, chapter 3, title 23 of the Code, and regulating fees of jurors, with report of committee recommending its passage was taken up, considered, and passed on file.

HOUSE MESSAGES.

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

Joint Resolution proposing to amend section 9, of article 3, of the Constitution of the State of Iowa, was taken up.

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

Joint Resolution proposing to amend sections 9, 10, 11, and 13 of the Constitution of the State of Iowa, was taken up.

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

On motion of Senator Woolson, one hundred copies of each of the above resolutions were ordered printed.

BILLS ON SECOND READING.

Senate File No. 170, a bill for an act to amend section 463, chapter 24, of the acts of the Sixteenth General Assembly, "of cities and incorporated towns," with report of committee recommending that it be indefinitely postponed was taken up, and the report of the committee was adopted.

Senate File No. 83, a bill for an act to repeal section 4421 of the Code of Iowa, relating to the introduction of witnesses in criminal cases, with report of committee recommending that it be indefinitely post-

poned, was taken up, considered, and the report of the committee adopted.

Senate File No. 225, a bill for an act to amend section 2127, chapter 7, title 14, of the Code, relating to assignment for creditors, with report of committee recommending amendments, was taken up, considered, and the report of the committee adopted.

The bill was then ordered engrossed.

Senate File No. 246, a bill for an act authorizing the board of supervisors to establish watering places along highways, was taken up, considered, and the bill ordered engrossed.

By leave, Senator Russell, from the Committee on Retrenchment, introduced Senate File No. 250, a bill for an act fixing the general support of the penitentiaries.

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

Also, Senate File No. 251, a bill for an act to repeal section 1580 of the Code, relating to fees of superintendent of public instruction, and to amend section 3760 of the Code, relating to compensation of deputy superintendent of public instruction.

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

Also, Senate File No. 252, a bill for an act to amend sections 1692 and 1693, of the Code.

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

Senator Rumble was excused until next Tuesday morning.

By leave, Senator Rumble, from the Committee on State University, submitted the following report:

MR. PRESIDENT—Your Committee on State University, to whom was referred Senate File No. 188, a bill for an act to authorize the establishment of a department of eclectic medicine as a part of the medical department of the State University, 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 without recommendation.

J. N. W. RUMBLE, *Chairman.*

Ordered passed on file.

Senate File, No. 208, a bill for an act to define the rights of creditors under chattel mortgages, of stocks in trade, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate File No. 244, a bill for an act in relation to bridges on or near county lines, was taken up, considered, and passed on file.

Senate File No. 108, a bill for an act to amend section 1288, of the Code, in relation to the liability of railway corporations for a failure to make proper cattle guards, was taken up, considered, and passed on file.

On motion of Senator Kinne, the petition of E. J. Cozad, asking a change in school laws, and the petition of William Boisen, on the same subject, were laid upon the table.

Senate File No. 193, a bill for an act to repeal section 1862, and section 1863, of the Code, and to enact the following in lieu thereof, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate File No. 147, a bill for an act to amend section 1717 of the Code of 1873, and authorizing the compromising of certain indebted-

ness due school districts, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee adopted.

Senate File No. 210, a bill for an act to exempt directors of common schools from poll-tax, and duties as jurors, with the report of committee recommending amendments, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Woolson, the bill was passed on file.

House File No. 186, a bill for an act to amend chapter 64, laws of the Sixteenth General Assembly, amending section 1793, providing for the county superintendent as arbitrator in case of disagreement of the boards of directors, determining where children shall attend school, with report of committee recommending amendments, was taken up, considered, and the report of the committee was adopted.

The bill was then ordered read a third time to-morrow.

On motion of Senator Larrabee, the Secretary was requested to classify local bills, and those unfavorably reported, and that they be acted upon on Monday.

Senate File No. 245, a bill for an act to amend section 990, chapter 2, title 7, of the Code of 1873, was taken up, considered and passed on file.

By leave Senator Larrabee, from the Committee on Ways and Means, introduced Senate File No. 253, a bill for an act in relation to revenue. Read first and second time, ordered printed, and passed on file.

Senator Carr moved to adjourn.

The motion was lost.

By leave Senator Harmon, 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 Senate File No. 26, a bill for an act to amend chapter 125, acts of the Sixteenth General Assembly, in relation to bonding county indebtedness, beg leave to report that 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 proviso in section 1 and adding the following as section 2 of said bill:

"Section 2. No county which has heretofore bonded its indebtedness shall avail itself of the provisions of this act until such indebtedness heretofore bonded is fully paid."

And that the publication clause be section 3 of said act, and that when so amended it do pass.

HARMON, *Chairman*.

Ordered passed on file.

Senate File No. 49, a bill for an act to amend chapter 145, of the acts of the Sixteenth General Assembly, in relation to taxing and the sale of public lands for taxes, with report of committee recommending amendments, was taken up, considered, and the report of the committee was adopted.

The bill was then ordered engrossed.

Senate File No. 151, a bill for act to amend chapter 1, title 4, of the Code of Iowa, in relation to the re-location of county seats, with report of committee recommending it be indefinitely postponed was taken up, considered, and the report of the committee was adopted.

Senate File No. 117, a bill for an act to repeal section 4421 of the Code, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate File No. 167, a bill for an act to vest title in heirs, devisees or assignees of deceased patentees, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Substitute for House File No. 158, a bill for an act to amend section 4117, title 25, chapter 4, of the Code, with report of committee recommending amendments, was taken up, considered and the report of the committee was adopted.

Senator Woolson moved that the eleventh rule be suspended, and the bill 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 and nays were as follows:

The yeas were:

Senators Blackman, Carr, Chase, Dows, Dwelle, Ford, Ham, Hanna, Harned, Hartshorn, Hebard, Hemenway, Kinne, Larrabee, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Patterson, Shelley, Webb, Wonn, Woolson, and Wright—26.

The nays were:

Senators Stoneman, and Young—2.

Absent or not voting:

Senators Arnold, Bestow, Bronson, Clark, Dashiell, Foster, Gallup, Gilmore, Graham, Haines, Harmon, Johnson, Kimball, Lawrence, Lewellen, McCoid, Nichols of Benton, Nichols of Guthrie, Rumple, Russell, Teale, and Wilson—28.

So the bill passed and the title was agreed to.

Senator Hartshorn moved that the Senate do now adjourn, which motion was lost.

House File No. 269, a bill for an act to legalize the incorporation of the town of Stuart and its ordinances, and the acts of its officers thereunder, with report of committee recommending that it do pass, was taken up and considered.

Senator Young moved that the eleventh rule be suspended, and the bill 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 Blackman, Carr, Chase, Dows, Dwelle, Ford, Foster, Ham, Hanna, Harmon, Harned, Hartshorn, Hemenway, Kinne, Larrabee, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Patterson, Shelley, Stoneman, Webb, Wonn, Woolson, Wright, and Young—29.

The nays were:

Senator Hebard—1.

Absent or not voting:

Senators Arnold, Bestow, Bronson, Clark, Dashiell, Gallup, Gilmore, Graham, Haines, Johnson, Kimball, Lawrence, Lewellen, McCoid, Nichols of Benton, Nichols of Guthrie, Rumple, Russell, Teale, and Wilson—20.

So the bill passed and the title was agreed to.

At 12, M., the Senate stood adjourned until 9:30, A. M., Monday.

SENATE CHAMBER,
DES MOINES, IOWA, March 4th, 1878. }

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

Prayer by the Rev. Dr. Murphy.

The Journal of Saturday read and approved.

PETITIONS AND MEMORIALS.

By Senator Dwelle: A petition from the Womans' Christian Temperance Union of Iowa, for protection from the legalized sale of all intoxicating beverages, including ale, beer, and native wine.

Referred to Committee on Suppression of Intemperance.

By Senator Hemenway: A petition from policy holders in Life Insurance companies, asking that the bill taxing such companies be not passed.

Referred to Committee on Insurance.

By Senator Harmon: A petition from citizens of Iowa, asking that the railroad tariff law be not repealed.

Referred to Committee on Railways.

Senator Larrabee moved a call of the Senate, which was ordered.

The Secretary proceeded to call the roll, and Senators Dows, Haines, Kinne, Meyer, Nichols of Guthrie, and Patterson, were found absent without leave.

On motion of Senator Larrabee, further proceedings under the call were dispensed with.

Senator Chase was excused until Monday week.

Senator Haines was excused until to-morrow.

RESOLUTION.

Senator Stoneman offered the following resolution, which was adopted:

Resolved by the Senate, the House of Representatives concurring, That the Committee of Investigation of affairs at the Penitentiary, at Fort Madison, be authorized to employ for said service an additional accountant, clerk, and sergeant-at-arms, if in their opinion the public interest requires said service, and that they make as full an investigation as possible, and report proceedings before the close of the present session of the legislature.

On motion of Senator Larrabee, local bills were taken up.

Senate File No. 119, a bill for an act to enable the trustees of the Protestant Methodist Church of Iowa City, to transfer certain property, with report of committee recommending amendments, was taken up, considered, and the report of the committee adopted.

Senator Larrabee moved that the eleventh 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 Blackman, Carr, Dashiell, Dwelle, Ford, Foster, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kinne, Larrabee, McCormack, Madson, Maginnis, Merrell, Miller, Shelley, Stoneman, Webb, Wonn, Woolson, Wright, and Young—27.

The nays were—None.

Absent or not voting:

Senators Arnold, Bestow, Bronson, Chase, Clark, Dows, Gallup, Gilmore, Graham, Haines, Johnson, Kimball, Lawrence, Lewellen, McCoid, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Teale, and Wilson—23.

So the bill passed and the title was agreed to.

Senator Russell was excused until to-morrow.

Senate File No. 223, a bill for an act to legalize the organization and acts of "The Central Block Association of Webster City, Iowa," with report of committee recommending it do pass, was taken up and considered.

Senator Carr moved that the eleventh rule be suspended, and the bill 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 Blackman, Carr, Dwelle, Ford, Foster, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kinne, Larrabee, McCormack, Madson, Maginnis, Merrell, Miller, Shelley, Stoneman, Webb, Wonn, Woolson, Wright, and Young—26.

The nays were—None.

Absent or not voting:

Senators Arnold, Bestow, Bronson, Chase, Clark, Dashiell, Dows, Gallup, Gilmore, Graham, Haines, Johnson, Kimball, Lawrence, Lewellen, McCoid, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Teale, and Wilson—24.

So the bill passed and the title was agreed to.

House File No. 374, a bill for an act to legalize the official acts of T. E. Moore, a justice of the peace of Van Meter township, Dallas county, Iowa, with report of committee recommending it do pass, was taken up and considered.

Senator Larrabee moved that the eleventh rule be suspended, and the bill 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 Blackman, Carr, Dashiell, Dwelle, Ford, Foster, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kinne, McCormack, Madson, Merrell, Miller, Shelley, Stoneman, Webb, Wonn, Wright and Young—24.

The nays were:

Senators Larrabee, Maginnis, and Woolson—3.

Absent or not voting:

Senators Arnold, Bestow, Bronson, Chase, Clark, Dows, Gallup, Gilmore, Graham, Haines, Johnson, Kimball, Lawrence, Lewellen, McCoid, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Teale, and Wilson—23.

So the bill, having failed to receive a constitutional majority, was lost.

Senator Larrabee moved to reconsider the vote by which the bill was lost, and to postpone further consideration of the motion until to-morrow.

Joint Resolution giving credit to Franklin county for funds claimed by the State which do not appear to have ever been collected or received by the county, with report of committee recommending its passage, was taken up and considered.

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

On the question, shall the joint resolution pass?

The yeas were—

Senators Blackman, Carr, Clark, Dwelle, Ford, Foster, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kinne, Larrabee, Lawrence, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Shelley, Stoneman, Webb, Wonn, Woolson, Wright, and Young—29.

The nays were—

Senator Dashiell—1.

Absent or not voting—

Senators Arnold, Bestow, Bronson, Chase, Dows, Gallup, Gilmore, Graham, Haines, Johnson, Kimball, Lewellen, McCoid, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Teale, and Wilson—20.

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 has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 510, a bill for an act to legalize the incorporation and ordinances of the town of Solon, Johnson county, Iowa.

Also without amendment:

Senate File No. 128, a bill for an act authorizing Sioux county, Iowa, to have made corrected Indexes and Record of Deed Record "A," from Woodbury county.

W. V. LUCAS, *Clerk.*

House File No. 417, a bill for an act to confer the tax voted in Whitebreast township, Warren county, Iowa, June 10, 1876, upon the Chariton, Des Moines & Southern Railroad Company, with report of committee recommending it do pass, was taken up, considered, and, on motion of Senator Hartshorn, was passed on file.

Substitute for House File No. 480, a bill for an act legalizing a cer-

tain mortgage deed made to the school fund of Washington county, with report of committee recommending that it do pass, was taken up, and considered.

Senator Woolson moved that the eleventh rule be suspended, and the bill 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 Blackman, Carr, Clark, Dashiell, Dwelle, Ford, Foster, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kinne, Larrabee, Lawrence, McCormack, Madson, Merrell, Meyer, Shelley, Stoneman, Webb, Wonn, Woolson, Wright, and Young—28.

The nays were:

Senator Miller—1.

Absent or not voting:

Senators Arnold, Bestow, Bronson, Chase, Dows, Gallup, Gilmore, Graham, Haines, Johnson, Kimball, Lewellen, McCoid, Maginnis Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Teale, and Wilson—21.

So the bill passed and the title was agreed to.

Senate File No. 242, a bill for an act to prevent dogs running at large upon the premises of persons who are not their owners, with report of committee recommending that it be indefinitely postponed, was taken up and considered.

On motion of Senator Dashiell, further consideration was postponed until Wednesday, March 6.

Senate file No. 199, a bill for an act in relation to claims and actions for damages, against cities and towns, in certain cases, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Hanna, the Secretary was requested to have Senate File No. 217 returned from the House.

Senate File No. 173, a bill for an act to repeal section 829, chapter 1, title 6, of the Code, and to enact a substitute therefor, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

House File No. 276, a bill for an act to legalize corporations for pecuniary profit, organized under the laws of Iowa, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate File No. 171, a bill for an act to exempt certain lands situated within the limits of incorporated towns and cities from municipal taxation, with report of committee recommending that it be indefinitely postponed was taken up, and, on motion of Senator Woolson, was passed on file.

Concurrent Resolution in relation to the Deaf and Dumb Asylum, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

By unanimous consent, Senator Stoneman introduced Senate File No. 254, a bill for an act to provide for the giving of the bond mentioned in an act entitled an act in relation to the lands granted to the State of Iowa, by an act of Congress entitled an act for a grant of lands to the

State of Iowa, in alternate sections to aid in the construction of a railroad in said State, approved, March 12, 1864, and to grant to, and impose upon the Chicago, Milwaukee & St. Paul Railway Company the powers and liabilities mentioned in chapter 4, title 10 of the Code.

Read first and second time.

Senator Stoneman moved that the eleventh rule be suspended, and the bill 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 Blackman, Carr, Dashiell, Dwelle, Foster, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kinne, Larrabee, Lawrence, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Shelley, Stoneman, Webb, Wonn, and Wright—26.

The nays were:

Senators Clark, Ford, and Woolson—3.

Absent or not voting:

Senators Arnold, Bestow, Bronson, Chase, Dows, Gallup, Gilmore, Graham, Haines, Johnson, Kimball, Lewellen, McCoid, Nichols of Guthrie, Nichols of Benton, Patterson, Rumble, Russell, Teale, Wilson, and Young—21.

So the bill passed and the title was agreed to.

By leave, Senator Webb introduced Senate File No. 255, a bill for an act to amend section 475, of the Code of 1873.

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

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

House File No. 510, a bill for an act to legalize the incorporation and ordinances of the town of Solon, Johnson county, Iowa.

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

BILLS ON SECOND READING.

Senate File No. 145, a bill for an act in aid of the State Agricultural Society, with report of committee recommending amendments was taken up, considered, and the report of the committee was adopted.

The bill was then passed on file.

Senate File No. 159, a bill for an act to repeal section 4386 of the Code, relating to expenses under change of venue in criminal cases and enact a substitute therefor, with report of committee recommending a substitute, was taken up, considered, and the report of the committee was adopted.

The bill was then ordered engrossed.

Senate File No. 153 was taken up, and, on motion of Senator Hartshorn, was passed on file.

Senate File No. 16, a bill for an act to protect judgment debtors, with report of committee recommending it do pass, was taken up and considered.

Senator Stoneman moved to amend by striking out the words "or his attorney" in section 2, first line.

The motion was adopted.

Senator Shelley moved to amend by striking out "30" and inserting "60" in second line of section 2. Agreed to.

On motion of Senator Stoneman the words "of record" were inserted after the word "attorney."

Senator Merrell moved that the eleventh rule be suspended, and the bill 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 Blackman, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kinne, Larrabee, Lawrence, McCormack, Madson, Maginnis, Merrell, Meyer, Shelley, Stoneman, Webb, Wonn, Woolson, and Wright—28.

The nays were:

Senators Carr, and Miller—2.

Absent or not voting:

Senators Arnold, Bestow, Bronson, Chase, Gallup, Gilmore, Graham, Haines, Johnson, Kimball, Lewellen, McCoid, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Teale, Wilson, and Young—20.

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 concurred in the resolution relative to appointing additional help in investigating the Fort Madison penitentiary.

Also return, as requested by the honorable Senate, Senate File No. 217, a bill for an act to repeal section 149 of the Code, and enact a substitute therefor.

W. V. LUCAS, *Clerk.*

Senator Hanna moved a reconsideration of the vote by which Senate File No. 217 passed the Senate on Saturday.

The motion prevailed.

On motion of Senator Hanna, the vote by which the eleventh rule was suspended was reconsidered.

Senator Foster moved the reference of the bill to the Judiciary Committee, which was agreed to.

Senate File No. 185, a bill for an act to promote the collection of revenue in incorporated cities acting under special charters, with report of committee recommending amendments, was taken up, considered, and the report of the committee adopted.

Senator Hanna moved that the eleventh rule be suspended, and the bill 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 Blackman, Carr, Clark, Dows, Dwelle, Ford, Foster, Graham, Hanna, Harned, Hartshorn, Hebard, Hemenway, Kinne, Larrabee, Lawrence, McCormack, Madson, Merrell, Meyer, Miller, Shelley, Stoneman, Webb, Wonn, Woolson, Wright, and Young—28.

The nays were:

Senator Ham—1.

Absent or not voting:

Senators Arnold, Bestow, Bronson, Chase, Dashiell, Gallup, Gilmore, Haines, Harmon, Johnson, Kimball, Lewellen, McCoid, Maginnis, Nichols of Benton, Nichols of Guthrie, Patterson, Rumple, Russell, Teale, and Wilson—21.

So the bill passed and the title was agreed to.

Senate File No. 213, a bill for an act to amend section 1428 of the Code, with report of committee recommending a substitute, was taken up, considered, and the report of the committee adopted, and the bill ordered engrossed.

Senate File No. 230, a bill for an act to amend section 334, chapter 4, title 4, of the Code, to limit the term of county treasurers, with report of committee recommending that it do pass, was taken up and considered.

Senator Larrabee moved that the eleventh rule be suspended, and the bill 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 Blackman, Carr, Clark, Dashiell, Dows, Dwelle, Ford, Graham, Ham, Hanna, Harmon, Harned, Hebard, Hemenway, Kinne, Larrabee, Lawrence, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Shelley, Stoneman, Webb, Wonn, Woolson, Wright, and Young—30.

The nays were:

Senators Foster and Hartshorn—2.

Absent or not voting:

Senators Arnold, Bestow, Bronson, Chase, Gallup, Gilmore, Haines, Johnson, Kimball, Lewellen, McCoid, Nichols of Benton, Nichols of Guthrie, Patterson, Rumple, Russell, Teale, and Wilson—18.

So the bill passed and the title was agreed to.

Senator Clark moved that the Senate do now adjourn, which motion was lost.

House File No. 160, a bill for an act to vest title in the heirs, devisees or assignees of deceased patentees, with report of committee recommending its passage, was taken up and considered.

Senator Merrell moved that the eleventh rule be suspended, and the bill 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 Blackman, Carr, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Graham, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kinne, Larrabee, Lawrence, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Shelley, Stoneman, Webb, Wonn, Woolson, Wright, and Young—32.

The nays were—None.

Absent or not voting:

Senators Arnold, Bestow, Bronson, Chase, Gallup, Gilmore, Haines, Johnson, Kimball, Lewellen, McCoid, Nichols of Benton, Nichols of Guthrie, Patterson, Rumple, Russell, Teale, and Wilson—18.

So the bill passed and the title was agreed to.

Senator Miller moved that the Senate do now adjourn, which motion was lost.

At 12, m., the President declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 5, 1878. }

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

Journal of yesterday's proceedings read and approved.

PETITIONS AND MEMORIALS.

By Senator Woolson : Petition from citizens of Henry county, asking for the passage of a law authorizing and providing for Macadamizing highways in certain cases.

Referred to Committee on Highways.

By Senator Arnold : Petition from the State Horticultural Society, asking a law establishing an experimental station in horticulture.

Referred to Committee on Appropriations.

INTRODUCTION OF BILLS.

By Committee on Agriculture : Senate File No. 256, a bill for an act to provide for opening drains to be constructed through two or more adjoining counties, amendatory of chapter 2, title 10, of the Code.

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

By the Committee on Claims : Senate File No. 257, a bill for an act making appropriations for the payment of Wm. R. Craig, contractor for the erection of the Deaf and Dumb Asylum at Council Bluffs, Iowa.

Read first and second time, and passed on file.

By Committee on Insurance : Senate File No. 258, a bill for an act to require fire insurance companies doing business in this State to cancel policies in certain cases.

Read first and second time, and passed on file.

By leave, Senator Woolson introduced Senate File No. 259, a bill for an act to prohibit and punish the sale of malt or vinous liquors within two miles of the corporate limits of any municipality which has prohibited or licensed the sale of said liquors within said corporate limits, or within two miles of where an election is held.

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

RESOLUTION.

Senator Dows offered the following :

WHEREAS, The lease of the property now occupied by the Girls' Department of the State Reform School expires in April next; and

WHEREAS, Said property cannot be again leased for a period of more than one year, hence it will devolve upon this General Assembly, to make some provision for the future of the institution ; and

WHEREAS, It has been found best in the history of reform schools, to keep the boys and girls' department some distance apart; therefore,

Be it resolved by the Senate, the House concurring, The Committees on Reform School of this General Assembly be and are hereby instructed to enquire into the expediency of purchasing the building known as the "Mitchell Seminary," at Mitchellville, Iowa, for the use of the Girls' Department of the State Reform School, and report the result of such enquiry to this Assembly as soon as possible, by bill or otherwise.

The resolution was adopted.

COMMUNICATIONS ON PRESIDENT'S TABLE.

The Secretary read a communication from B. C. Keeler, of Chicago, recommending that poisoning by the injection of concentrated Prussic acid into a vein near the heart, be substituted for the gallows, for murder in the first degree:

Referred to Committee on Suppression of Quackery—when appointed.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 128, an act authorizing Sioux county, Iowa, to have made corrected index and record of deed record "A," from Woodbury county.

House File No. 505, an act to legalize the incorporation of Emmetsburg, in Palo Alto county, the election of its officers, and the acts done and ordinances passed by the council of said town.

House File No. 289, an act to legalize the incorporation of the town of Stuart, and its ordinances, and the acts of its officers thereunder.

House File No. 348, an act to legalize an election held for the purpose of redistricting the township of Van Buren, Keokuk county, Iowa, and to legalize the independent districts created in pursuance of the vote at said election, and find the same correctly enrolled.

M. N. JOHNSON, *Chairman.*

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 237, a bill for an act to prevent the making and publication of false or deceptive statements in relation to the business of fire insurance, beg leave to report that 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, viz :

1st. That the words "in the United States," in the ninth line of section 1, be stricken out.

2d. That in the ninth line of section 2, after the word "insurance," the following words be inserted: "And shall also exhibit the amount of net surplus of assets over all liabilities in the United States actually available for the payment of losses by fire, and held in the United States for the protection of holders of their policies of fire insurance."

3d. That section 6 be stricken out, and that so amended it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 222, a bill for an act to amend section 1147, of the Code, relative to 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 not pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 159, a bill for an act to repeal section 1155 of the Code, and enact a substitute therefor, relating to the publication of certificates of 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 be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 160, a bill for an act to define investments of Life Insurance Companies, and amendatory of sections 1169 and 1179 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.

Ordered passed on file.

Also the following :

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 122, a bill for an act to repeal section 1160 of the Code of 1873, and to enact a substitute therefor, to require Mutual Insurance Companies to make annual 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 amended as follows, viz: 1st. That after the word "above" in the 23d line of the first section, the following be inserted: "But no foreign Life Insurance Company, Aid Society, or Association for the insurance of the lives of its members, and doing business on the assessment plan, shall be allowed to do business in this State unless it has a guaranteed capital of not less than \$100,000 in the State in which it is organized, and such companies shall pay the same fees for annual reports as are now paid by stock companies." 2d. That section two be stricken out, and that when so amended it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Senator Carr, from the Committee on Normal Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Normal Schools, to whom was referred Senate File No. 194, a bill for an act to establish and maintain a normal school at Le Mars, in the county of Plymouth, beg leave to report that 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 without further recommendation.

H. C. CARR, *Chairman*.

The bill was so referred.

Senator Dows, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred Senate Resolution, relating to the purchase of Mitchellville Seminary for the Asylum for Deaf and Dumb, beg leave to report that 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.

S. L. DOWS, *Chairman*.

Ordered passed on file.

Senator Harmon, from the Committee on County and Township Organization, submitted the following report:

MR. PRESIDENT—Your Committee on County and Township Organization, to whom was recommitted Senate File, No. 206, a bill for an act authorizing boards of supervisors to change the boundary lines of civil townships, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

HARMON, *Chairman*.

Ordered passed on file.

The hour having arrived for the consideration of Senate File No. 75, a bill for an act to provide for a board of State Charities, and to define the duties of the same, it was taken up.

The question being, on Senator Haines' motion, to strike out all after the word "visit," in the second line of section 9, to and inclusive of the word "visit," in the fourth line.

Pending which, the following message was received from the House:

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

House File No. 358, a bill for an act to provide for the construction and maintenance of county bridges on county line roads, when site of bridge is wholly within one or the other county.

Also Joint Resolution, relative to equalization of bounties of soldiers engaged in the war.

The House refused to concur in Senate Joint Resolution, relative to appointing a committee to inquire into the practicability of uniting the Deaf and Dumb Asylum with the Asylum for the Blind.

W. V. LUCAS, *Clerk*.

The consideration of Senate File No. 75, was resumed.

The question being on Senator Haines' amendment, it was lost.

Senator Stoneman moved to strike out of sixth line in section 9, the words "Hospital for the Insane."

The amendment was not agreed to.

Senator Woolson offered the following as a substitute for section 4:

"The resignation of a commissioner may be made to the Governor. In case of any vacancy occasioned by removal from the State, or death, or resignation, or non-acceptance of the office, the Governor shall immediately fill such vacancy, and all appointments made by the Governor, when the Senate is not in session, shall be valid until the next session of the Senate, when such appointment shall be at once submitted to the Senate for its action."

The substitute was adopted.

Senator Woolson moved to amend by inserting in first line of section 6, after the word "furnished," the words "by the Secretary of State." Agreed to.

Also, to strike out the word "first," in first line of section 7, and insert the word "last." Adopted.

Senator Merrell moved to indefinitely postpone the bill.

On motion of Senator Arnold, the hour of adjournment was postponed fifteen minutes.

On the adoption of Senator Merrell's motion, the yeas and nays were demanded, and

The yeas were:

Senators Clark, Gilmore, Graham, Haines, Ham, Harned, Hartshorn, Kinne, McCormack, Madson, Maginnis, Merrell, Meyer, Patterson, Shelley, Webb, Wilson, and Wonn—18.

The nays were:

Senators Arnold, Blackman, Carr, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Hanna, Harmon, Hebard, Hemenway, Johnson, Lawrence, Lewellen, Miller, Nichols of Benton, Rumple, Russell, Teale, Woolson, Wright, and Young—24.

Absent or not voting:

Senators Bestow, Bronson, Chase, Harmon, Kimball, Nichols of Guthrie, and Stoneman—8.

So the motion to postpone indefinitely did not prevail.

Senator Woolson moved that the bill be ordered engrossed and read a third time to-morrow.

On the adoption of the motion, the yeas and nays were demanded, and

The yeas were:

Senators Arnold, Blackman, Carr, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Hanna, Hebard, Hemenway, Johnson, Lawrence, Lewellen, Miller, Nichols of Benton, Rumple, Woolson, Wright, and Young—21.

The nays were:

Senators Clark, Gilmore, Graham, Haines, Ham, Harmon, Harned, Hartshorn, Kinne, McCormack, Madson, Maginnis, Merrell, Meyer, Patterson, Russell, Shelley, Teale, Webb, Wilson, and Wonn—21.

Absent or not voting:

Senators Bestow, Bronson, Chase, Kimball, Larrabee, McCoid, Nichols of Guthrie, and Stoneman—8.

The vote being a tie the President voted *yea*, so the motion to engross prevailed.

ENROLLED BILLS.

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

MR. PRESIDENT—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled :

House File No. 505, a bill for an act to legalize the incorporation of the town of Emmetsburg, in Palo Alto county, Iowa, the election of its officers, and the acts done and ordinances passed by the council of said town.

House File No. 296, a bill for an act to legalize the incorporation of the town of Stuart, and its ordinances and the acts of its officers thereunder.

House File No. 348, a bill for an act to legalize an election held for the purpose of re-districting the township of Van Buren, in Keokuk county, Iowa, and to legalize the independent districts created in pursuance of the vote of said election.

M. N. JOHNSON, *Chairman.*

Special order, Senate File No. 19, a bill for an act to amend section 3636, chapter 1, title 22 of the Code, so as to allow defendants in criminal actions to become witnesses in their own behalf, was taken up, and, on motion of Senator Hanna, was made a special order for to-morrow, at 10 o'clock, A. M.

Senator Merrell moved to reconsider the vote by which substitute for House File No. 276 was indefinitely postponed, and that the bill be re-committed to the Judiciary Committee.

The motion prevailed.

Senator Carr moved to adjourn. Lost.

On motion of Senator Teale, the Senate at 12 o'clock and 12 minutes, adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 6, 1878. }

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

Prayer by the Rev. Mr. Lucas.

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 has passed Senate File No. 73, with the following amendment:

After the word "house" in the last line strike out the word "to" and insert "as the board may deem necessary, not to exceed," in which the concurrence of the Senate is asked.

Also, Concurrent Resolution, relative to the adjournment of the Legislature, *sine die*, on the 21st of March, 1878.

W. V. LUCAS, *Clerk*.

PETITIONS AND MEMORIALS.

By Senator Harmon: Petition from citizens of Delaware county against the repeal of the railroad tariff law.

Referred to Committee on Railroads.

Also, petition from citizens of the same county in relation to manufactured butter.

Referred to Committee on Commerce.

By Senator Johnson: Petition from citizens of Winneshiek county protesting against the repeal of the railroad tariff law.

Referred to Committee on Railroads.

By Senator Blackman: A remonstrance against the passage of a law to regulate the practice of medicine.

Referred to Special Committee.

By Senator Lawrence: Petition from citizens of Cherokee county protesting against the repeal of the railroad tariff law.

Referred to Committee on Railways.

By Senator Kimball: Petition from citizens of Bremer county, Iowa, against the passage of a law to regulate the practice of medicine.

Referred to Special Committee.

By Senator Ham: Petition from citizens of Dubuque county, against the repeal of the railroad tariff law.

Referred to Committee on Railroads.

INTRODUCTION OF BILLS.

By Judiciary Committee: Senate File No. 260, a bill for an act amending section 209 of the Code, relating to admission of graduates of law department of the Iowa State University to practice as attorneys and counsellors.

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

By Committee on Highways: Senate File No. 261, a bill for an act to amend section 1466 of the Code, relating to strays.

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

By Committee on Retrenchment: Senate File No. 262, a bill for an act to regulate the per diem and mileage of trustees of State Institutions and regents of State University.

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

Also Senate File No. 263, a bill for an act to amend section 4171 of the Code, relating to fugitives from justice.

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

Also Senate File No. 264, a bill for an act to repeal section 4783 of the Code, and to enact a substitute therefor.

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

Also Senate File No. 265, a bill for an act relating to fees of justices of the peace in criminal cases.

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

RESOLUTION.

Senator Hebard introduced a joint resolution in relation to the International Prison Congress at Stockholm, Sweden.

Read first and second time.

On motion of Senator Hebard the eleventh rule was suspended and the joint resolution was read a third time now.

On the question, shall the joint resolution pass?

The yeas were:

Senators Arnold, Blackman, Carr, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCormack, Madson, Maginnis, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Woolson, and Wright—43.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, Chase, Merrell, McCoid, Wonn, and Young—7.

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

HOUSE MESSAGES.

Joint Resolution in relation to equalization of soldiers' bounties, was taken up.

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

House File No. 358, a bill for an act to provide for the construction and maintenance of county bridges, on county line roads, where site of bridge is wholly within one or the other county.

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

Concurrent resolution relative to final adjournment of the Legislature on the 21st of March, was taken up, and considered.

Senator Woolson, moved to amend by striking out the words "twenty-first," and inserting "twenty-eighth."

Senator Nichols, of Guthrie, moved to postpone further consideration of the resolution until next Tuesday.

On the adoption of the motion, the yeas and nays were demanded, and

The yeas were:

Senators Blackman, Dashiell, Ford, Haines, Ham, Harned, Hartshorn, Hemenway, Kimball, Lawrence, Lewellen, Merrell, Meyer, Miller, Nichols of Guthrie, Shelley, Stoneman, Webb, Wonn, and Woolson—20.

The nays were:

Senators Arnold, Carr, Dows, Dwelle, Foster, Gallup, Gilmore, Graham, Hanna, Harmon, Hebard, Johnson, Kinne, Larrabee, McCormack, Madson, Maginnis, Nichols of Benton, Patterson, Rumble, Russell, Wilson, Wright, and Young—24.

Absent or not voting:

Senators Bestow, Bronson, Chase, Clark, McCoid, and Teale—6.

So the motion to postpone did not prevail.

The President announced the arrival of the hour for the consideration of Senate File No. 19.

Senator Merrell moved to postpone the special order until the resolution under consideration is disposed of.

The motion prevailed.

Senator Woolson's motion to amend did not prevail.

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

The yeas were—

Senators Arnold, Blackman, Carr, Clark, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Hebard, Johnson, Kinne, Larrabee, Lewellen, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Patterson, Rumble, Russell, Shelley, Stoneman, Webb, Wilson, Wonn, Wright, and Young—37.

The nays were—

Senators Dashiell, Harned, Hartshorn, Hemenway, Kimball, Lawrence, Nichols of Guthrie, Teale, and Woolson—9.

Absent or not voting—

Senators Bestow, Bronson, Chase, and McCoid—4.

So the resolution was adopted.

Senator Larrabee moved to reconsider the vote by which the resolution passed.

Senator Foster moved to lay the motion on the table.

On this question the yeas and nays were demanded, and

The yeas were:

Senators Arnold, Blackman, Carr, Clark, Dwelle, Foster, Gallup, Gilmore, Graham, Hanna, Hartshorn, Johnson, Kinne, Lewellen, McCormack, Madson, Maginnis, and Nichols of Benton—18.

The nays were:

Senators Dashiell, Dows, Ford, Haines, Ham, Harmon, Harned, Hebard, Hemenway, Kimball, Larrabee, Lawrence, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—28.

Absent or not voting:

Senators Bestow, Bronson, Chase, and McCoid—4.

So the motion to table did not prevail.

Senator Larrabee moved to postpone consideration of the motion to reconsider, until the 20th inst.

On the adoption of this motion the yeas and nays were demanded, and

The yeas were:

Senators Arnold, Blackman, Dows, Ford, Foster, Gallup, Graham, Haines, Ham, Hanna, Harmon, Harned, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Lewellen, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Teale, Webb, Wonn, Woolson, Wright, and Young—35.

The nays were:

Senators Carr, Clark, Dashiell, Dwelle, Hartshorn, Johnson, McCormack, Madson, Stoneman, and Wilson—10.

Absent or not voting:

Senators Bestow, Bronson, Chase, Gilmore, and McCoid—5.

So the motion to postpone was adopted.

Senator Stoneman offered the following resolution, which was adopted:

Resolved, That the Committee on Appropriations be directed to prepare and present all appropriation bills, for the various State institutions, on or before the 13th day of March.

By leave, Senator Young presented a petition from citizens of Cass county, asking a repeal of the railroad tariff law.

Also, petitions from Adair and Guthrie counties on the same subject.

All referred to Committee on Railroads.

The hour having arrived for the consideration of substitute for Senate file No. 19, the bill was taken up and considered.

Senator Larrabee moved to suspend the eleventh rule and read the bill a third time now.

Senator Carr, moved to amend the bill by adding after the word "misdemeanor," in seventh line of section 1, "and the defendant shall for that cause alone be entitled to a new trial."

The amendment was adopted.

The motion to suspend the eleventh rule prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Carr, Clark, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCormack, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Shelley, Stoneman, Webb, Wilson, Woolson, and Wright—36.

The nays were:

Senators Dashiell, Foster, Harned, Madson, Rumble, Russell, and Teale—7.

Absent or not voting:

Senators Bestow, Bronson, Chase, Dows, McCoid, Young, and Wonn—7.

Senator Hanna offered the following substitute for the title of the bill:

A bill for an act in relation to evidence in criminal actions, amending sections 3636 and 4421, and repealing section 4237 and part of section 4556, of the Code.

The substitute was adopted.

So the bill passed and the title was agreed to.

By leave, the Committee on Judiciary introduced Senate File No. 266, a bill for an act to legalize instruments executed pursuant to chapter 107, title 17, Revision of 1860.

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

REPORT OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 4, a bill for an act to amend chapter 9, of the Code, in relation to fugitives from justice, beg leave to report that 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 Senate File No. 30, a bill for an act to repeal section 107, chapter 1, title 25, sections 4529 and 4530, chapter 35, title 25, of the Code, and to provide a substitute therefor; and to amend section 4528, chapter 35, title 25, 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 when adopted it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 243, a bill for an act providing for trials on copies of indictments in cases where the originals have been lost, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the accompanying substitute, with the recommendation that the substitute be adopted, and when adopted that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 127, a bill for an act to prohibit the sale of wine, beer and spirituous liquors within three miles of the Cedar Valley Seminary at Osage, 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, for the reason that it is unconstitutional.

J. N. W. RUMBLE, *Chairman*.

Ordered passed on file.

Senator Foster, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 215, a bill for an act to provide for the re-location of the limits of cities incorporated under 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 the substitute herewith is submitted for adoption, and when so adopted, it do pass.

Foster, *Chairman*.

Ordered passed on file.

Senator Webb, from the Committee on Commerce, submitted the following report:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred House File No. 360, a bill for an act to amend section 2049, of chapter 1, title 14, of the Code, and fixing the weight of a bushel of charcoal, beg leave to report that they 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. C. WEBB, *Chairman.*

Ordered passed on file.

Senator Hemenway called up Senate File No. 237, and moved that it be recommitted to the Committee on Insurance.

The motion was agreed to.

Senator Russell called up Senate File No. 251, a bill for an act to repeal section 1580 of the Code, relating to the fees of Superintendent of Public Instruction, and to amend section 3760 of the Code, relating to the compensation of Deputy Superintendent of Public Instruction.

Senator Russell moved to suspend the eleventh rule, and that the bill be read a third time now.

Senator Hemenway moved to strike out the second section.

Pending which Senator Merrell moved to postpone the hour of adjournment till the bill under consideration be disposed of.

The motion prevailed.

The motion to strike out section 2 did not prevail.

Senator Woolson offered the following substitute for the first section:

That section 1580 of the Code is hereby repealed and the following enacted in lieu thereof: "Section 1580. For the expense of traveling required by Section 1579 of this chapter, and visiting other associations, the superintendent shall receive \$350 per annum, or so much thereof as may be necessary, the same to be drawn on the affidavit of the superintendent, giving the items of traveling expenses for which the amount is drawn, for which warrants shall be drawn on his order by the Auditor of State."

The substitute was lost.

The motion to suspend the eleventh rule prevailed, and the bill was read a third time now.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Carr, Clark, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartsborn, Hebard, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stone-man, Teale, Wilson, Wonn, Wright, and Young—41.

The nays were:

Senators Hemenway, Johnson, Webb, and Woolson—4.

Absent or not voting:

Senators Bestow, Bronson, Chase, Foster, and McCoid—5.

So the bill passed and the title was agreed to.

At 12:30, P. M., the President declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 7, 1878. }

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

Prayer by the Rev. Mr. ONeal.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

By Senator Harmon: Petition from the citizens of Delaware county, protesting against the repeal of the railroad tariff law.

Referred to Committee on Railroads.

By Senator Young: Petition from citizens of Cass county, asking the repeal of the present railroad tariff law.

Referred to Committee on Railroads.

By Senator Arnold: Memorial from the Regents of the State University.

Referred to Committee on Appropriations.

INTRODUCTION OF BILLS.

By the Committee on Elections: Senate File No. 267, a bill for an act to repeal section 625 of the Code, in relation to canvass of votes by the judges of election, and to enact a substitute therefor.

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

By the Committee on Retrenchment: Senate File No. 268, a bill for an act to repeal chapter 123 of the laws of the Eleventh General Assembly, and chapter 8, and chapter 120 of the acts of the Twelfth General Assembly, and chapter 93, acts of the Thirteenth General Assembly.

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

RESOLUTIONS.

Senator Shelley offered the following:

Resolved by the Senate, That on and after Monday, the 11th, there shall be two sessions *each day*, except Saturday, during the balance of the term, and that each member be *confined* to ten minutes for the discussion of any question, *unless by unanimous consent* of the Senate.

Senator Merrell moved to amend by striking out "Monday, the 11th," and inserting "to-day."

The motion was lost.

Senator Foster moved to amend by striking out all after the word "term."

The motion did not prevail.

The resolution was then adopted.

Senator Haines offered the following:

Resolved, That the Executive Council be requested to furnish the

Senate an itemized account of all the expenditures of the \$20,000 appropriated by the Sixteenth General Assembly, for the purpose of exhibiting the arts, manufactures and products of the State of Iowa, at the Centennial Exhibition of 1876, and also furnish the amount received and expended at the Iowa Boarding House.

Senator Young moved to strike out the word "boarding house," and insert the word "building."

The motion prevailed.

The resolution was then adopted.

Senator Haines introduced a Joint Resolution relative to the appointment of a commission on orthography for public documents.

Read first and second time.

Senator Haines moved the suspension of the eleventh rule, and that the joint resolution be read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question, shall the joint resolution pass?

The yeas were:

Senators Arnold, Blackman, Carr, Chase, Clark, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hauna, Harmon, Harned, Hartshorn, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Woolson, Wright, and Young—43.

The nays were:

Senators Dashiell, Merrell, Miller, and Wonn—4.

Absent or not voting:

Senators Bronson, Bestow, and Hebard—3.

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 has passed, without amendment, Senate File No. 254, a bill for an act to provide for the giving of the bond mentioned in an act entitled an act in relation to the lands granted to the State of Iowa, &c.

Also, the House refused to concur in the Senate substitute, 106, for House File No. 25, and has appointed on part of the House, Messrs. Alford, Crooks, and Waterman, Committee of Conference on the disagreeing votes of the two Houses.

W. V. LUCAS, *Clerk*.

Senator Woolson moved that a Committee of Conference be appointed on the disagreeing vote of the two houses on substitute for Senate File No. 106, and House File No. 25.

The motion prevailed.

On motion of Senator Shelley, substitute for Senate File No. 215, a bill for an act to reduce the limits of certain cities incorporated under special charters, was taken up and considered.

The substitute reported by the Committee, was adopted.

Senator Shelley moved a suspension of the eleventh rule, and that 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 Arnold, Blackman, Carr, Chase, Clark, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Harmon, Harned, Harts-horn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCoid, McCormack, Madson, Merrell, Meyer, Miller, Nichols of Ben-ton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stone-man, Webb, Wilson, Wonn, and Wright—41.

The nays were:

Senators Dashiell, Maginnis, and Teale—3.

Absent or not voting:

Senators Bestow, Bronson, Hanna, Lewellen, Woolson, and Young—6.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEES.

Senator Foster, from the Committee on Municipal Corporations, sub-mitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 236, a bill for an act providing for the appointment of certain officers by cities acting under special charters, beg leave to report that they have had the same under con-sideration, and a majority of said committee 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 "assessor," in the sixth line, and inserting the following: "And elected by the qualified voters of such cities, shall have the power to provide by ordinance for the ap-pointment of any such officers by the city council," and when so amended, that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Municipal Coporations, to whom was referred Senate File No. 22, a bill for an act to author-ize cities and towns to regulate the sale of coal oil, beg leave to report that they have had the same under consideration, and have in-structed me to report the same back to the Senate with the recom-mendation that it be amended as indicated by the amendments here-with submitted.

FOSTER, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was re-ferred Senate File No. 244½, a bill for an act to amend section 3626, chapter 1, title 21, 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: Insert in line fourteen, after the words "have been," the

words, "notified in writing by the county auditor that such successor has been"; insert in line fourteen, after the words "elected and," the words, "has duly"; and when so amended that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 238, a bill for an act requiring the boards of supervisors to cancel the unpaid taxes voted in aid of railroads since the first day of January, 1868, beg leave to report that 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 in sixth line of section 1, after the word "completed," the words, "and operated," and add to the end of section 1 the following: "*Provided*, that the foregoing provisions shall in no manner affect actions which may be now pending for the recovery of taxes heretofore voted and levied in aid of railroads," and when so amended that it do pass.

J. N. W. RUMPLE, *Chairman*.

Ordered passed on file.

Senator Dashiell, from the Committee on Constitutional Amendments submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments, to whom was referred joint resolution proposing to amend section 9, of article 1, of the Constitution of the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Constitutional Amendments, to whom was referred Joint Resolution proposing to amend sections 9, 10, 11, and 13, of the Constitution of the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Constitutional Amendments, to whom was referred Joint Resolution proposing to amend section one, (1) of article two, (2), and section four, (4), of article three, (3), of the Constitution of the State of Iowa, beg leave to report that they have had the same under consideration, and the majority of said 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 Constitutional Amendments, to whom was referred Joint Resolution No. 7, to amend the Constitution so as to prohibit the use of public moneys or revenue for sectarian purposes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that, while your committee approve the

principle contained in said resolution, they do not deem the adoption of the same expedient at this time.

HENRY L. DASHIELL, *Chairman*:

Ordered passed on file.

Senator Teale, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred House File No. 128, a bill for an act to amend section 1, of chapter 26, of the laws of the Sixteenth General Assembly, in relation to the support of the poor, beg leave to report that they 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.

FRED. TEALE, *Chairman*.

Ordered passed on file.

Senator Webb, from the Committee on Commerce, submitted the following report:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred Senate File No. 189, a bill for an act to further protect the rights of holders of warehouse receipts, &c., beg leave to report 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 therefor be adopted, and when so adopted that it do pass.

R. C. WEBB, *Chairman*.

Ordered passed on file.

Senator Lewellen, from the Committee on Hospital for Insane, submitted the following report:

MR. PRESIDENT—Your Committee on Insane Hospital, to whom was referred Senate File No. 136, a bill for an act making appropriations for the Iowa 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 the Committee on Appropriations.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Insane Hospitals, to whom was referred Senate File No. 120, a bill for an act to provide for the keeping and care of certain classes of the insane, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it is desirable that some provisions should be made for keeping insane convicts separate from other inmates of the hospital for the insane, and recommend that the bill be referred to the Committee on Appropriations with the view of ascertaining whether some provision can be made for separate wards for said insane convicts. As to other matters in said bill, the committee recommend the indefinite postponement.

The bill was so referred.

Also the following:

MR. PRESIDENT—Your Committee on Insane Hospitals, to whom was referred House File No. 402, a bill for an act to amend section 1384, 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.

P. W. LEWELLEN, *Chairman*.

Ordered passed on file.

Senator Blackman, from the Special Committee on Practice of Medicine, submitted the following report :

MR. PRESIDENT—Your Special Committee on Practice of Medicine, to whom was referred Senate File No. 78, a bill for an act to regulate the practice of medicine in the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

W. W. BLACKMAN, *Chairman*.

Ordered passed on file.

Senator Gilmore, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House File No. 30, a bill for an act to amend chapter 3, title 5 of the Code, regulating the election of supervisors of highways and township assessors 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.

GILMORE, *Chairman*.

Ordered passed on file.

Senator Graham, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate File No. 58, a bill for an act to amend section 1539 of the Code of Iowa, in relation to fixing the penalty for selling or giving intoxicating liquors to minors or intoxicated 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 striking out the word "and" in sixth line, after the word prosecution, and insert "or;" and in seventh line strike out "sixty," and insert "thirty," and when so amended that it do pass.

WM. GRAHAM, *Chairman*.

Ordered passed on file.

Senator Young, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred House File No. 239, a bill for an act for the better protection of persons traveling on railways and the punishment of offenders 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 do pass.

LAFAYETTE YOUNG, *Chairman*.

Ordered passed on file.

BILLS ON THIRD READING.

Senate File No. 49, a bill for an act to amend chapter 145 of the acts of the Sixteenth General Assembly, in relation to taxing and the sale of public lands for taxes, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Carr, Chase, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Harned, Hartshorn, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Madson, Maginnis, Merrell, Nichols of Benton, Nichols of Guthrie, Patterson, Rumple, Russell, Stoneman, Webb, Wilson, Woolson, and Wright—33.

The nays were:

Senators Johnson, McCoid, and Miller—3.

Absent or not voting:

Senators Bestow, Bronson, Clark, Dows, Ham, Hanna, Harmon, Lewellen, McCormack, Meyer, Shelley, Teale, Wonn, and Young—14.

So the bill passed and the title was agreed to.

Senate File No. 213, a bill for an act to amend section 1428 of the Code, relating to revenue expenses, was taken up, and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Carr, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Harmon, Hartshorn, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, Madson, Nichols of Benton, Patterson, Rumple, Shelley, Stoneman, Teale, Webb, Woolson, Wright, and Young—32.

The nays were:

Senators Chase, Harned, Johnson, Maginnis, Merrell, Miller, and Wilson—7.

Absent or not voting:

Senators Bestow, Blackman, Bronson, Clark, Hanna, Hebard, McCormack, Meyer, Nichols of Guthrie, Russell, and Wonn—11.

So the bill passed and the title was agreed to.

Substitute for Senate File No. 129, a bill for an act amending section 3812, of chapter 3, title 23, of the Code of 1873, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Patterson, Rumple, Shelley, Stoneman, Teale, Webb, Wilson, Woolson, and Wright—41.

The nays were—None.

Absent or not voting:

Senators Bestow, Blackman, Bronson, Clark, Hebard, Nichols of Guthrie, Russell, Wonn, and Young—9.

So the bill passed and the title was agreed to.

Senate File No. 246, a bill for an act authorizing the board of supervisors to establish watering places along highways, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kim-

ball, Larrabee, Lawrence, Lewellen, McCoid, Madson, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Shelley, Stoneman, Webb, Wilson, Woolson, and Wright—32.

The nays were:

Senators Carr, Chase, Clark, Dashiell, Dows, Haines, Harned, Kinne, McCormack, Maginnis, Nichols of Benton, and Teale—11.

Absent or not voting:

Senators Bestow, Blackman, Bronson, Clark, Russell, Wonn, and Young—7.

So the bill passed and the title was agreed to.

Senate File No. 75, a bill for an act to provide for a Board of State Charities and to define the duties of the same, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Carr, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Hanna, Harmon, Hemenway, Kimball, Lawrence, Lewellen, Miller, Nichols of Benton, Nichols of Guthrie, Webb, Woolson, and Wright—21.

The nays were:

Senators Chase, Clark, Gilmore, Graham, Haines, Ham, Harned, Hartshorn, Hebard, Johnson, Kinne, Larrabee, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Wilson, Wonn, and Young—26.

Absent or not voting:

Senators Bestow, and Bronson—2.

So the bill not having received a constitutional majority was lost.

Senate File No. 225, a bill for an act to amend section 1227, chapter 7, title 14, of the Code, relating to assignment for creditors, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Carr, Chase, Clark, Dashiell, Dwelle, Foster, Gallup, Gilmore, Graham, Haines, Ham, Harmon, Harned, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, and Wright—41.

The nays were:

Senator Hartshorn—1.

Absent or not voting:

Senators Blackman, Bronson, Dows, Ford, Hanna, Kinne, and Young—8.

So the bill passed and the title was agreed to.

Senate File No. 175, a bill for an act requiring license from solicitors of advertisements for papers, posters, placards, or circulars, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Dashiell, Ford, Gallup, Gilmore, Haines, Ham, Hanna, Harmon, Kimball, Kinne, Larrabee, Lawrence, Lewellen, Mc-

Coid, McCormack, Merrell, Nichols of Benton, Patterson, Rumple Russell, Shelley, Stoneman, Teale, Webb, and Wright—26.

The nays were:

Senators Carr, Chase, Dwelle, Foster, Graham, Harned, Hartshorn, Hebard, Hemenway, Johnson, Madson, Maginnis, Meyer, Miller, Wilson, Wonn, and Woolson—17.

Absent or not voting:

Senators Bestow, Blackman, Bronson, Clark, Dows, Nichols of Guthrie, and Young—7.

So the bill passed and the title was agreed to.

Substitute for Senate File No. 73, a bill for an act to amend chapter 26, of the laws of the Sixteenth General Assembly, in relation to support of the poor, was taken up.

On the question, shall the Senate concur in the House amendments?

The yeas were:

Senators Arnold, Blackman, Carr, Chase, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Merrell, Meyer, Miller, Nichols of Benton, Patterson, Rumple, Russell, Shelley, Stoneman, Teale, Webb, and Wright—38.

The nays were:

Senators Maginnis, and Wilson—2.

Absent or not voting:

Senators Bestow, Bronson, Clark, Dashiell, Dows, Foster, Nichols of Guthrie, Wonn, Woolson, and Young—10.

So the bill passed and the title was agreed to.

House File No. 186, a bill for an act to amend chapter 64, laws of the Sixteenth General Assembly, amending section 1793, providing for the County Superintendent as arbitrator in case of disagreement of the Boards of Directors determining where children shall attend school, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCormack, Madson, Meyer, Miller, Nichols of Benton, Patterson, Rumple, Russell, Shelley, Webb, Wonn, and Wright—35.

The nays were:

Senators Carr, Chase, Haines, Johnson, McCoid, Maginnis, Merrell, Stoneman, and Teale—9.

Absent or not voting:

Senators Bestow, Bronson, Nichols of Guthrie, Wilson, Woolson, and Young—6.

So the bill passed and the title was agreed to.

The President appointed Senators Woolson, Chase, and Harned, as a Committee of Conference on part of the Senate on disagreeing vote of the two Houses on substitute for Senate File No. 106 and House File No. 25.

On motion of Senator Russell, Senate File No. 268, a bill for an act to repeal chapter 123, acts of the Eleventh General Assembly, and chap-

ter 8 and 120 of the acts of the Twelfth General Assembly, and chapter 93, acts of the Thirteenth General Assembly, was taken up and considered.

Senator Russell moved that the eleventh rule be suspended, and the bill 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 Carr, Clark, Dwelle, Foster, Gallup, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Madson, Maginnis, Merrell, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Stoneman, Teale, Webb, Wilson, Wonn, and Wright—32.

The nays were:

Senators Arnold, Blackman, Chase, Dashiell, Ford, Gilmore, Johnson, Lewellen, McCoid, McCormack, Meyer, Nichols of Benton, and Shelley—13.

Absent or not voting:

Seators Bestow, Bronson, Dows, Woolson, and Young—5.

So the bill passed and the title was agreed to.

On motion of Senator Russell, Senate File No. 249, a bill for an act to repeal section 3761 of the Code, and to provide a substitute therefor and to fix the compensation of the Adjutant-General, was taken up and considered.

Senator Russell moved that the eleventh rule be suspended, and the bill 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 Arnold, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—46.

The nays were—None.

Absent or not voting:

Senators Bestow, Blackman, Bronson, and Rumble—4.

So the bill passed and the title was agreed to.

Senator Larrabee moved that when the Senate adjourn it be until 2 o'clock, this afternoon.

The motion was agreed to.

BILLS ON SECOND READING.

Senate File No. 66, a bill for an act to repeal section 902 of the Code, and enact a substitute therefor, with report of committee recommending amendments was taken up, considered, and the report of the committee was adopted.

Senator Chase moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Chase, Dows, Dwelle, Ford, Gilmore, Graham, Hanna, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, Maginnis, Merrell, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Stoneman, Webb, Wilson, Wonn, Wright, and Young—32.

The nays were:

Senators Clark, Dashiell, Gallup, Harmon, Harned, Kinne, McCormack, Madson, Miller, Shelley, Teale, and Woolson—12.

Absent or not voting:

Senators Bestow, Bronson, Foster, Haines, Ham, and Rumble—6.

So the bill passed and the title was agreed to.

Senate File No. 113, a bill for an act to provide for the appointment of a State Entomologist and define his duties, with report of committee recommending a substitute, was taken up, considered, and the report of the committee adopted.

On motion of Senator Larrabee further consideration was postponed until March 12.

House File No. 184, a bill for an act to amend section 798, of title 6, chapter 1, of the Code, relating to exemptions for planting and cultivating forest trees, with report of committee recommending a substitute, was taken up and considered.

Senator Hartshorn moved to amend the bill by inserting the word "each," after the word "exceed," in fourth line of section 1.

The motion prevailed.

The substitute was then adopted.

Senator Wonn moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—47.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, and Clark—3.

Senator Hartshorn moved to amend the title by inserting after "798," the words "and to repeal section 799." Adopted.

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

At 12, m., the President declared the Senate adjourned.

AFTERNOON SESSION.

2:30 O'CLOCK, P. M.

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

BILLS ON SECOND READING.

House File No. 419, a bill for an act to confer the tax voted in Whitebreast township, Warren county, Iowa, June 10, 1876, upon the Chariton, Des Moines & Southern Railway Company, with report of committee recommending it do pass, was taken up and considered.

On motion of Senator Graham, the eleventh rule was suspended, and the bill was read a third time now.

On the question, shall the bill pass?

The yeas were:

Senators Carr, Chase, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Harmon, Harned, Hartshorn, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, Maginnis, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Russell, Shelley, Webb, Wright, and Young—31.

The nays were:

Senators Dashiell, Hanna, McCormack, Merrell, Stoneman, Teale, and Wilson—7.

Absent or not voting:

Senators Arnold, Bestow, Blackman, Bronson, Clark, Foster, Hebard, Madson, Patterson, Rumble, Wonn, and Woolson—12.

So the bill passed and the title was agreed to.

Senator Rumble was excused till to-morrow.

House File No. 425, a bill for an act appropriating money to defray inauguration expenses, with report of committee recommending it do pass, was taken up and considered.

Senator Larrabee moved a suspension of the rule, and that 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 Arnold, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Merrell, Meyer, Miller, Nichols of Benton, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—39.

The nays were:

Senator Maginnis—1.

Absent or not voting:

Senators Bestow, Blackman, Bronson, Clark, Foster, Harned, Madson, Nichols of Guthrie, Patterson, and Rumble—10.

So the bill passed and the title was agreed to.

Senate File No. 26, a bill for an act to amend chapter 125, acts of the Sixteenth General Assembly, in relation to bonding county indebtedness, with report of committee recommending amendments, was taken up, considered, and the report of the committee was adopted.

Senator Young moved to strike out the publication clause.

The motion prevailed.

Senator Young moved that the eleventh rule be suspended, and the bill 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 Arnold, Carr, Chase, Dows, Gallup, Graham, Harmon, Hartshorn, Hemenway, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Webb, Woolson, Wright, and Young—25.

The nays were:

Senators Clark, Dashiell, Dwelle, Ford, Gilmore, Haines, Ham, Hanna, Harned, Johnson, Kimball, Maginnis, Merrell, Miller, Shelley, Stoneman, Teale, Wilson, and Wonn—19.

Absent or not voting:

Senators Bestow, Blackman, Bronson, Foster, Hebard, and Rumble—6.

So the bill, not having received a constitutional majority, did not pass.

Senate File No. 247, a bill for an act to amend section 1384 and section 1390 of the Code, reported by the Committee on Retrenchment, was taken up, considered, and passed on file.

Senator Russell moved to make the consideration of Senate File No. 247 a special order for next Saturday, at 10:30 o'clock, A. M.

The motion prevailed.

Senate File No. 248, a bill for an act to repeal section 12 of the Code, and to enact a substitute therefor, introduced by Committee on Retrenchment, was taken up and considered.

Senator Haines moved to amend by adding to the section: *Provided*, That no person paid by the day shall be entitled to draw pay for Sundays, unless he is required by his duties to render services on Sunday.

On the adoption of the motion the yeas and nays were demanded, and

The yeas were—

Senators Blackman, Clark, Dashiell, Dows, Dwelle, Ford, Gallup, Haines, Hanna, Hemenway, Kimball, Larrabee, Merrell, Miller, Stoneman, Teale, Wilson, Woolson, and Wright—19.

The nays were—

Senators Arnold, Carr, Case, Graham, Ham, Harmon, Harned, Hartshorn, Hebard, Johnson, Kinne, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Shelley, Webb, and Wonn—25.

Absent or not voting—

Senators Bestow, Bronson, Foster, Gilmore, Rumble, and Young—6.

So the motion did not prevail.

Senator Hemenway moved to amend by inserting after the word

"aforesaid," in the thirteenth line, the words, "that the Secretary of State shall place upon the desks of each member suitable stationery for their use."

The motion was adopted.

Senator McCoid moved to amend by inserting after the word "dollars," in the fourth line, the words: "The provisions of this act shall apply to members of the Seventeenth General Assembly, but shall not apply to officers or employees."

On the adoption of the amendment the yeas and nays were demanded, and

The yeas were—

Senators Dashiell, Ham, McCoid, Madson, Merrell, Meyer, Miller, Nichols of Benton, Patterson, Shelley, Webb, Woolson, and Wright—13.

The nays were:

Senators Arnold, Blackman, Carr, Chase, Clark, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCormack, Maginnis, Nichols of Guthrie, Russell, Stoneman, Teale, Wilson, Wonn, and Young—33.

Absent or not voting:

Senator Bestow, Bronson, Foster, and Rumple—4.

So the motion to amend did not prevail.

Senator Woolson moved to amend by striking out the word "above," in the 17th line, and insert the word "herein," and to add to the bill the following: *Provided, however,* That each member may have for distribution, daily or weekly newspapers to the amount of \$50 for each session, the same to be paid to the publishers of such papers, upon filing their affidavits that papers were forwarded to the amount claimed, accompanied with the order of the member for the forwarding of the same.

The amendment to strike out and insert did not prevail.

On the adoption of the second amendment the yeas and nays were demanded, and

The yeas were:

Senators Arnold, Chase, Graham, Ham, Harned, Lawrence, Lewellen, McCoid, Madson, Merrell, Meyer, Miller, Nichols of Guthrie, Shelley, Webb, Wonn, Woolson, Wright, and Young—19.

The nays were:

Senators Blackman, Carr, Clark, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Haines, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, McCormack, Maginnis, Nichols of Benton, Patterson, Russell, Stoneman, Teale, and Wilson—27.

Absent or not voting:

Senators Bestow, Bronson, Foster, and Rumple—4.

So the amendment was not adopted.

Senator Hartshorn moved that the eleventh rule be suspended, and the bill 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 Blackman, Carr, Clark, Dashiell, Dows, Dwelle, Gallup,

Gilmore, Graham, Haines, Hanna, Harned, Hartshorn, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Stoneman, Teale, Wright, and Young—27.

The nays were:

Senators Arnold, Ford, Ham, Harmon, Kinne, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Miller, Shelley, Webb, Wilson, Wonn, and Woolson—17.

Absent or not voting:

Senators Bestow, Bronson, Chase, Foster, Hebard, and Rumble—6.

So the bill passed and the title was agreed to.

Senator Woolson offered the following resolution:

Resolved, That upon Tuesday, March 12, at 10:30 o'clock, A. M., the Senate will proceed to elect a President, *pro tem*.

The resolution was adopted.

On motion of Senator Teale, the Senate adjourned, at 4:38, o'clock.

SENATE CHAMBER, }
DES MOINES, IOWA, March 8, 1878. }

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

Prayer by the Rev. Mr. Telleen.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

By Senator Harmon: Petition from citizens of Buchanan county protesting against the repeal of the present railroad tariff law.

Referred to Committee on Railroads.

By Senator Lewellen: A petition from citizens of Page county on the same subject, and referred to same committee.

By Senator Kimball: A petition from citizens of Chickasaw county on the same subject, and referred to same committee.

By Senator Harmon: The pay-roll of Company H, Fourth Regiment of Iowa Militia.

Referred to Committee on Claims.

By Senator Dows: Claim of J. H. B. Otto, for services rendered during the threatened riots of 1877.

Referred to Committee on Claims.

By Senator Russell: A petition from citizens of Greene county, protesting against the repeal of the present railroad tariff.

Referred to Committee on Railways.

INTRODUCTION OF BILLS.

By Committee on Highways: Senate File No. 269, a bill for an act to amend chapter 101, laws of the Sixteenth General Assembly, in relation to fences.

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

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 254, an act to provide for the giving of the bond mentioned in an act entitled an act in relation to the lands granted to the State of Iowa, by an act of Congress, entitled an act for a grant of lands to the State of Iowa, in alternate sections, to aid in the construction of a railroad in said State, approved May 12, 1864, and to grant to and impose upon the Chicago, Milwaukee & St. Paul Railway Company, the powers and liabilities mentioned in chapter 4, title 10, of the Code;

And find the same correctly enrolled.

M. N. JOHNSON, *Chairman*.

REPORT OF COMMITTEES.

Senator Gilmore, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House File No. 270, a bill for an act to amend section 921, title 7, chapter — of the Code in relation to the width of roads 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.

GILMORE, *Chairman*.

Ordered passed on file.

Senator Arnold, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 142, a bill for an act appropriating money for the 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 be amended as follows: Strike out of third line of first section \$7,472.25 and insert \$3,972.25. Strike out \$3,500 in sixth line, same section, and insert \$2,500; also add to said sixth line, after the word laboratory, the words "and propagating house." Strike out all of eighth and ninth lines, in section 1, and that, when so amended, the bill do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 148, a bill for an act to make appropriations for the Soldiers' Orphans' Home and Home of Indigent Children at Davenport, beg leave to report that 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 of lines 5, 6 and 8, in section 1, and by substituting \$500 for \$1,500, in seventh line, and that when so amended it do pass.

D. ARNOLD, *Chairman*.

Ordered passed on file.

BILLS ON SECOND READING.

On motion of Senator Russell, Senate File No. 238, a bill for an act requiring the boards of supervisors to cancel the unpaid taxes in aid of railroads since the first day of January, 1868, with report of committee recommending amendments, was taken up, considered, and the report of the committee was adopted.

Senator Russell moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—44.

The nays were:

Senator Miller—1.

Absent or not voting:

Senators Bestow, Bronson, Clark, Foster, and Hebard—5.

On motion of Senator Russell, the title was amended by striking out the word "since" and inserting the word "between," and adding to the title the words, "and the first day of January, 1875."

So the bill passed and the title was agreed to.

On motion of Senator Russell, Senate File No. 262, a bill for an act to regulate the per diem and mileage of trustees of State institutions and Regents of the State University, reported by the Committee on Retrenchment, was taken up and considered.

Senator Maginnis moved to amend by inserting after the word "duties" in the 3d line of section 1, the words "upon making affidavit to the time spent and miles traveled."

The amendment was lost.

Senator Young moved to amend by striking out the word "five" in the 3d line of section 1, and inserting the word "four."

The motion did not prevail.

Senator Woolson moved to amend by inserting after the word "institutions" the words "of visiting committees" to hospitals for "insane."

The amendment was agreed to.

Senator Larrabee moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumple, Russell, Shelley, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—44.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, Ford, Foster, Lewellen, and Stoneman—6.

Senator Woolson moved to amend the title by inserting after the word "institutions" the words "members of visiting committee to hospital for the insane."

The motion prevailed.

So the bill passed and the title was agreed to.

Senator McCoid moved a reconsideration of the vote by which Senate File No. 75, a bill for an act to provide for a Board of State Charities, and to define the duties of the same, was lost.

Senator Merrell moved to lay the motion on the table.

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

The yeas were:

Senators Gilmore, Graham, Ham, Harned, Kinne, Larrabee, McCormack, Madson, Maginnis, Merrell, Russell, Shelley, Stoneman, Teale, Wilson, and Wonn—16.

The nays were:

Senators Arnold, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Haines, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Lawrence, Lewellen, McCoid, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumple, Webb, Woolson, Wright, and Young—32.

Absent or not voting:

Senators Bestow, and Bronson—2.

So the motion to table did not prevail.

The motion to reconsider, was then adopted.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Carr, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Hanna, Harmon, Hemenway, Johnson, Kimball, Lawrence, Lewellen, McCoid, Miller, Nichols of Benton, Nichols of Guthrie, Rumple, Webb, Woolson, Wright, and Young—25.

The nays were:

Senators Chase, Clark, Gilmore, Graham, Haines, Ham, Harned, Hartshorn, Hebard, Kinne, Larrabee, McCormack, Madson, Maginnis, Merrell, Meyer, Patterson, Russell, Shelley, Stoneman, Teale, Wilson, and Wonn—23.

Absent or not voting:

Senators Bestow, and Bronson—2.

So the bill not having received a constitutional majority, failed to pass.

Senate File No. 253, a bill for an act in relation to revenue, was taken up, considered, and, on motion of Senator Larrabee, was postponed until next Wednesday.

On motion of Senator Russell, Senate File No. 265, a bill for an act relating to the fees of justices of the peace in criminal cases, introduced by the Committee on Retrenchment, was taken up and considered.

Senator Russell moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCormack, Madson, Maginnis, Merrell, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—44.

The nays were:

Senators Johnson, McCoid, and Miller—3.

Absent or not voting:

Senators Bestow, Bronson, and Foster—3.

So the bill passed and the title was agreed to.

Senate File No. 172, a bill for an act to establish a central station of the Iowa Weather Service, and for the appointment of a director thereof, with report of committee recommending that it do pass, was taken up and considered.

Senator Arnold moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Clark, Dows, Ford, Gallup, Gilmore, Haines, Ham, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, Miller, Nichols of Benton, Nichols of Guthrie, Rumble, Russell, Stoneman, Webb, Wonn, Woolson, and Wright—30.

The nays were:

Senators Dashiell, Dwelle, Foster, Graham, Harned, Kinne, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Patterson, Shelley, Teale, Wilson, and Young—17.

Absent or not voting:

Senators Bestow, Bronson, and Chase—3.

So the bill passed and the title was agreed to.

Senate File No. 252, a bill for an act to amend sections 1692 and 1693 of the Code, was taken up and considered.

Senator Russell moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Chase, Dashiell, Dows, Dwelle,

Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—47.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, and Clark—3.

So the bill passed and the title was agreed to.

Senator Nichols of Guthrie moved a reconsideration of the vote by which House File No. 374, was lost.

The motion prevailed.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Hartshorn, Hebard, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Merrell, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Webb, Wilson, Wonn, Woolson, Wright, and Young—40.

The nays were:

Senator Teale—1.

Absent or not voting:

Senators Bestow, Bronson, Clark, Foster, Harned, Hemenway, Maginnis, Miller, and Rumble—9.

So the bill passed and the title was agreed to.

On motion of Senator Russell, Senate Files Nos. 250 and 264, were made a special order for next Tuesday, at 10 o'clock, A. M.

Senators Hanna and Ford were excused until Tuesday.

On motion of Senator Larrabee, Senate File No. 212, a bill for an act relating to the revenue, and to repeal sections 908, 913, 914, and 915 of the Code, and to enact substitutes therefor, was taken up and considered.

On motion of Senator Chase, further consideration was postponed until Tuesday, next, at 2 o'clock, P. M.

House File No. 13, a bill for an act to amend section 3811, chapter 3, title 23, of the Code, in relation to fees of jurors, with report of committee recommending it do pass, was taken up and considered.

Pending consideration, Senator Hartshorn moved to extend the hour of adjournment ten minutes.

The motion prevailed.

Senator Merrell moved that the eleventh rule be suspended, and the bill 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 Blackman, Dashiell, Dows, Ford, Haines, Ham, Hemenway, Johnson, Kinne, Lawrence, Merrell, Miller, Patterson, Russell, Teale, and Wonn—16.

The nays were—

Senators Arnold, Chase, Clark, Dwelle, Foster, Gallup, Gilmore,

Graham, Harmon, Harned, Hartshorn, Hebard, Kimball, Lewellen, McCoid, McCormack, Madson, Maginnis, Meyer, Nichols of Benton, Nichols of Guthrie, Rumble, Shelley, Webb, Wilson, Woolson, Wright, and Young—28.

Absent or not voting—

Senators Bestow, Bronson, Carr, Hanna, Stoneman, and Larrabee—6.

So the bill having failed to receive a constitutional majority, did not pass.

At 12 o'clock and 10 minutes, the President declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 9, 1878. }

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

Prayer by Rev. Mr. Gelwick.

Journal of yesterday's proceedings 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 has passed the following joint resolution, in which the concurrence of the Senate is asked:

Relative to purchasing a safe for the State Treasurer's Office.

W. V. LUCAS, *Clerk*.

PETITIONS AND MEMORIALS.

By Senator Merrell: Petition from citizens of Iowa, asking a more economical administration of court expenses.

Referred to Committee on Court Expenses and Jury Fees.

HOUSE MESSAGES.

Joint resolution relative to the purchase of a safe for the State Treasurer's office, was taken up.

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

REPORTS OF COMMITTEES.

Senator Lawrence, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate File No. 168, a bill for an act to amend section 501, chapter 10, title 4 of the Code, relative to places of holding elections,

beg leave to report that they have had the same under consideration, and have prepared a substitute for said bill, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and when so adopted, it do pass.

O. H. LAWRENCE, *Chairman.*

Ordered passed on file.

Senator Arnold, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 174, a bill for an act appropriating money for the maintenance of 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 following substitute, and recommend that the substitute be adopted, and when adopted that it do pass.

D. ARNOLD, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred House Joint Resolution, in relation to equalization of bounties of soldiers engaged in the war, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

JAMES MILLER, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 237, a bill for an act to prevent the making and publication of false or deceptive statements in relation to the business of fire insurance, beg leave to report 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 the same do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Senator Young, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 219, a bill for an act to resume rights and lands conferred upon the Sioux City & St. Paul Railroad Company, by an act approved April 3, 1866, and to re-grant the same to the Sioux City & Pembina Railroad 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 be indefinitely postponed.

LAFAYETTE YOUNG, *Chairman.*

Ordered passed on file.

Senator Gilmore, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was re-

ferred House File No. 358, a bill for an act to provide for the construction and maintenance of county bridges on county line roads, where site of bridge is wholly within one or the other 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.

GILMORE, *Chairman*

Ordered passed on file.

Senator Nichols of Guthrie was excused.

Senator Lewellen, from the visiting committee to examine and report upon the condition of the Hospital for the Insane at Independence, submitted a report, which was ordered passed on file.

INTRODUCTION OF BILLS.

By the Committee on Municipal Corporations: Senate File No. 270, a bill for an act to repeal section 527, of chapter 10, title 4, of the Code, and enact a substitute therefor.

Read first and second time, and passed on file.

By the Committee on Public Buildings: Senate File No. 271, a bill for an act to protect Capitol and Governor's squares.

Read first and second time, and passed on file.

BILLS ON SECOND READING.

Senate File No. 188, a bill for an act authorizing the establishment of a department of eclectic medicine as a part of the medical department of the State University, and to make an appropriation therefor, was taken up, considered, and was lost on engrossment.

Senate File No. 245, a bill for an act to amend section 990, chapter 2, title 7 of the Code of 1873, was taken up and considered.

Senator Rumble moved to amend by inserting after the word "county," in tenth line, the words, "in writing." Adopted.

Senator Dashiell moved to amend by adding to the bill the words, "provided that nothing herein contained shall be construed to relieve the county from liability for the defect of said bridge."

The amendment was adopted.

The bill was then ordered engrossed.

Senate File No. 210, a bill for an act to exempt directors of common schools from poll tax and duties as jurors, with report of committee recommending amendments, was taken up, considered, and the report of the committee was adopted.

Senator Woolson moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Clark, Dashiell, Dows, Dwelle, Gilmore, Ham, Harmon, Hebard, Hemenway, Johnson, Kimball, Kinne, Lawrence, Lewellen, McCoid, McCormack, Madson, Meyer, Miller, Rumble, Shelley, and Woolson—24.

The nays were:

Senators Carr, Chase, Foster, Gallup, Graham, Haines, Harned, Larrabee, Maginnis, Merrell, Nichols of Benton, Patterson, Russell, Stoneman, Teale, Webb, Wilson, and Young—18.

Absent or not voting:

Senators Bestow, Bronson, Ford, Hanna, Hartshorn, Nichols of Guthrie, Wonn, and Wright—8.

So the bill having failed to receive a constitutional majority, was lost.

By leave, Senator Dows presented the pay-roll of Co. F. First Regiment, Iowa Militia,

Referred to Committee on Claims.

Senate File No. 108, a bill for an act to amend section 1288 of the Code, in relation to the liability of railway corporations for a failure to make proper cattle guards, with report of committee recommending amendments was taken up, considered, and the report of the committee was adopted.

Senator McCoid moved that the eleventh 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 Arnold, Blackman, Carr, Chase, Clark, Dashiell, Dwelle, Foster, Gallup, Gilmore, Graham, Haines, Ham, Harmon, Harned, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Nichols of Benton, Patterson, Rumble, Russell, Shelley, Stoneman, Webb, Wilson, Wonn, Woolson, Wright, and Young—40.

The nays were:

Senators Dows, Hebard, Miller, and Teale—4.

Absent or not voting:

Senators Bestow, Bronson, Ford, Hanna, Hartshorn, and Nichols of Guthrie—6.

So the bill passed and the title was agreed to.

Senator Johnson moved a reconsideration of the vote by which Senate File No. 108 was lost.

Senator Dows moved to postpone the consideration of the motion and make it a special order for 10:30 o'clock next Tuesday.

Senator Stoneman moved to lay the motion on the table.

The motion prevailed.

On motion of Senator Russell, Senate File No. 263, a bill for an act to amend Section 4171 of the Code, relating to fugitives from justice, was taken up and considered.

Senator Hemenway moved to amend by striking out last two words of section 1.

The motion prevailed.

Senator Russell moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Foster, Gallup, Gilmore, Graham, Haines, Ham, Harmon,

Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Lawrence, Lewellen, McCoid, McCormack, Madsen, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Woolson, and Young—42.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, Ford, Hanna, Larrabee, Nichols of Guthrie, Wonn, and Wright—8.

So the bill passed and the title was agreed to.

Senator Rumble moved to reconsider the vote by which the bill passed the Senate.

The motion prevailed.

Senator Chase moved to reconsider the vote by which the eleventh rule was suspended. Agreed to.

Senator Chase moved to reconsider the vote by which the two last words were stricken out of the bill.

The motion prevailed.

The question being on the motion to strike out the two last words of the bill, the motion was withdrawn.

Senator Russell moved to postpone further consideration of the bill until Monday, at 2 o'clock, P. M.

The motion was lost.

Senator Carr moved to amend by striking out the word "trial," in 9th line of section 1, and inserting the words "delivered into the custody of the proper authorities for trial." Agreed to.

Senator McCoid moved to amend by adding to section 1, the words *provided*, that no bill shall be paid except upon affidavit of the private prosecutor, that the case has been tried, or that it has not been settled, and that he has not received compensation for the crime, and that the case has not been demurred on the part of the State, and the defendant has not been discharged because of the absence of the prosecuting witness.

Senator Larrabee moved to postpone further consideration, and that the bill be made a special order for Monday, at 2 o'clock, P. M., and that the bill be recommitted.

The motion prevailed.

REPORT OF COMMITTEE.

Senator Teale, from the Committee on Military Affairs, submitted the following report:

MR. PRESIDENT—Your Committee on Military Affairs, to whom was referred Senate File No. 54, beg leave 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 the substitute be referred to the Committee on Appropriations.

FRED TEALE, *Chairman*.

The bill was so referred.

Senators Haines, Patterson, Clark, Nichols of Benton, Graham, Merrell, Shelley, and Hartshorn were excused until next Tuesday.

On motion of Senator Harmon the Senate adjourned at 11:30, A. M.

SENATE CHAMBER,
DES MOINES, IOWA, March 11, 1878. }

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

On motion of Senator Dows, Senator Larrabee was elected temporary President.

Prayer by the Rev. Dr. Stoddard.

Journal of Saturday read and approved.

PETITIONS AND MEMORIALS.

By Senator Stoneman: Memorial and Joint Resolution, relative to opening up the Fox and Wisconsin rivers to navigation.

Read first and second time.

Senator Stoneman moved that the eleventh rule be suspended, and that 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 Arnold, Blackman, Carr, Chase, Dashiell, Dows, Dwelle, Foster, Gilmore, Hanna, Harmon, Harned, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madison, Maginnis, Miller, Rumples, Russell, Stoneman, Teale, Webb, Wilson, and Wright—31.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, Clark, Ford, Gallup, Graham, Haines, Ham, Hartshorn, Hebard, Merrell, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Shelley, Wonn, Woolson, and Young—19.

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

INTRODUCTION OF BILLS.

By Senator McCoid: Senate File No. 272, a bill for an act to legalize the levy of certain taxes in the county of Jefferson, State of Iowa.

Read first and second time.

On motion of Senator McCoid, the eleventh rule was suspended, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Carr, Chase, Dashiell, Dows, Dwelle, Foster, Gilmore, Hanna, Harmon, Harned, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madison, Maginnis, Miller, Rumples, Russell, Stoneman, Teale, Webb, Wilson, Wright, and Young—32.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, Clark, Ford, Gallup, Graham, Haines, Ham, Hartshorn, Hebard, Merrell, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Shelley, Wonn, and Woolson—18.

So the bill passed and the title was agreed to.

BILLS ON THIRD READING.

Senate File No. 245, a bill for act to amend section 990, chapter 2, title 7, of the Code of 1873, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Chase, Dashiell, Dwelle, Foster, Gilmore, Hanna, Harmon, Harned, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Miller, Rumble, Russell, Webb, Wilson, Wright, and Young—28.

The nays were:

Senators Stoneman, and Teale—2.

Absent or not voting:

Senators Bestow, Bronson, Carr, Clark, Dows, Ford, Gallup, Graham, Haines, Ham, Hartshorn, Hebard, Merrell, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Shelley, Wonn, and Woolson—20.

So the bill passed and the title was agreed to.

BILLS ON SECOND READING.

Senate File No. 260, a bill for an act amending section 209, of the Code, relating to admission of graduates of law department of the Iowa State University, to practice as attorneys and counselors, was taken up and considered.

Senator Foster moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Chase, Dashiell, Dwelle, Foster, Gilmore, Hanna, Harmon, Harned, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lewellen, McCoid, McCormack, Madson, Maginnis, Meyer, Miller, Rumble, Russell, Stoneman, Teale, Webb, Wilson, Wright, and Young—31.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, Clark, Dows, Ford, Gallup, Graham, Haines, Ham, Hartshorn, Hebard, Lawrence, Merrell, Nichols of Benton, Nichols of Guthrie, Patterson, Shelley, Wonn, and Woolson—19.

So the bill passed and the title was agreed to.

Senate File No. 261, a bill for an act to amend section 1466 of the Code, relating to strays, was taken up and considered.

Senator Stoneman moved that the eleventh rule be suspended and the bill 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 Arnold, Blackman, Carr, Chase, Dows, Gilmore, Harmon, Harned, Hemenway, Kimball, Larrabee, Lawrence, McCoid, McCormack, Madson, Meyer, Rumble, Russell, Stoneman, Teale, Webb, Wright, and Young—23.

The nays were:

Senators Dashiell, Dwelle, Foster, Hanna, Johnson, Kinne, Maginnis, Miller, Wilson, and Woolson—10.

Absent or not voting:

Senators Bestow, Bronson, Clark, Ford, Gallup, Graham, Haines, Ham, Hartshorn, Hebard, Lewellen, Merrell, Nichols of Benton, Nichols of Guthrie, Patterson, Shelley, and Wonn—17.

So the bill not having received a constitutional majority, was lost.

Senator Miller moved to reconsider the vote by which the bill was lost.

The motion prevailed.

On motion of Senator Stoneman, the vote by which the bill was ordered read a third time, was reconsidered, and the bill was passed on file.

Senate File No. 266, a bill for an act to legalize instruments executed pursuant to chapter 107, title 17, Revision of 1860, was taken up and considered.

Senator Miller moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Chase, Dows, Dwelle, Foster, Gilmore, Hanna, Harmon, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Maginnis, Meyer, Miller, Rumble, Russell, Stoneman, Webb, Wilson, Woolson, Wright, and Young—30.

The nays were—

Senators Dashiell, and Teale—2.

Absent or not voting—

Senators Bestow, Bronson, Clark, Ford, Gallup, Graham, Haines, Ham, Harned, Hartshorn, Hebard, Madson, Merrell, Nichols of Benton, Nichols of Guthrie, Patterson, Shelley, and Wonn—18.

So the bill passed and the title was agreed to.

House File No. 4, a bill for an act to amend chapter 9, of the Code, in relation to fugitives from justice, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 243, a bill for an act requiring indictments to be recorded and providing for trials upon certified copies therefrom in cases of the loss or destruction of the originals, with report of committee recommending a substitute, was taken up, considered, and the report of the committee was adopted.

Senator Woolson moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Chase, Dashiell, Dwelle, Foster, Gilmore, Hanna, Harmon, Harned, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, Madson, Maginnis, Meyer, Miller, Rumble, Russell, Stoneman, Teale, Webb, Wilson, Woolson, Wright, and Young—33.

The nays were:

Senator McCormack—1.

Absent or not voting:

Senators Bestow, Bronson, Clark, Dows, Ford, Gallup, Graham, Haines, Ham, Hartshorn, Merrell, Nichols of Benton, Nichols of Guthrie, Patterson, Shelley, and Wonn—16.

So the bill passed and the title was agreed to.

Senate File No. 127, a bill for an act to prohibit the sale of wine, beer, and spirituous liquors within three miles of the Cedar Valley Seminary, at Osage, Iowa, with report of committee recommending it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

House File No. 360, a bill for an act to amend section 2049 of chapter 1, title 14 of the Code, fixing the weight of a bushel of charcoal, with report of committee recommending its passage, was taken up and considered.

Senator Arnold moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Chase, Dashiell, Dows, Dwelle, Foster, Gilmore, Hanna, Harmon, Harned, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCormack, Madison, Maginnis, Meyer, Miller, Rumble, Stoneman, Teale, Webb, Wilson, Woolson, Wright, and Young—33.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, Clark, Ford, Gallup, Graham, Haines, Ham, Hartshorn, McCoid, Merrell, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Shelley, and Wonn—17.

So the bill passed and the title was agreed to.

Senate File No. 240, was taken up, considered, and, on motion of Senator Stoneman, was referred to the Judiciary Committee.

Senate File No. 244, a bill for an act in relation to bridges on or near county lines, was taken up, and, on motion of Senator Gilmore, was indefinitely postponed.

Senate File No. 224, was taken up, and, on motion of Senator Wright, was ordered passed on file.

House File No. 42, was taken up, and, on motion of Senator Woolson, was ordered passed on file.

Senate File No. 171, was taken up, and, on motion of Senator Arnold, was ordered passed on file.

Senate File No. 153, was taken up, and, on motion of Senator Arnold, was ordered passed on file.

Senate File No. 145, a bill for act in aid of the State Agricultural Society, was taken up.

Senator Webb moved that the bill pass on file.

The motion did not prevail.

Senator Kimball moved to recommit the bill with instructions.

Senator Teale moved to amend by instructing the committee to provide for repealing sections 1107 and 1108 of the Code.

Pending which, the following message was received from the House:

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

House File No. 39, a bill for an act to secure to children the benefits of elementary instruction.

House File No. 525, a bill for an act to authorize the Register of State Land Office to change the spelling in certain patents issued by the State.

Also have passed, without amendment, Senate File No. 233, a bill for an act to provide for the payment of the expenses of the committees appointed to visit State institutions.

W. V. LUCAS, *Clerk.*

Also the following:

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

House File No. 158, an act to amend section 4117, title 25, chapter 4, of the Code.

House File No. 269, an act to legalize the incorporation of Stuart, its ordinances, and the acts of its officers thereunder.

House File No. 348, an act to legalize an election held for the purpose of re-districting the township of Van Buren, in Keokuk county, Iowa, and to legalize the independent districts created in pursuance of the vote at said election.

House File No. 480, an act legalizing a certain mortgage deed made to the school Fund of Washington county, Iowa.

House File No. 505, an act to legalize the incorporation of the town of Emmetsburg, in Palo Alto county, Iowa, the election of its officers, and the acts done and ordinances passed by the council of said town.

House File No. 160, an act to vest title in the heirs, devisees or assignees of deceased patentees.

Senate File No. 254, an act to provide for the giving of the lands mentioned in an act entitled an act in relation to the lands granted to the State of Iowa, by an act of Congress entitled an act for a grant of lands to the State of Iowa, in alternate sections, to aid in the construction of a railroad in said State, approved, May 12, 1864, and to grant to and impose upon the Chicago, Milwaukee & St. Paul Railway Company the powers and liabilities mentioned in chapter 4, title 10 of the Code.

Senate File No. 73, an act to amend chapter 26, of the laws of the Sixteenth General Assembly, in relation to support of the poor.

Senate File No. 128, an act authorizing Sioux county, Iowa, to have made corrected indexes and record of Deed Record "A," from Woodbury county.

W. V. LUCAS, *Clerk.*

The consideration of Senate File No. 145, was resumed.

The amendment offered by Senator Teale did not prevail.

The original motion was then adopted, and the bill was so referred.

Senate File No. 256, a bill for an act to provide for opening drains to be constructed through two or more adjoining counties, amendatory of chapter 2, title 10 of the Code, was taken up, considered, and the bill was ordered engrossed.

Senate File No. 258, a bill for an act requiring insurance companies operating in this State to cancel policies in certain cases, was taken up and considered.

Senator Hemenway moved a suspension of the eleventh rule, and that 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 Arnold, Blackman, Carr, Chase, Dashiell, Dwelle, Foster, Gilmore, Graham, Hanna, Harmon, Harned, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Meyer, Miller, Nichols of Guthrie, Rumble, Stoneman, Teale, Webb, Wilson, Woolson, and Wright—33.

The nays were:

Senators Johnson, Russell, and Young—3.

Absent or not voting:

Senators Bestow, Bronson, Clark, Dows, Ford, Gallup, Haines, Ham, Hartshorn, Merrell, Nichols of Benton, Patterson, Shelley, and Wonn—14.

So the bill passed and the title was agreed to.

On motion of Senator Blackman, House File No. 358, a bill for an act to provide for the construction and maintenance of county bridges on county line roads, where site of bridge is wholly within one or the other county, was taken up and considered.

Senator Blackman moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Dashiell, Dwelle, Gilmore, Graham, Hanna, Harmon, Harned, Hebard, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, Maginnis, Meyer, Miller, Nichols of Guthrie, Rumble, Stoneman, Teale, Webb, Wilson, Woolson, and Wright—28.

The nays were—

Senators Kinne, and Madson—2.

Absent or not voting—

Senators Bestow, Bronson, Chase, Clark, Dows, Ford, Foster, Gallup, Haines, Ham, Hartshorn, Hemenway, McCormack, Merrell, Nichols of Benton, Patterson, Russell, Shelley, Wonn, and Young—20.

So the bill passed and the title was agreed to.

By leave Senator Arnold, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 120, a bill for an act to provide for the keeping and care of certain classes of the insane, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the following substitute be adopted, and that the substitute do pass.

ARNOLD, *Chairman*.

Ordered passed on file.

Senate File No. 222, a bill for an act to amend section 1147 of the

Code, relative to insurance companies, with report of committee recommending it do not pass, was taken up and considered.

Senator Carr moved to indefinitely postpone the bill.

The motion was agreed to.

Senate File No. 159, a bill for an act to repeal section 1155 of the Code and enact a substitute therefor, relating to the certificates of insurance companies, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senator Russell moved that when the Senate adjourn it be until tomorrow morning.

The motion prevailed.

Senate File No. 160, a bill for an act to define investments of life insurance companies and amendatory of sections 1169 and 1179 of the Code of Iowa, with report of committee recommending it do pass, was taken up and considered.

Senator Hemenway moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Chase, Dashiell, Dows, Dwelle, Foster, Gilmore, Graham, Hanna, Harmon, Harned, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Meyer, Miller, Nichols of Guthrie, Rumble, Teale, Webb, Wilson, and Woolson—33.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, Clark, Ford, Gallup, Haines, Ham, Harts-horn, Merrell, Nichols of Benton, Patterson, Russell, Shelley, Stone-man, Wonn, Wright, and Young—17.

So the bill passed and the title was agreed to.

By leave, Senator Hebard introduced Joint Resolution relative to the appointment of commissioners on immigration.

Read first and second time.

Senator Woolson moved to amend by adding to the resolution the words "provided that the appointment may be revoked by the Governor at his pleasure." Agreed to.

On motion of Senator Dows, the hour of adjournment was postponed until the matter under consideration was disposed of.

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

On the question, shall the joint resolution pass?

The yeas were:

Senators Arnold, Carr, Chase, Dashiell, Dows, Dwelle, Foster, Gilmore, Graham, Hanna, Harmon, Harned, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Meyer, Miller, Nichols of Guthrie, Rumble, Teale, Webb, Wilson, Woolson, and Wright—32.

The nays were:

Senators Johnson, and Young—2.

Absent or not voting:

Senators Bestow, Blackman, Bronson, Clark, Ford, Gallup, Ham, Hartshorn, Merrell, Nichols of Benton, Patterson, Russell, Stoneman, and Wonn—16.

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

At 12:05, P. M., the President declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 12, 1878. }

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

Senator Nichols, of Guthrie, nominated Senator McCoid as temporary President.

Senator McCoid moved to amend by inserting the name of Senator Larrabee in lieu of Senator McCoid.

The motion did not prevail.

The original motion was then adopted.

Prayer by the Rev. Mr. Miller.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

By Senator Kinne: Petition from citizens of Iowa protesting against the repeal of the railroad tariff law.

Referred to Committee on Railroads.

By Senator Kimball: From the citizens of Bremer county protesting against a law regulating the practice of medicine.

Referred to Special Committee of five.

By Senator Woolson: Asking a law authorizing and providing for Macadamizing public highways in certain cases.

Referred to Committee on Railroads.

By Senator Lawrence: Petition from citizens of Plymouth county protesting against the repeal of the present railroad tariff law.

Referred to Committee on Railroads.

By Senator Gallup: Memorial from L. Ivison asking an amendment to section 461 of the Code.

Referred to Judiciary Committee.

By Senator Teale: Petition from citizens of Iowa asking a law to prohibit the sale of wine and beer in certain cases.

Referred to Committee on Suppression of Intemperance.

By Senator Clark: Three petitions from citizens of Johnson county protesting against the repeal of the present railroad tariff law.

Referred to Committee on Railroads.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body

The House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 55, a bill for an act to repeal section 1507, of chapter 11, of the Code, relating to fences as amended by chapter 101 of the laws of the Sixteenth General Assembly of Iowa, and enacting a substitute in lieu thereof.

Substitute for House File No. 314, a bill for an act to provide for the sub-division of independent school districts.

House File No. 427, a bill for an act authorizing patents to issue to Neal McNeil, Richard Stebbins and Moses Adams, for certain lands in Monona county.

Also, concurred in Senate Joint Resolution, proposing to amend section 4, of article 3, of the Constitution of the State of Iowa, and provide for its reference and publication.

Joint Resolution for relief of Hon. James A. Guthrie.

Substitute for House Files Nos. 268, 14, 245, 247 and 354, a bill for an act to repeal chapter 68, acts of the Fifteenth General Assembly, and provide for the establishment of a board of railroad commissioners, and defining their duties and terms of office.

House File No. 426, a bill for an act to repeal section 4689 of the Code, and enact a substitute therefor.

Also, have passed, without amendment, Senate File No. 11, a bill for an act to legalize an election held in Lisbon, Linn county, and to legalize the actions of town councils and mayor of said town.

W. V. LUCAS, *Clerk.*

INTRODUCTION OF BILLS.

By the Committee on Retrenchment: Senate File No. 273, a bill for an act to amend sections 1672 and 1676, of the Code, relating to the support of the blind.

Read first and second time, and passed on file.

Also, Senate File No. 274, a bill for an act to amend section 3762 of the Code, relating to salary of the State Librarian.

Read first and second time, and passed on file.

Also, Senate File No. 275, a bill for an act to amend chapter 21, laws of the Fifteenth General Assembly, relative to support of Reform Schools.

Read first and second time, and passed on file.

Also, Senate File No. 276, a bill for an act to amend section 1630 of the Code, and chapter 94, laws of the Sixteenth General Assembly, relative to Soldiers' Orphans' Home.

Read first and second time, and passed on file.

By the Committee on Municipal Corporations: Senate File No. 277, a bill for an act requiring that officers of cities and towns shall receive a fixed compensation, and that all fees now allowed such officers shall be paid into the treasury of the city or town.

Read first and second time, and passed on file.

By Committee on Appropriations: Senate File No. 278, a bill for an act to provide for the maintenance of the asylum for feeble-minded children at Glenwood, Iowa, and to direct the sale of certain property.

Read first and second time, and passed on file.

By the Committee on Elections: Senate File No. 279, a bill for an act to amend section 618 of the Code of 1873.

Read first and second time, and passed on file.

By leave, Senator Teale introduced Senate File No. 280, a bill for an act to legalize the incorporation of the incorporated town of Davis City, Decatur county, Iowa, and the acts of the mayor and council thereof, and the ordinances passed by the same.

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

By Committee on Appropriations: Senate File No. 281, a bill for an act making further appropriations for the College for the Blind.

Read first and second time, and passed on file.

RESOLUTION.

By Senator Lawrence: Joint Resolution relative to establishing a mail route from Spencer to Sheldon.

Read first and second time.

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

On the question, shall the joint resolution pass?

The yeas were:

Senators Arnold, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hebard, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumple, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—43.

The nays were—None.

Absent or not voting:

Senators Bestow, Blackman, Bronson, Hartshorn, Hemenway, Johnson, and Nichols of Benton—7.

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

HOUSE MESSAGES.

House File No. 525, a bill for an act authorizing the Register of the State Land Office to change the spelling in a certain patent issued by the State, was taken up, read first and second time, and referred to Committee on Judiciary.

House File No. 39, a bill for an act to secure to children the benefits of elementary education, was taken up, read first and second time, and referred to Committee on Schools.

House File No. 55, a bill for an act to repeal section 1507, chapter 5, title 11, of the Code, relating to fences, as amended by chapter 101, of the laws of the Sixteenth General Assembly of the State of Iowa, and enacting a substitute in lieu thereof, was taken up, read first and second time, and referred to the Committee on Agriculture.

House File No. 314, a bill for an act to provide for the subdivision of independent school districts, was taken up, read first and second time, and referred to Committee on Schools.

House File No. 427, a bill for an act authorizing patents to issue to Neal McNeil, Richard Stebbins, and Moses Adams, for certain lands in

Monona county, was taken up, read first and second time, and referred to Committee on Schools.

Substitute for House Files No. 268, 14, 245, 247, and 354, a bill for an act to repeal chapter 68, acts of the Fifteenth General Assembly, and provide for the establishment of a Board of Railroad Commissioners, and defining their duties and term of office, was taken up, read first and second time, ordered printed, and referred to Committee on Railroads.

House File No. 426, a bill for an act to repeal section 4689 of the Code, and to enact a substitute therefor, was taken up, read first and second time, and referred to Committee on Judiciary.

Joint Resolution relative to relief of James A. Guthrie, was taken up and read first and second time.

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

On the question, shall the joint resolution pass?

The yeas were:

Senators Arnold, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Webb, Wilson, Wonn, Woolson, Wright, and Young—44.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, Hartshorn, Johnson, Nichols of Benton, and Teale—6.

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

On motion of Senator Dashiell, Senate File No. 242, a bill for an act to prevent dogs running at large upon the premises of persons who are not their owners, with report of committee recommending it do not pass was taken up and considered.

Senator Dashiell, moved to amend by inserting after the word "persons," in 2d line of section 1, the words "keeping sheep upon his premises;" also, to strike out the word "the" in same line, and insert the word "said;" also, to strike out last three words of section 1.

The motion prevailed.

Senator Dashiell moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Harmon, Hebard, Lawrence, Lewellen, McCoid, Meyer, Miller, Patterson, Stoneman, Teale, Webb, Wonn, Woolson, Wright, and Young—26.

The nays were:

Senators Carr, Foster, Haines, Ham, Hanna, Harned, Hemenway, Johnson, Kimball, Kinne, Larrabee, McCormack, Madson, Maginnis, Merrell, Nichols of Guthrie, Rumble, Russell, Shelley, and Wilson—20.

Absent or not voting:

Senators Bestow, Bronson, Hartshorn, and Nichols of Benton—4.

Senator Dashiell moved to strike out all after the word "act," in the title, and insert the words "for the protection of sheep." Agreed to. So the bill passed and the title was agreed to.

ENROLLED BILLS.

Senator Johnson, 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:

Senate File No. 73, an act to amend chapter 26, of the laws of the Sixteenth General Assembly, in relation to support of the poor.

Senate File No. 128, an act authorizing Sioux county, Iowa, to have made corrected index and record of deed record "A," from Woodbury county.

Also, report that they have examined Senate File No. 233, a bill for an act to provide for the payment of the expenses of committees appointed to visit the State institutions;

And find the same correctly enrolled.

M. N. JOHNSON, *Chairman.*

The hour having arrived for the consideration of Senate Files No. 250 and 264, Senator Russell moved to postpone consideration till tomorrow, at 10 o'clock, A. M..

The motion prevailed.

Senator Arnold moved to take up special order, it being the election of a President, *pro tem.*, which motion prevailed.

Senator Larrabee nominated Senator Woolson.

Senator Harned nominated Senator Merrell.

The roll was then called, with the following result:

Whole number of votes cast.....	46
Of which Senator Woolson received	35
Of which Senator Merrell received.....	11

Those voting for Senator Woolson were:

Senators Arnold, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Teale, Webb, Wright, and Young.

Those voting for Senator Merrell were:

Senators Ham, Harned, Kinne, McCormack, Madson, Maginnis, Shelley, Stoneman, Wilson, Wonn, Woolson, Wright, and Young.

Senator Woolson having received a majority of all the votes cast, was declared duly elected President, *pro tem.*, of the Senate.

The temporary President appointed Senators Merrell and Hebard a committee to escort the President, *pro tem.*, to the chair.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 259, a bill for an act to prohibit and punish the

sale of malt or vinous liquors within two miles of the corporate limits of any municipality which has prohibited or licensed the sale of said liquors within said corporate limits, or within two miles of where an election is held, 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 bill as amended by the committee be adopted as a substitute, and when so adopted that it do pass.

J. N. W. RUMPLE, *Chairman*.

Ordered passed on file.

Senator Graham, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred House File No. 99, a bill for an act to prohibit the sale of intoxicating liquors within two miles of cities and towns, and on election days, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Judiciary.

The bill was so referred.

Also the following:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred House File No. 53, a bill for an act to repeal section 1558 of the Code of Iowa, in relation to fines and costs assessed and judgments rendered for violation of the liquor law 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 pass.

WM. GRAHAM, *Chairman*.

Ordered passed on file.

Senator Arnold, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred substitute for Senate File No. 54, a bill for an act to provide for the organization of the State militia, and entitled the Military 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 without recommendation.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 140, a bill for an act making appropriations for the maintenance of the State Normal School at Cedar Falls, beg leave to report that 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 thousand" in second line of first section, and inserting "thirteen thousand five hundred." Also, that a section be added to the bill amending section 5, chapter 129 of the laws of the Sixteenth General Assembly, by striking out the words "one dollar per month," and inserting "\$10.00 per quarter," and that when so amended, the bill do pass.

ARNOLD, *Chairman*.

Ordered passed on file.

BILLS ON THIRD READING.

Senate File No. 256, a bill for an act to provide for opening drains to be constructed through two or more adjoining counties, amendatory of chapter 2, title 10 of the Code, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Carr, Chase, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumples, Shelley, Stoneman, Teale, Webb, Wonn, Woolson, Wright, and Young—41.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, Clark, Dashiell, Hartshorn, Madson, Nichols of Benton, Russell, and Wilson—9.

So the bill passed and the title was agreed to.

On motion of Senator Russell, Senate File No. 274, a bill for an act to amend section 3762 of the Code, relating to salary of the State Librarian was taken up and considered.

Senator Russell moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Chase, Clark, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hebard, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumples, Russell, Shelley, Stoneman, Teale, Wilson, Wonn, and Wright—40.

The nays were:

Senators Dashiell, Hemenway, Lewellen, Webb, and Woolson—5.

Absent or not voting:

Senators Bestow, Bronson, Hartshorn, Nichols of Benton, and Young—5.

So the bill passed and the title was agreed to.

Senate File No. 122, a bill for an act to repeal section 1160 of the Code of 1873, and to enact a substitute therefor, to require mutual insurance companies to make annual reports, with report of committee recommending amendments, was taken up, considered, and the report of the committee was adopted.

Senator Carr moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Harmon, Harned, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Miller,

Nichols of Guthrie, Patterson, Rumple, Russell, Webb, Wilson, Wonn, Woolson, and Wright—39.

The nays were:

Senators Stoneman, and Teale—2.

Absent or not voting:

Senators Bestow, Bronson, Hanna, Hartshorn, Lawrence, Meyer, Nichols of Benton, Shelley, and Young—9.

So the bill passed and the title was agreed to.

On motion of Senator Webb, Senate File No. 277, a bill for an act requiring that officers of cities and towns shall receive a fixed compensation, and that all fees now allowed such officers shall be paid into the treasury of the city or town was taken up and considered.

Senator Webb moved that the eleventh rule be suspended, and the bill 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 Blackman, Chase, Clark, Ford, Foster, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumple, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Woolson, and Wright—36.

The nays were:

Senators Dashiell, Dwelle, Gallup, and Kinne—4.

Absent or not voting:

Senators Arnold, Bestow, Bronson, Carr, Dows, Hartshorn, Lawrence, Nichols of Benton, Wonn, and Young—10.

So the bill passed and the title was agreed to.

Senate resolution relative to purchasing the Mitchellville Seminary, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

REPORT OF COMMITTEE.

Senator Johnson, 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:

Senate File No. 254, an act to provide for the giving of the bond mentioned in an act entitled an act in relation to the lands granted to the State of Iowa, by an act of Congress, entitled an act for a grant of lands to the State of Iowa, in alternate sections, to aid in the construction of a railroad in said State, approved May 12, 1864, and to grant to and impose upon the Chicago, Milwaukee & St. Paul Railway Company, the powers and liabilities mentioned in chapter 4, title 10, of the Code.

House File No. 480, a bill for an act legalizing a certain mortgage deed made to the school fund of Washington county, Iowa.

House File No. 158, a bill for an act to amend section 4117, title 25, chapter 4, of the Code.

House File No. 160, a bill for an act to vest title in the heirs, devisees or assignees of deceased patentees.

Substitute for Senate File No. 206, a bill for an act authorizing boards of supervisors to change the boundary lines of civil townships, with report of committee recommending it do pass, was taken up and considered.

Senator Harmon moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Harned, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCoid, McCormack, Madson, Maginnis, Miller, Nichols of Guthrie, Patterson, Rumple, Russell, Shelley, Stoneman, Teale, Wonn, Woolson, Wright, and Young—40.

The nays were:

Senators Haines, Merrell, and Wilson—3.

Absent or not voting:

Senators Bestow, Bronson, Hartshorn, Lewellen, Meyer, Nichols of Benton, and Webb—7.

So the bill passed and the title was agreed to.

Senate File No. 257, a bill for an act making appropriations for the payment of Wm. R. Craig, contractor, for the erection of the Deaf and Dumb Asylum at Council Bluffs, was taken up and considered.

Senator Nichols, of Guthrie, offered a substitute for the bill.

Senator Larrabee moved to refer the substitute to the Committee on Judiciary.

The motion prevailed.

Senate File No. 269, a bill for an act to repeal section 625 of the Code, in relation to the canvass of votes by the judge of elections and to enact a substitute therefor, was taken up and considered.

Senator Lawrence moved that the eleventh rule be suspended, and the bill 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 Blackman, Clark, Dows, Dwelle, Ford, Foster, Gallup, Haines, Hanna, Harmon, Harned, Hemenway, Kimball, Larrabee, Lawrence, Lewellen, Maginnis, Merrell, Meyer, Miller, Patterson, Shelley, Stoneman, Webb, Wilson, Wonn, and Wright—27.

The nays were:

Senators Dashiell, Gilmore, Graham, Johnson, Kinne, McCormack, Madson, Woolson, and Young—9.

Absent or not voting:

Senators Arnold, Bestow, Bronson, Carr, Chase, Ham, Hartshorn, Hebard, McCoid, Nichols of Benton, Nichols of Guthrie, Rumple, Russell, and Teale—14.

So the bill passed and the title was agreed to.

Senator Rumple moved that when the Senate adjourn, it be until to-morrow at 9:30 o'clock.

The motion prevailed.

Senator Larrabee moved to take up Senate File No. 212, and that it be made a special order at 10 o'clock, A. M., to-morrow.

The motion was agreed to.

On motion of Senator Stoneman, Senate File No. 237, a bill for an act to prevent the publication of false statements relative to the business of fire insurance companies, with report of committee recommending a substitute, was taken up, considered, and the report of the committee was adopted.

By leave, Senator Hemenway moved to amend the substitute by adding to section 2 the words: "The provisions of this section shall not apply to companies, corporations or associations, organized and doing business under the laws of the State." Agreed to.

On motion of Senator Foster, the hour of adjournment was postponed fifteen minutes.

The bill was then ordered engrossed.

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

House File No. 322, an act repealing section 163, of chapter 5, of title 3, of the Code.

BEN. VAN STEINBURG, *Assistant Clerk.*

On motion of Senator Foster, House File No. 322 was taken up, read first and second time, and was referred to Committee on Judiciary.

On motion of Senator Rumble, Senate File No. 269, a bill for an act to amend chapter 101, laws of the Sixteenth General Assembly, in relation to fences, was taken up and considered.

Pending which, Senator Merrell moved to postpone the hour of adjournment until the bill under consideration is disposed of.

The motion prevailed.

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

Senator Russell moved to refer the bill to the Committee on Agriculture, which was lost.

Senator Kimball moved to amend the bill by adding the words, "or said fence may be constructed of five plain wires, without barbs."

The motion did not prevail.

Senator Johnson moved to amend by adding the words, "*Provided*, that said barbs be distributed at equal distances apart." Not agreed to.

The question recurring on the motion to suspend the eleventh rule, the motion prevailed, and the bill was read a time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Dows, Dwelle, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hemenway, Johnson, Kinne, Larrabee, Lawrence, Lewellen, McCoid, Madson, Maginnis, Merrell, Meyer, Nichols of Guthrie, Rumble, Stoneman, Webb, Wilson, Wonn, Woolson, Wright, and Young—33.

The nays were:

Senators Chase, Dashiell, Kimball, McCormack, Miller, Patterson, Russell, and Teale—8.

Absent or not voting:

Senators Bestow, Bronson, Carr, Clark, Ford, Hartshorn, Hebard, Nichols of Benton, and Shelley—9.

So the bill passed and the title was agreed to.

At 12:37, P. M., the President, *pro tem.*, declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 13, 1878 }

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

Prayer by the Rev. Mr. Lucas.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

By Senator Ford: Petition from citizens of Harrison county, asking the repeal of the present railroad tariff law.

Referred to Committee on Railroads.

By Senator Young: Remonstrances from the citizens and officials of Cass county, against the repeal of the present railroad tariff law.

Referred to Committee on Railroads.

By Senator Johnson: Memorial from citizens of Winneshiek county asking the repeal of the present railroad tariff law.

Referred to Committee on Railroads.

By Senator Johnson: Pay-roll of Company G, Fourth Iowa Militia. Referred to Committee on Claims.

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 passed the following bills, in which the concurrence of the Senate is asked:

House File No. 81, a bill for an act to amend section 3275 of the Code.

House File No. 89, a bill for an act to amend section 1714, title 12, chapter 9, of the Code, in relation to the election of school officers.

House File No. 107, a bill for an act amending section 1748 of the Code of Iowa, relating to penalty for neglect of duty on the part of secretary of school districts.

House File No. 148, a bill for an act to amend section 3072, chapter 2, title 18, of the Code, exempting penalty from execution.

House File No. 110, a bill for an act relating to lands of which parties die seized.

House File No. 262, a bill for an act to enable school districts to issue bonds for the purpose of funding judgment indebtedness now existing.

Substitute for House File No. 90, a bill for an act to provide for the assessment and taxation of telegraph lines within the State of Iowa.

House File No. 420, a bill for an act to amend section 455 of chapter 10, title 4, of the Code.

House File No. 246, a bill for an act to amend sections 1384 and 1390, chapter 2, title 11, of the Code, relative to the times of meeting of the boards of trustees of insane hospitals, and allowances to said hospitals.

House File No. 493, a bill for an act legalizing the acts of the county recorder of Lee county, Iowa, in recording mortgages on town lots and other city property with deeds in the town lot records.

House File No. 389, a bill for an act confirming the diplomas of the medical college, at the city of Keokuk, Iowa.

Also have passed without amendment:

Senate File No. 258, a bill for an act to require Fire Insurance Companies doing business in this State to cancel policies in certain cases.

Senate File No. 272, a bill for an act to legalize the levy of certain taxes in the county of Jefferson, in the State of Iowa.

Senate File No. 160, a bill for an act to define investments of Life Insurance Companies, and amendatory of sections 1169 and 1179 of the Code of Iowa.

Senate File No. 172, a bill for an act to establish a central station of the "Iowa Weather Service," and for the appointment of a director thereof.

Also have amended:

Senate File No. 15, a bill for an act to repeal section 3889, of chapter 3, title 24 of the Code, in relation to setting out fires, and enact a substitute therefor, by striking out the word "sections" in the title, and inserting in lieu thereof the word "section," and by striking out the words "and 3890," in the title. Amended section 1 by striking out the words "and 3890," and also struck out section 3890.

Also, have concurred in joint resolution relative to appointment of Immigration Commissioners; and

Joint resolution in relation to Commercial Highway between Mississippi river and Lake Michigan.

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

An act to provide for the payment of expenses of the committees appointed to visit the State institutions.

W. V. LUCAS, *Clerk.*

INTRODUCTION OF BILLS.

By Committee on Appropriations: Senate File No. 282, a bill for an act making appropriations for the Boys' Reform School at Eldora.

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

Also, Senate File No. 283, a bill for an act making appropriations for indebtedness incurred in purchasing heating apparatus in the Deaf and Dumb Institution at Council Bluffs, and for other deficiencies.

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

By Committee on Retrenchment: Senate File No. 284, a bill for an act fixing the salary of the Register of the State Land Office, and his Deputy.

Read first and second time, and passed on file.

Also, Senate File No. 285: A bill for an act amendatory of section 4773 of the Code, relating to supplies for the penitentiaries.

Read first and second time, and passed on file.

Also, Senate File, No. 286, a bill for an act to fix the compensation of the Clerk of the Supreme Court.

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

By Committee on Military: Senate File No. 287, a bill for an act to amend chapter 94 of the acts of the Sixteenth General Assembly.

Read first and second time, and passed on file.

By Committee on Judiciary: Senate File No. 288, a bill for an act to amend section 197 of the Code, relating to the books to be kept by the clerk of the courts.

Read first and second time, and passed on file.

Also, Senate File No. 289, a bill for an act to provide for furnishing a set of Iowa Supreme Court Reports to each of the counties of Emmet, Buena Vista, Ida, and Lee.

Read first and second time, and passed on file.

Also, Senate File No. 290, a bill for an act to amend chapter 81, of the laws of the Sixteenth General Assembly, relating to grace on bills of exchange.

Read first and second time, and passed on file.

Also, Senate File No. 291, a bill for an act to amend section 1058 of the Code.

Read first and second time, and passed on file.

By leave, Senator Johnson introduced Senate File No. 292, a bill for an act to repeal chapter 55 of the public laws of the regular session of the Fourteenth General Assembly, and to divide the State into nine Congressional Districts.

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

Senator Arnold moved that one days' time be extended to the Committee on Appropriations, in which to report appropriation bills.

The motion prevailed.

On motion of Senator Dashiell, all appropriation bills were ordered printed.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor, for his approval, Senate File No. 233, an act to provide for the payment of the expenses of the committees appointed to visit the State institutions;

Also, respectfully report that they have examined Senate File No. 11, an act to legalize an election held in the town of Lisbon, county of Linn, State of Iowa; and to legalize the acts of the mayor and town council in relation thereto;

And find the same correctly enrolled.

M. N. JOHNSON, *Chairman*.

Senator Wilson, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully

report that they have examined substitute for Senate File No. 237, a bill for an act to prevent the making and publication of false or deceptive statements in relation to the business of fire insurance;

And find the same correctly engrossed.

WM. WILSON, *Chairman.*

The hour having arrived for the consideration of Senate File No. 212, a bill for an act relating to the revenue and to repeal sections 908, 913, 914 and 915 of the Code, and to enact a substitute therefor, Senator Larrabee moved that the same be taken up and considered, which motion prevailed.

Senator Larrabee moved to amend by striking out the words "this chapter," in 6th line of section 1, and inserting the words "the Code."

The motion prevailed.

The hour having arrived for the consideration of Senate Files 250 and 264, consideration thereof was, on motion of Senator Larrabee, postponed until the bill before the Senate is disposed of.

Consideration of Senate File No. 212 was resumed.

Senator Dwelle moved to amend by striking out the word "twenty," in 39th line, and inserting the word "ten," and strike out the word "March," and insert "April," and to strike out the word "twenty," and insert "ten," in 40th line, and strike out "August," and insert "September," in same line.

The motion to strike out in 39th line did not prevail.

The motion prevailed.

Senator Nichols of Guthrie moved to amend by striking out in thirty-ninth line, the words "the sum of one-half," and strike out in fortieth line, the words "charged to," and insert the words "collected in;" and strike out after word "September," the words "one-half the remainder of such tax," and insert the words "the amount then collected;" insert after word "tax," at end of line forty-one, the word "collected." Strike out all of forty-second line, and the word "county," in forty-third line. Strike out after word "taxes," in forty-fifth line, all down to and including the word "provided," in forty-sixth line.

The amendment was lost.

Senator Haines moved to amend by inserting after word "hereby," in forty-eighth line, the words "the money for that purpose being in his hands."

The motion prevailed.

Senator Harned moved to amend by striking out the word "five," in line fifty-three, and inserting the word "one."

Senator Kimball moved to amend the amendment, by striking out the word "one," and insert the word "three."

The amendment prevailed.

The motion as amended was adopted.

Senator Kimball moved to amend by adding at the end of line fifty-four, the words, "*Provided*, That counties where suits are still pending in which the rights of counties to collect the taxes are questioned, the provisions of this section shall not apply during the pending of such suits to the amount of taxes so involved in litigation, as certified by the county auditor."

The motion was adopted.

Senator Dashiell moved to amend by inserting the word "only," after the word "apply," in section 3.

Senator Haines moved to amend by striking out the words "his collection of," in line ten, of section 8, and insert after word "taxes," the words "as charged on tax-books."

The motion prevailed.

Pending further consideration of the bill, Senator Dows moved that the hour of adjournment be postponed one hour, and that when the Senate adjourns, it be until to-morrow at 9:30 o'clock, A. M.

The motion prevailed.

Senator Chase moved to reconsider the vote by which the amendment offered by Senator Kimball, was adopted.

The motion prevailed.

Senator Chase then offered the following substitute for the amendment:

Provided, That no county shall be liable for any taxes levied on property claimed to be erroneously assessed, unless it shall be determined in the final arbitrament of that question that such property was properly assessable and subject to taxation.

The substitute was adopted and the amendment was agreed to.

Senator Larrabee moved to suspend the eleventh rule, and that 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 Arnold, Dwelle, Foster, Gallup, Gilmore, Haines, Ham, Harmon, Hebard, Hemenway, Johnson, Kimball, Larrabee, McCoid, Madson, Meyer, Nichols of Benton, Patterson, Shelley, Stoneman, Webb, and Woolson—22.

The nays were:

Senators Chase, Clark, Dashiell, Ford, Graham, Hanna, Harned, Kinne, McCormack, Maginnis, Merrell, Miller, Nichols of Guthrie, Rumble, Russell, Teale, Wilson, Wonn, Wright, and Young—20.

Absent or not voting:

Senators Bestow, Blackman, Bronson, Carr, Dows, Hartshorn, Lawrence, and Lewellen—8.

So the bill, not having received a constitutional majority, did not pass.

Senator Larrabee moved that the secretary be instructed to have Senate File No. 242, a bill for an act for the protection of sheep, returned from the House.

The motion prevailed.

Senator Wonn moved that the vote by which the bill passed the Senate be reconsidered.

Senator Larrabee moved that the consideration of the motion be postponed until to-morrow, which was agreed to.

REPORT OF COMMITTEES.

Senator Arnold from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was

referred Senate File No. 138, a bill for an act to provide for rebuilding the main building of the deaf and dumb asylum, Council Bluffs, Iowa, and for refurnishing 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 accompanying substitute and with the recommendation that the substitute be adopted, and that when so adopted it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 136, a bill for an act making 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 as follows: By striking out of the 4th line of section 1, \$5,500 and inserting \$500.

Also, by striking out all of 5th line, section 1.

Also, by striking out all of 7th and 9th lines.

Also, by striking out of 11th line, section 1, \$1,500 and inserting \$500.

Also, by striking out all of 14th line, section 1.

Also, by adding after the word *trustees*, in 2d line of 2d section, the following:

Provided, That any money remaining unexpended after the completion of the improvement for which the same is herein appropriated may be used so far as necessary for any of the purposes specified in this act.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 139, a bill for an act making appropriations for the hospital for the insane, at Independence, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: By striking out the 6th line of section 1.

Also, that the 11th and 12th lines of section 1 be amended by striking out \$135,000, and inserting \$60,000.

Also, by striking out of 3d line, of 2d section, the word *twenty-five* and inserting *twenty*.

Also, by striking out of 4th line, 2d section, the words *\$50,000* and inserting *\$30,000*.

Also, by striking out all of 5th line, 2d section, and that when so amended it do pass.

D. ARNOLD, *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. 241, a bill for an act to repeal chapter 100, of the laws of the Sixteenth General Assembly, and to revive chapter 8, title 14 of the Code, "of mechanics' liens," 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: Insert after the figures "1873," in fifth line of section one, the words "and the provisions of chapter —, acts of the Fifteenth General Assembly;" and amend the title by adding after the word Code, the words "and acts amendatory thereto," and when so amended it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 195, a bill for an act for the protection of cemeteries 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 the accompanying substitute be adopted, and when adopted that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 10, a bill for an act to establish a Court of Common Pleas in counties of certain population, and to define the powers and jurisdiction thereof; and Senate File No. 65, a bill for an act to establish Superior Courts, defining their jurisdiction, and providing for the election and compensation of the judge 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 the accompanying substitute be adopted, and when adopted that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 180, a bill for an act to repeal section 2316, title 16, chapter 1, of probate jurisdiction, 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 be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 73, a bill for an act to amend section 2590, chapter 5, title 17 of the Code, limiting the number of changes of the place of trial in civil 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 as noted in the bill, and when so amended, it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 451, a bill for an act to legalize certain tax sales in Fremont 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 substitute for House File No. 26, a bill for an act to repeal section 2272 of the Code, in relation to the guardianship of drunkards, spendthrifts and lunatics, and 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 be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred substitute for House File No. 276, a bill for an act to legalize corporations for pecuniary profit, organized under the laws of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 510, a bill for an act to legalize the incorporation and ordinances of the town of Solon, Johnson 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 as follows: Strike out all of section 1 after the word "legalize" in 2d line, and insert the following, "and confirmed;" and add to section 2, "without expense to the State," and when so amended it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 252, a bill for an act to legalize the official acts of F. D. Lindsley, a justice of the peace in and for Benton county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 220, a bill for an act to provide for the incorporation of boards of trade (additional to chapter 2, title 9 of the Code, corporations other than those for pecuniary profit), beg leave to report that 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.

M. A. McCom, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled :

House File No. 358, a bill for an act to provide for the construction

and maintenance of county bridges on county line roads where the site of said bridge is wholly within one or the other county.

House File No. 360, a bill for an act to amend section 2049 of chapter 1, title 14 of the Code, and fixing the weight of a bushel of charcoal.

House File No. 186, a bill for an act to amend chapter 64, laws of the Sixteenth General Assembly, amending section 1793, providing for the county superintendent as arbitrator in case of disagreement of the boards of directors, determining where children shall attend school.

Senate substitute for House File No. 184, a bill for an act to amend section 798, and to repeal section 799, of title 6, of chapter 1 of the Code, relating to exemptions for planting and cultivating forest trees.

M. N. JOHNSON, *Chairman*.

Senator Arnold, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 194, a bill for an act to establish and maintain a Normal School at Le Mars, in Plymouth 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 amended by striking out of 2d line of 5th section, the words "eight thousand," and insert "five thousand," and when so amended that it do pass.

D. ARNOLD, *Chairman*.

Ordered passed on file.

Senator Teale, submitted the following minority report:

MR. PRESIDENT—The undersigned, a minority of the Committee on Appropriations, beg leave to dissent from the action of the committee on Senate File No. 194, a bill for an act making appropriations for the establishment of a Normal School at Le Mars, Iowa, which bill your committee recommend to pass; and for reason of dissent say, that the finances of the State are not in condition to justify the Senate in making appropriations for any new institution whatever; and even had we the necessary means, the purpose for which this appropriation is asked does not commend itself to us, because it taxes the whole State for the benefit of one locality; that it is not a legitimate object of State government to provide a professional education to a portion of its citizens at the public expense, but the State has performed its whole duty in the matter of education when it has provided every child in the State with the means of obtaining such education as will fit him for the practical duties of citizenship. That no scarcity of trained teachers, with whom to make our present school system effective, exists, and therefore it is unnecessary for the State to go into the business of preparing young men and women for the position of teachers.

Therefore, we recommend that the bill do not pass.

FRED TEALE,
S. HARNED,
J. S. MCCORMACK.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 49, a bill for an act to repeal section 1762, title 12, chapter 9, of the Code, in relation to teachers' institutes, and closing schools to attend 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 Schools, to whom was referred House File No. 163, a bill for an act to prevent the spreading of contagious diseases in public schools of the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 38, a bill for an act to create a State Board of Examination, and to define its powers, beg leave to report that 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 shown herewith, and that, when so amended, it do pass.

WOOLSON, *Chairman.*

Ordered passed on file.

Senator Dwelle, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 145, a bill for an act in aid of the State Agricultural Society, beg leave to report that they have had the same under consideration, as per instructions, and have instructed me to report the same back to the Senate with the recommendation that it be amended, by adding after the word "Society," in section 1, fifth line, the following: "And that said Society shall report the manner in which the money appropriated has been expended," and when so amended it do pass.

DWELLE, *Chairman.*

Ordered passed on file.

Senator Gilmore offered the following resolution:

Resolved, That all clerks of committees be directed to report to the Secretary of the Senate for assignment for duty, except when required for actual committee service.

The resolution was adopted.

On motion, the special order, it being Senate File No. 250, a bill for an act to repeal section 5, chapter 137, laws of the Sixteenth General Assembly, and sections 4785 and 4787, of the Code, relating to the support of the convicts in the penitentiaries at Fort Madison and Anamosa, and to enact a substitute therefor, was taken up and considered.

Senator Russell moved a suspension of the eleventh rule, and that the bill be read a third time now.

Senator Haines moved to amend the bill by striking out the word "six" in line five, and asserting the word "seven."

Pending which, Senator Young moved to postpone the hour of adjournment until the bill under consideration is disposed of.

The motion prevailed.

Senator Kimball moved to amend the amendment of Senator Haines, by striking out the word "six 50-100" and insert the word "seven."

Senator McCoid moved that the Senate adjourn. Lost.

Senator Dashiell moved the previous question, which was seconded, and the main question ordered.

The question being on the amendment to the amendment, it was lost.

The question being on the adoption of the amendment of Senator Haines, it did not prevail.

On the question, shall the bill be engrossed and read a third time to-morrow? the yeas and nays were demanded, and

The yeas were:

Senators Blackman, Carr, Dows, Dwelle, Ford, Gallup, Graham, Ham, Hanna, Harmon, Harned, Hebard, Johnson, Kimball, Larrabee, Madson, Maginnis, Merrell, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—30.

The nays were:

Senators Arnold, Chase, Dashiell, Foster, Gilmore, Haines, Hemenway, Lawrence, Lewellen, McCoid, Meyer, and Miller—12.

Absent or not voting:

Senators Bestow, Bronson, Clark, Hartshorn, Kinne, McCormack, Shelley, and Stoneman—8.

So the bill was ordered engrossed.

The President submitted report of the Executive Council, relative to the expenditures of State funds at the Centennial Exposition, which was ordered passed on file.

At 1:25 o'clock, P. M., the Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, March 14, 1878. }

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

Prayer by the Rev. Mr. Oneal.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

By Senator Young: Petition from citizens of Cass county, Iowa, protesting against the repeal of the present railroad tariff law.

Referred to Committee on Railroads.

By Senator Wilson: Petition from citizens of Washington county, protesting against the repeal of the railroad tariff law.

Referred to Committee on Railroads.

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 passed the following bills in which the concurrence of the Senate is asked:

House File No. 150, a bill for an act to authorize counties, cities, and towns to refund outstanding bonded debt at a lower rate of interest, *and to provide* for the payment of the same.

Substitute for House File No. 299, a bill for an act making appropriations for the construction of the new capitol building, for the purchase of a lot, and the construction of a sewer therefor.

Substitute for House File No. 304, a bill for an act for the endowment and support of the State University.

House File No. 539, a bill for an act to change the name of the town of Dayton, in the county of Washington, and State of Iowa, to Daytonville.

House File No. 538, a bill for an act appropriating money for paying the salaries of the Commissioners of the Anamosa Penitentiary in 1875.

Substitute for House File No. 378, and Senate File No. 142, a bill for an act making appropriations to the Iowa Agricultural College.

Also, without amendment, substitute for Senate File No. 44, a bill for an act to amend section 1, chapter 57, of the public laws of the Fifteenth General Assembly, in relation to holding normal institutes.

Senate File No. 245, a bill for an act to amend section 990, chapter 2, title 7, of the Code of 1873.

Senate File No. 158, a bill for an act to legalize the sale of certain school lands in Allamakee county.

Also, have amended and passed, Senate File No. 34, a bill for an act to amend chapter 47, laws of the Sixteenth General Assembly, in relation to empowering cities to extend their corporate limits, (additional to Code, chapter 10, title 4, of cities and incorporated towns.) Amendments noted.

W. V. LUCAS, *Chief Clerk.*

Also the following:

MR. PRESIDENT—I herewith return to your honorable body, as by request, Senate File No. 242, an act for the protection of sheep.

BEN. VAN STEINBURG, *Assistant Clerk.*

INTRODUCTION OF BILLS.

By Committee on Appropriations: Senate File No. 293, a bill for an act making appropriations for the Additional Penitentiary at Anamosa.

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

Also, Senate File No. 294, a bill for an act providing for the purchase of lands and property for the girls' reform school, and providing for the removal of the inmates.

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

Also, Senate File No. 295, a bill for an act making appropriations for the use and improvement of the Iowa penitentiary at Ft. Madison, Iowa.

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

Also, Senate File No. 296, a bill for an act to promote fish culture in the State of Iowa, and to amend and consolidate the enactments heretofore passed for that purpose.

Read first and second time, and passed on file.

By Committee on Agriculture: Senate File No. 297, a bill for an act authorizing the purchase of a receipt for the cure and prevention of hog cholera.

Read first and second time, and passed on file.

BILLS ON SECOND READING.

On motion of Senator Russell, Senate File No. 264, a bill for an act to repeal section 4783, of the Code, and to enact a substitute therefor, was taken up and considered.

Senator Russell moved to amend the title of the bill by striking out the words, "section 4783 of the Code," and inserting, "chapter 156 of the laws of the Sixteenth General Assembly."

The motion prevailed.

Senator Russell moved to amend section 1, by striking out of the first and second lines the words, "section 4783 of the Code," and inserting the words, "chapter 156 of the laws of the Sixteenth General Assembly," which was agreed to.

Senator Chase moved to postpone further consideration until Monday.

Senator Dashiell moved to amend by inserting, "to-morrow at 2 o'clock," in lieu of "Monday."

The motion did not prevail.

The motion to postpone until Monday was lost.

Senator Russell, moved to suspend the eleventh rule, and that the bill be read a third time now.

Senator Dashiell moved to amend the bill by striking out the words, "\$66.77," and inserting "\$25."

The motion did not prevail.

Senator Larrabee moved to amend by adding to section 2, the words, "all acts and parts of acts inconsistent with this act are hereby repealed."

The motion prevailed.

The question recurring on the motion to suspend the eleventh rule, the yeas and nays were demanded, and

The yeas were:

Senators Blackman, Carr, Dwelle, Gallup, Gilmore, Graham, Hsm, Hanna, Harmon, Harned, Hartshorn, Hebard, Kimball, Kinne, Larrabee, McCormack, Madson, Maginnis, Merrell, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wonn, Wright, and Young—29.

The nays were:

Senators Arnold, Chase, Clark, Dashiell, Dows, Ford, Foster, Haines, Hemenway, Johnson, Lawrence, Lewellen, McCoid, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Wilson, and Woolson—19.

Absent or not voting:

Senators Bestow, and Bronson—2.

So the motion to suspend the eleventh rule, not having received a two-thirds majority, did not prevail.

Senator Teale moved that the bill be committed to the Committee on Penitentiary, with instructions to report on Saturday.

The motion prevailed.

Senator Johnson, 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:

Senate File No. 258, an act to require Fire Insurance Companies doing business in this State, to cancel policies in certain cases.

Joint Resolution, relative to appointment of Immigration Commissioners.

Memorial and Joint Resolution in reference to securing a commercial highway, by water, between the Mississippi River and Lake Michigan, via the valley of the Fox and Wisconsin Rivers.

Senate File No. 272, a bill for an act to legalize the levy of certain taxes in the county of Jefferson, in the State of Iowa.

Also, they have examined the following bills, and find the same correctly enrolled:

House File No. 425, a bill for an act appropriating money to defray inauguration expenses.

House File No. 417, a bill for an act to confer the tax voted in Whitebreast township, Warren county, Iowa, June 10, 1876, upon the Chariton, Des Moines & Southern Railroad.

Joint Resolution for relief of Hon. James A. Guthrie.

M. N. JOHNSON, *Chairman*.

By leave, Senator McCoid introduced Senate File No. 298, a bill for an act to amend chapter 68, acts of the Fifteenth General Assembly, establishing reasonable maximum rates of charges for the transportation of freight and passengers on the different railroads of the State, and repealing portions thereof.

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

By leave, the Committee on Appropriations introduced Senate File No. 299, a bill for an act to make it a penal offense for officers of the State Institutions to contract indebtedness in excess of the appropriations, and providing a punishment therefor.

Read first and second time.

Senator Larrabee moved a suspension of the eleventh rule, and that the bill be read a third time now.

Senator McCoid moved to amend the bill by adding to section 1 the words, "Provided that nothing herein contained shall prevent the incurring of an indebtedness on account of support funds for State Institutions upon the prior written direction of the executive council, specifying the items and amount of such indebtedness to be incurred, and the necessity therefor.

The motion was agreed to.

The question then recurring on the motion to suspend the eleventh rule, the motion prevailed and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Carr, Chase, Clark, Dashiell, Dows,

Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—48.

The nays were—None.

Absent or not voting:

Senators Bestow, and Bronson—2.

Senator Woolson moved to amend the title by striking out the words "penal offense," and inserting the word "unlawful," and to insert after the word "appropriations" "or divert funds from purposes for which the same were appropriated."

The motion prevailed.

So the bill passed and the title was agreed to.

On motion of Senator Foster, Senate File No. 10, a bill for an act in relation to the first, fifth and seventh judicial circuits of the State, subdividing the same, providing for appointment and election of judges of the circuit courts therein, and defining the duties and powers thereof, was taken up and considered.

Senator Foster moved that the eleventh rule be suspended, and the bill be considered engrossed and 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 Arnold, Blackman, Carr, Clark, Dows, Dwelle, Ford, Foster, Gallup, Graham, Haines, Ham, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Maginnis, Merrell, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Shelley, Stoneman, Webb, Woolson, Wright, and Young—33.

The nays were:

Senators Chase, Dashiell, Gilmore, Harned, Johnson, McCoid, McCormack, Madson, Miller, Wilson, and Wonn—11.

Absent or not voting:

Senators Bestow, Bronson, Lewellen, Meyer, Russell, and Teale—6.

So the bill passed and the title was agreed to.

Senator Stoneman offered the following:

Resolved, That substitute for House Files Nos. 268, 14, 245, 247 and 354, be made the special order for 10 o'clock, A. M., to-morrow, and that the Railway Committee be instructed to report at that time.

Senator Chase raised the point of order that as the bill was not in the possession of the Senate, it was not in order to make it a special order.

The Chair decided the point of order well taken.

Senator Stoneman then moved that the Railroad Committee be instructed to report the bill back at 10 o'clock, March 15th.

On the adoption of the motion the yeas and nays were demanded, and

The yeas were—

Senators Arnold, Carr, Dashiell, Dows, Dwelle, Ford, Gallup, Graham, Hartshorn, Hebard, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, Madson, Merrell, Miller, Nichols of Guthrie, Patterson, Russell, Stoneman, Teale, Wonn, and Wright—27.

The nays were—

Senators Blackman, Chase, Clark, Foster, Gilmore, Haines, Ham, Hanna, Harmon, Harned, Hemenway, McCormack, Maginnis, Meyer, Nichols of Benton, Rumble, Shelley, Webb, Wilson, Woolson, and Young—21.

Absent or not voting—

Senators Bestow, and Bronson—2.

So the motion to instruct prevailed.

On motion of Senator Larrabee, Senate File No. 113, a bill for an act to provide for the appointment of a State Entomologist, and to define his duties, was taken up and considered.

Senator Larrabee moved to amend by striking out "3,000," and inserting "2,500," in second line of section 5.

Senator Teale moved to amend the amendment by striking out "2,500," and inserting "1,800."

Pending which, Senator Larrabee moved that the hour of adjournment be postponed fifteen minutes.

The motion prevailed.

Senator McCormack moved to lay the whole subject on the table.

On the adoption of the motion the yeas and nays were demanded, and

The yeas were:

Senators Dashiell, Foster, Gilmore, Graham, Harned, Johnson, McCormack, Maginnis, Merrell, Shelley, Teale, and Wilson—12.

The nays were:

Senators Arnold, Carr, Chase, Clark, Dows, Dwelle, Ford, Gallup, Haines, Ham, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, Madson, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Stoneman, Webb, Wonn, Woolson, and Wright—32.

Absent or not voting:

Senators Bestow, Blackman, Bronson, Miller, Rumble, and Young—6.

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

On motion of Senator Stoneman, the hour of adjournment was postponed 10 minutes.

Pending further consideration of the bill,

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 160, a bill for an act to define investments of Life Insurance Companies, and amendatory of sections 1169 and 1179 of the Code of Iowa;

And find the same correctly enrolled.

M. N. JOHNSON, *Chairman.*

Senator Merrell moved that when the Senate adjourn it be until tomorrow morning, at 9 o'clock.

The motion prevailed.

Senator Hartshorn moved that further consideration of the bill be postponed until House messages are taken up and disposed of.

Pending which the President at 12:25, P. M., declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 15, 1878. }

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

Prayer by the Rev. Mr. Gilmore.

Pending the reading of yesterday's Journal, Senator Arnold moved that further reading be dispensed with.

The motion prevailed.

PETITIONS AND MEMORIALS.

By Senator Kinne: Petition from citizens of Allamakee county, asking for the repeal of the present railroad tariff law.

Referred to Committee on Railroads.

By Senator Webb: Petition from citizens of Polk and Madison counties, Iowa, asking that the railroad tariff law be repealed.

Referred to Committee on Railroads.

By Senator Clark: From the citizens of Johnson county, protesting against the repeal of the railroad tariff law.

Referred to Committee on Railroads.

HOUSE MESSAGES.

House File No. 378, and Substitute for Senate File No. 142, a bill for an act making appropriations to the Iowa Agricultural College was taken up.

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

House File No. 538, a bill for an act appropriating money for paying the salaries of the commissioner on the Anamosa penitentiary in 1875, was taken up.

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

House File No. 539, a bill for an act to change the name of the town of Dayton, in the county of Washington, and State of Iowa, to Daytonville, was taken up, read first and second time.

Senator Wilson moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hemenway, Johnson, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, and Young—42.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, Dows, Hebard, Kimball, Russell, Woolson, and Wright—8.

So the bill passed and the title was agreed to.

House File No. 304, a bill for an act for the endowment and support of the State University, was taken up.

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

Substitute for House File No. 299, a bill for an act making appropriations for the construction of the new Capitol building, for the purchase of a lot and the construction of a sewer therefor, was taken up.

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

House File No. 81, a bill for an act to amend section 3275 of the Code, was taken up.

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

House File No. 89, a bill for an act to amend section 1714, title 12, chapter 9, of the Code, in relation to the election of school officers, was taken up.

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

House File No. 107, a bill for an act amending section 1746 of the Code of Iowa, relating to penalty for neglect of duty on the part of secretaries of school districts, was taken up.

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

House File No. 148, a bill for an act to amend section 3072, chapter 2, title 18, of the Code, exempting poultry from execution, was taken up.

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

House File No. 110, a bill for an act in relation to lands of which parties die seized, was taken up.

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

House File No. 262, a bill for an act to enable school districts to issue bonds for the purpose of funding judgment indebtedness now existing, was taken up.

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

Substitute for House File No. 90, a bill for an act to provide for the assessment and taxation of telegraph lines within the State of Iowa, was taken up.

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

House File No. 420, a bill for an act to amend section 435, of chapter 10, title 4, of the Code, was taken up.

Read first and second time, and referred to Committee on Municipal Corporations.

House File No. 246, a bill for an act to amend sections 1384 and 1390, chapter 2, title 11, of the Code, relative to the times of meeting of the Board of Trustees of the Insane Hospital, and allowances to said Hospital, was taken up.

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

House file No. 493, a bill for an act legalizing the acts of the county recorder of Lee county, Iowa, in recording mortgages on town lots and other city property with the deeds in town lot records, was taken up.

Read first and second time.

Senator Shelley moved to amend the publication clause, by inserting the words, "without expense to the State."

The motion prevailed.

On motion of Senator Shelley, the eleventh rule was suspended and the bill read a third time now.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Carr, Chase, Clark, Dasbiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, and Wright—45.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, Hebard, Woolson, and Young—5.

So the bill passed and the title was agreed to.

House File No. 389, a bill for an act confirming the diplomas of the medical college at city of Keokuk, Iowa, was taken up.

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

House File No. 150, a bill for an act to authorize counties, cities and towns to refund outstanding bonded debt at a lower rate of interest, and to provide for the payment of the same, was taken up.

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

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 543, a bill for an act to legalize the incorporation, ordinances and acts of officers of the town of Wilton, Muscatine county, Iowa.

Substitute for House File No. 168, a bill for an act to authorize extension of drains upon the premises of another.

House File No. 450, a bill for an act to legalize certain corporate acts of the city of Charles City, Floyd county, Iowa.

House File No. 286, a bill for an act amendatory to section 2, chapter 123, of the acts of the Sixteenth General Assembly, relating to townships and incorporated towns and cities, to aid in the construction of railroads.

House File No. 549, a bill for an act to legalize the acts of the Farmers' Mutual Fire Insurance Company, of Clayton county, Iowa.

House File No. 260, a bill for an act to confer certain powers upon any home for the friendless, incorporated under the laws of Iowa, in relation to the control and disposition of minor children who become inmates thereof.

Substitute for House File No. 308, a bill for an act requiring that officers in certain cities may receive a fixed compensation, and that all

fees now allowed such officers shall be paid into the treasuries of such cities.

Also, without amendment, substitute for Senate Files Nos. 10 and 65, a bill for an act in relation to the first, fifth and seventh judicial circuits of the State; subdividing the same, providing for appointment and election of judges of the circuit courts therein, and defining the powers and duties thereof.

W. V. LUCAS, *Clerk*.

House File No. 543, a bill for an act to legalize the incorporation, ordinances, and acts of officers of the town of Wilton, Muscatine county, Iowa, was taken up, read first and second time, and, on motion of Senator Hanna, the eleventh rule was suspended, and the bill was read a third time now.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Blackman, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Foster, Gallup, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Wilson, Wonn, Woolson, and Wright—44.

The nays were—None.

Absent or not voting:

Senators Bronson, Dows, Gilmore, Miller, Webb, and Young—6.

So the bill passed and the title was agreed to.

Substitute for House File No. 168 was taken up, read first and second time, and referred to Committee on Judiciary.

House File No. 450 was taken up, read first and second time, and referred to Committee on Judiciary.

House File No. 286 was taken up, read first and second time, and, on motion of Senator Stoneman, the eleventh rule was suspended, and the bill was read a third time now.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Johnson, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, and Wright—46.

The nays were—None.

Absent or not voting:

Senators Bronson, Hemenway, Kimball, and Young—4.

So the bill passed and the title was agreed to.

House File No. 260, was taken up, read first and second time, and referred to Committee on Judiciary.

Substitute for House File No. 308, a bill for an act requiring that officers in certain cities may receive a fixed compensation, and that all fees now allowed such officers shall be paid into the treasuries of such

cities, was taken up, read first and second time, and on motion of Senator Webb, the eleventh rule was suspended and the bill read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Blackman, Carr, Chase, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harned, Hartshorn, Hebard, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Stoneman, Webb, Wilson, Woolson, and Wright—38.

The nays were:

Senators Dashiell, Kinne, Maginnis, Shelley, and Teale—5.

Absent or not voting:

Senators Bronson, Clark, Harmon, Hemenway, Nichols of Benton, Wonn, and Young—7.

So the bill passed and the title was agreed to.

ENROLLED BILLS.

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

MR. PRESIDENT—The Committee on Enrolled Bills, respectfully report that they have examined:

Senate File No. 44, an act to amend section 1, chapter 57, of public laws of the Fifteenth General Assembly, in relation to holding normal institutes;

Senate File No. 158, a bill for an act to legalize the sale of certain school lands in Allamakee county;

House File No. 480, a bill for an act legalizing a certain mortgage deed made to the school fund of Washington county, Iowa;

House File No. 158, a bill for an act to amend section 4117, title 25, chapter 4 of the Code;

House File No. 160, a bill for an act to vest title in the heirs, devisees or assignees of deceased patentees;

And find the same correctly enrolled.

M. N. JOHNSON, *Chairman*.

The President submitted a tabular statement from the Investigating Committee at the Ft. Madison penitentiary, which was ordered printed, and referred to the Committee on Penitentiaries.

On motion of Senator Gilmore, House File No. 26, was taken up and referred to Committee on Judiciary.

REPORT OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 94, a bill for an act to repeal section 3818 of the Code, in relation to the fees of witnesses in criminal cases, 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 the accompanying substitute be adopted, and when adopted that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House Joint Resolution, relative to the purchasing of a safe for the office of Treasurer of 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 the accompanying do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 218, a bill for an act to amend section 3164 of the Code, in relation to appeals from the Superintendent of Public Instruction to the Supreme Courts, beg leave to report that 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 "superintendents," in eleventh line of section 1, the following: "wherein is involved the construction of a statute, or the authority or jurisdiction of an official in the matter involved in said appeal." Strike out all of section 1, after the word "courts," in thirteenth line, and insert the following: "in actions at law to be governed by the same rules and mode of procedure, provided that such appeals shall only present to said Supreme Court questions of law, or construction of law, arising on said appeal." Strike out sections two and three, and when so amended that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 144, a bill for an act to provide for holding the terms of the supreme court, and amending sections 133, 134, 135, 136, 137 and 138 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 amended by inserting the word "unless" after the word "term" in the 11th line of section 1, and that when so amended it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred substitute for Senate File No. 186, a bill for an act to provide for the construction and maintenance of fish-ways to enable fish to pass over dams across the rivers and streams of the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the report that there is no constitutional objection to its passage.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 525, a bill for an act to authorize the Register

of the State Land Office to change the spelling in certain patents issued by the State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 397, a bill for an act to amend chapter 50, section 1, of the Twelfth General Assembly of the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. N. W. RUMPLE, *Chairman.*

Ordered passed on file.

Senator Blackman, from the Committee on Reform Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Reform Schools, to whom was referred petition of trustees of White's Manual Labor Institute, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with accompanying bill, and with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Reform School, to whom was referred Senate File No. 227, a bill for an act for the leasing of grounds and buildings for the Girls' department of the State Reform School, and to make appropriations therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out in section 1, fourth line, "at or near the city of Mount Pleasant, Henry county, Iowa," and inserting "as near the present location as they may find practicable; also, in same section, sixth line, the word "locality," and inserting "leased premises," and when so amended, it do pass.

W. W. BLACKMAN, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 137, a bill for an act to amend sections 1802 and 1808, 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.

JNO. S. WOOLSON, *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 Senate File No. 82, a bill for an act for the repose of certain taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the

Senate with the recommendation that it be amended by inserting after the word "same," in third line of section 1, the words, "by advertising for sale, or in any manner;" strike out "five" and insert "seven" in same line, and add section 2, as noted in the bill, and when so amended, that it do pass.

LARRABEE, *Chairman*.

Ordered passed on file.

Senator Russell, from the Committee on Retrenchment, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment, to whom was referred Senate File No. 263, a bill for an act to amend section 4771 of the Code, relating to fugitives from justice, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying substitute back to the Senate with the recommendation that it be adopted, and when so adopted that it do pass.

RUSSELL, *Chairman*.

Ordered passed on file.

Senator Dwelle, from the Committee on Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 55, a bill for an act to repeal section 1507, of chapter 5, title 11, of the Code, relating to fences, as amended by chapter 101 of the laws of the Sixteenth General Assembly of Iowa, and enact a substitute in lieu thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the word "forty," in line 13, and insert the words "thirty-three, and when so amended it do pass.

DWELLE, *Chairman*.

Ordered passed on file.

Senator Young, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred substitute for House Files 268, 14, 245, 247, and 354, a bill for an act to repeal chapter 68, acts of the Fifteenth General Assembly, and provide for the establishment of a Board of Railroad Commissioners, and defining their duties and terms of office, respectfully report as follows: That what purports to be said bill came into the possession of your committee March 13th; that no meeting of the committee was held that day, for good and sufficient reasons; that on the afternoon of March 14th and the morning of March 15th, the committee met, and at neither meeting was the committee able to reach any conclusion as to the bill in question. In obedience to the instructions made in the following resolution, passed by the Senate March 14, 1878, the bill which purports to be a substitute for House Files 268, 14, 245, 247, and 354, is herewith returned, without the committee having taken any action upon it:

Resolved, That the Railway Committee be directed to report a substitute for House Files Nos. 268, 14, 245, 247, and 354, to-morrow at ten o'clock A. M.

A majority of your committee would respectfully express the opinion that the Senate, in demanding that the bill in question be reported on

this morning, did not allow the committee a "reasonable maximum" time in which to consider and perfect a bill of the importance of the one herein mentioned.

Your committee is aware that the session is drawing to a close, but a majority of the committee believe that further time should have been granted us for the consideration of a measure so full of power for good or evil to the commerce of our great and growing State. Hasty legislation should never be done, and a majority of your committee hope that the bill, which for lack of time we have been unable to consider, may have the most careful consideration of the Senate.

Respectfully,

LAFAYETTE YOUNG, *Chairman.*

Ordered passed on file.

By leave, Senator Young introduced Senate File No. 300, a bill for an act authorizing and directing the Governor to certify to the Sioux City & St. Paul Railway Company, certain lands named therein, and the repeal of section 34, of the private, local, and temporary acts of the Sixteenth General Assembly.

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

Senator Meyer offered the following resolution:

WHEREAS, There appears by the report of the committee appointed to visit the additional penitentiary at Anamosa, that there exists outstanding indebtedness against the State on account of supplies furnished said penitentiary; and,

WHEREAS, It appears from said report that the late Warden, Martin Heisey, is indebted to the State; and,

WHEREAS, It further appears from said report that the title to some of the lands of said penitentiary is defective, and that to five lots the State has no title whatever; therefore,

Resolved, That the portions of said report relative to the foregoing, are hereby referred to the Judiciary Committee, with instructions to examine the same and report by bill or otherwise what farther legislation, if any, is needed under the circumstances to protect the interest of the State, and that said committee have leave to report at any time.

The resolution was adopted.

BILLS ON THIRD READING.

Senate File No. 34, a bill for an act to amend chapter forty-seven (47), laws of the Sixteenth General Assembly, in relation to empowering cities to extend their corporate limits (additional to Code, chapter 10, title 4, "of cities and incorporated towns"), with House amendments, was taken up.

On the question, shall the Senate concur in the House amendments: The yeas were:

Senators Arnold, Blackman, Dows, Ford, Ham, Harned, Merrell, and Teale—8.

The nays were:

Senators Carr, Chase, Clark, Dashiell, Dwelle, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kinne, Larrabee, Lawrence, McCormack, Madson, Maginnis, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble,

Russell, Shelley, Stoneman, Webb, Wonn, Woolson, Wright, and Young—35.

Absent or not voting:

Senators Bestow, Bronson, Kimball, Lewellen, McCoid, Meyer, and Wilson—7.

So the Senate refused to concur in the House amendments.

Substitute for Senate File No. 237, a bill for an act to prevent the making and publication of false or deceptive statements in relation to the business of fire insurance, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Webb, Wilson, Wonn, Woolson, Wright, and Young—46.

The nays were:

Senator Teale—1.

Absent or not voting:

Senators Bestow, Bronson, and Meyer—3.

So the bill passed and the title was agreed to.

Senate File No. 15, a bill for an act to repeal sections 3889 and 3890, chapter 3, title 24, of the Code, and to enact a substitute therefor, with house amendments, was taken up.

On the question, shall the Senate concur in House amendments:

The yeas were:

Senators Arnold, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—45.

The nays were:

Senator Hanna—1.

Absent or not voting:

Senators Bestow, Bronson, Johnson, and Nichols of Guthrie—4.

So the Senate concurred in House amendments.

Senate File No. 250, a bill for an act to repeal section 5, chapter 137, laws of the Sixteenth General Assembly, and sections 4785 and 4787 of the Code, relating to the support of the convicts in the penitentiaries at Fort Madison and Anamosa, and to enact a substitute therefor, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Carr, Chase, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Ham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lawrence, McCoid, McCormack, Madson, Merrell, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—37.

The nays were:

Senators Dashiell, Foster, Haines, Hanna, Johnson, Lewellen, Maginnis, Meyer, Miller, and Nichols of Benton—10.

Absent or not voting:

Senators Bestow, Bronson, and Clark—3.

So the bill passed and the title was agreed to.

Senator Stoneman moved to take up substitute for House Files Nos. 268, 14, 245, 247, and 354, and make the consideration of the same a special order for Tuesday, the 19th inst., at 10 o'clock, A. M.

On the adoption of the motion the yeas and nays were demanded, and

The yeas were:

Senators Arnold, Bestow, Blackman, Carr, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, and Wright—36.

The nays were:

Senators Chase, Clark, Foster, Haines, Ham, Hanna, Harned, Maginnis, Merrell, Meyer, Rumble, Woolson, and Young—13.

Absent or not voting:

Senator Bronson—1.

So the motion prevailed.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 374 a bill for an act to legalize the official acts of T. E. Moore, a Justice of the Peace of Van Meter township, Dallas county, Iowa.

House File No. 358, an act to provide for the construction and maintenance of county bridges on county line roads, &c.

House File No. 184, an act to amend section 798, and to repeal section 799, of title 6, chapter 1, of the Code, relating to exemptions for planting and cultivating forest trees.

Senate File No. 11, an act to legalize an election held in the town of Lisbon, county of Linn, State of Iowa, and to legalize the acts of the mayor and town council in relation thereto.

House File No. 186 an act to amend chapter 64, laws of the Sixteenth General Assembly, amending section 1793, etc.

House File No. 425, an act appropriating money to defray inauguration expenses.

House File No. 417, an act to confer the tax voted in Whitebreast township, Warren county, Iowa, June 10, 1876, upon the Chariton, Des Moines & Southern Railroad Company.

Senate File No. 172, an act to establish a central station of the "Iowa Weather Service," and for the appointment of a director thereof.

Senate File No. 272, an act to legalize the levy of certain taxes in the county of Jefferson, in the State of Iowa.

Senate File No. 258, an act to require fire insurance companies doing business in this State, to cancel policies in certain cases.

House File No. 360, an act to amend section 2049 of chapter 1, title 14, of the Code, and fixing the weight of a bushel of charcoal.

Senate File No. 160, an act to define investments of life insurance companies, and amendatory of sections 1169 and 1179, of the Code of Iowa.

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

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

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have this day presented to the Governor for his approval:

Senate File No. 160, an act to define investments of Life Insurance Companies, and amendatory of sections 1169 and 1179, of the Code of Iowa.

Senate File No. 258, an act to require Fire Insurance Companies, doing business in this State, to cancel policies in certain cases.

Senate File No. 272, an act to legalize the levy of certain taxes in the county of Jefferson, in the State of Iowa.

Senate File No. 11, an act to legalize an election held in the town of Lisbon, county of Linn, State of Iowa, and to legalize the acts of the mayor and town council, in relation thereto.

Senate File No 172, an act to establish a central station of the "Iowa Weather Service," and for the appointment of a director thereof.

House File No. 425, a bill for an act appropriating money to defray inauguration expenses.

House File No. 417, a bill for an act to confer the tax voted in Whitebreast township, Warren county, Iowa, June 10, 1876, upon the Chariton, Des Moines & Southern Railroad Company.

Joint Resolution for relief of Hon. James A. Guthrie.

House File No. 358, a bill for an act to provide for the construction and maintenance of county bridges on county line roads where site of bridge is wholly within one or the other county.

House File No. 360, a bill for an act to amend section 2049, of chapter 1, title 14 of the Code, and fixing the weight of a bushel of charcoal.

House File No. 186, a bill for an act to amend chapter 64, laws of the Sixteenth General Assembly, amending section 1793, providing for county superintendents as arbitrators, in case of disagreement of the boards of directors, determining where children shall attend school.

Senate substitute for House File No. 184, a bill for an act to amend section 798, and to repeal section 799, of title 6, chapter 1 of the Code, relating to exemptions for planting and cultivating forest trees.

M. N. JOHNSON, *Chairman.*

At 12 o'clock, M., the President declared the Senate adjourned.

AFTERNOON SESSION.

2 O'CLOCK, P. M.

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

Senator Russell moved to take up and consider bills reported by the Committee on Retrenchment in the order in which they appear on the files until they are all disposed of.

The motion prevailed.

Senate File No. 263, a bill for an act to amend section 4171 of the Code, in relation to fugitives from justice, with report of committee recommending a substitute, was taken up, considered, and the report of the committee was adopted.

Senator Russell moved that the eleventh rule be suspended, and the bill 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 Arnold, Carr, Clark, Dwelle, Ford, Gallup, Gilmore, Graham, Ham, Harmon, Harned, Hartshorn, Hebard, Larrabee, Lawrence, McCoid, McCormack, Madson, Merrell, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wonn, and Young—30.

The nays were:

Senators Chase, Dashiell, Foster, Haines, Hanna, Hemenway, Johnson, Lewellen, Maginnis, Meyer, and Woolson—11.

Absent or not voting:

Senators Bestow, Blackman, Bronson, Dows, Kimball, Kinne, Miller, Wilson, and Wright—9.

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE.

The following message was received from the House:

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

Memorial and Joint Resolution in reference to securing a commercial highway, by water, between the Mississippi River and Lake Michigan, via the valley of the Fox and Wisconsin Rivers.

Joint Resolution relative to appointment of Immigration Commissioners.

Joint Resolution for relief of Hon. James A. Guthrie.

Joint Resolution proposing to amend section four (4) of article three (3) of the Constitution of the State of Iowa, and to provide for its reference and publication.

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

Senate File No. 247, a bill for an act to amend sections 1384 and 1390 of the Code, was taken up and considered.

Senator Russell moved to strike out the word "fifteen" in last line, and insert the word "sixteen."

The motion was agreed to.

Senator Russell moved that the eleventh rule be suspended, and the bill 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 Arnold, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kinne, Larrabee, Lawrence, McCoid, McCormack, Maginnis, Merrell, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, and Wright—41.

The nays were—None.

Absent or not voting:

Senators Bestow, Blackman, Bronson, Dows, Kimball, Lewellen, Madson, Miller, and Young—9.

So the bill passed and the title was agreed to.

Senate File No. 284, a bill for an act fixing the salary of the Register of the State Land Office and his deputy, was taken up and considered.

Senator Teale moved to amend, by inserting after the word "office," in section 1, the words "except the necessary stationery."

The motion prevailed.

Senator Teale moved that the eleventh rule be suspended, and the bill 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 Arnold, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kinne, Larrabee, McCoid, McCormack, Maginnis, Merrell, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, and Woolson—40.

The nays were—None.

Absent or not voting:

Senators Bestow, Blackman, Bronson, Kimball, Lawrence, Lewellen, Madson, Miller, Wright, and Young—10.

So the bill passed and the title was agreed to.

Senate File No. 273, a bill for an act amending sections 1672 and 1676 of the Code, relating to support of the blind, was taken up and considered.

Senator Larrabee moved that the eleventh rule be suspended, and the bill 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 Arnold, Carr, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kinne, Larrabee, Lawrence, McCoid, McCormack, Maginnis, Merrell, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—38.

The nays were—None.

Absent or not voting:

Senators Bestow, Blackman, Bronson, Chase, Haines, Kimball, Lewellen, Madson, Meyer, Miller, Nichols of Benton, and Rumble—12.

So the bill passed and the title was agreed to.

Senate File No. 275, a bill for an act to amend chapter 21, laws of the Fifteenth General Assembly, relating to support of Reform School, was taken up and considered.

Senator Hartshorn moved that the eleventh rule be suspended, and the bill 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 Arnold, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Harned, Hartshorn, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lawrence, McCoid, McCormack, Merrell, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Woolson, Wright, and Young—37.

The nays were:

Senators Haines, Johnson, and Maginnis—3.

Absent or not voting:

Senators Bestow, Blackman, Bronson, Harmon, Lewellen, Madson, Meyer, Miller, Nichols of Benton, and Wonn—10.

So the bill passed and the title was agreed to.

Senator Chase moved to reconsider the vote by which the bill passed.

The motion prevailed.

Senator Chase moved to reconsider the vote by which the eleventh rule was suspended.

The motion did not prevail.

On the question, shall the bill pass?

The yeas were:

Senators Carr, Dashiell, Dows, Dwelle, Ford, Gallup, Graham, Ham, Harned, Hartshorn, Hebard, Hemenway, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, and Wright—30.

The nays were:

Senators Arnold, Blackman, Chase, Clark, Foster, Gilmore, Haines, Hanna, Harmon, Johnson, Kimball, Merrell, Rumble, Woolson, and Young—15.

Absent or not voting:

Senators Bestow, Bronson, Maginnis, Meyer, and Miller—5.

So the bill passed and the title was agreed to.

Senate File No. 276, a bill for an act to amend section 1630 of the Code, and chapter 94, laws of the Sixteenth General Assembly, relating to Soldiers' Orphans' Home, was taken up and considered.

Senator Arnold moved to amend by striking out the word "eight," and insert the word "nine," in section 1.

The motion did not prevail.

Senator Carr moved that the eleventh rule be suspended, and the bill 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 Arnold, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Kimball, Kinne, Larrabee, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Rumpel, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Wright, and Young—40.

The nays were:

Senators Foster, Hemenway, Johnson, Miller, and Woolson—5.

Absent or not voting:

Senators Bestow, Blackman, Bronson, Haines, and Lawrence—5.

So the bill passed and the title was agreed to.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined substitute for Senate File No. 10 and 65, a bill for an act in relation to the First, Fifth and Seventh Judicial Circuits of the State, sub-dividing the same, providing for appointment and election of judges of the circuit courts therein, and defining the powers and duties thereof;

Senate File No. 15, a bill for an act to repeal section 3889 of chapter 3, title 24, of the Code, in relation to setting out fires and to enact a substitute therefor;

Senate File No. 245, a bill for an act to amend section 990, chapter 2, title 7, of the Code of 1873;

And find the same correctly enrolled.

Also, that they have this day presented to the Governor for his approval:

Joint Resolution, relative to the appointment of Immigration Commissioners.

Joint Resolution, proposing to amend section four (4) of article three (3) of the Constitution of the State of Iowa, and to provide for its reference and publication.

Memorial and Joint Resolution, in reference to securing a commercial highway by water between the Mississippi river and Lake Michigan, via the valley of the Fox and Wisconsin rivers.

Joint Resolution, for relief of Hon. James A. Guthrie.

M. N. JOHNSON, *Chairman*.

Senate File No. 195, a bill for an act for the protection of cemeteries in the State of Iowa, with report of committee recommending a substitute, was taken up, considered, and the report of the committee was adopted.

Senator Ham moved that the eleventh rule be suspended, and the bill 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 Arnold, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lewellen, Mc-

Coid, McCormack, Madson, Maginnis, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Rumple, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—42.

The nays were:

Senators Johnson, and Miller—2.

Absent or not voting:

Senators Bestow, Blackman, Bronson, Haines, Lawrence, and Merrell—6.

So the bill passed and the title was agreed to.

On motion of Senator Wright, Senate File No. 270, a bill for an act to repeal section 527, chapter 10, title 4 of the Code, was taken up and considered.

Senator Wright moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, McCoid, McCormack, Madson, Maginnis, Merrell, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumple, Shelley, Stoneman, Webb, Wilson, Wonn, Woolson, Wright, and Young—41.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, Haines, Ford, Lawrence, Lewellen, Meyer, Russell, and Teale—9.

So the bill passed and the title was agreed to.

By leave, Senator Young, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 198, a bill for an act to repeal section 1321 of chapter 5, title 10 of the Code, and to provide for the apportionment of the assessed valuation of railroads for municipal taxation, 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.

LAFAYETTE YOUNG, *Chairman.*

Ordered passed on file.

On motion of Senator Graham, substitute for Senate File No. 30, a bill for an act to repeal section 4107, of chapter 1, title 25, sections 4529 and 4530, chapter 35, title 25 of the Code, and to provide a substitute therefor, and to amend section 4528, chapter 35, title 25 of the Code, with report of committee recommending a substitute was taken up, considered, and the report of the committee was adopted.

Senator Graham moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Harmon,

Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Shelley, Stoneman, Teale, Wilson, Wonn, Woolson, Wright, and Young—41.

The nays were:

Senator Miller—1.

Absent or not voting:

Senators Bestow, Bronson, Ford, Haines, Kinne, Meyer, Russell, and Webb—8.

So the bill passed and the title was agreed to.

On motion of Senator Hemenway, House File No. 30, a bill for an act to amend chapter 3, title 5 of the Code, regulating the election of supervisors of highways, and township assessors, in certain cases, with report of committee recommending it do pass, was taken up and considered.

Senator Hemenway moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—43.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, Foster, Haines, Kinne, Nichols of Benton, and Russell—7.

So the bill passed and the title was agreed to.

On motion of Senator Kimball, substitute for Senate File No. 259, a bill for an act to prohibit and punish the sale of malt and vinous liquors within two miles of the corporate limits of any municipality which has prohibited or licensed the sale of said liquors within said corporate limits, or within two miles of where an election is held, with report of committee recommending a substitute, was taken up and considered.

Senator Dashiell moved to strike out the word "chapter" in second line of section 6, and insert the word "act."

The motion prevailed, and Senator Teale moved to strike out section 9, which motion did not prevail.

Senator Merrell moved to strike out all after "enacting clause," down to and including section 8.

On the adoption of the motion the yeas and nays were demanded, and

The yeas were:

Senators Foster, Ham, Harned, McCormack, Merrell, Shelley, Stoneman, Wilson, Wonn, and Wright—10.

The nays were:

Senators Arnold, Blackman, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen,

McCoid, Madson, Maginnis, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Teale, Webb, Woolson, and Young—35.

Absent or not voting:

Senators Bestow, Bronson, Carr, Haines, and Russell—5.

So the motion did not prevail.

Senator Shelley moved to strike out the word "two," in ninth section, and insert the word "ten."

The motion did not prevail.

The substitute was then adopted.

Senator Dashiell moved to amend the title by inserting after the word "prohibit," the word "regulate," and to strike out all after the word "municipality," down to and including the word "lineal"; and to strike out the word "or," and insert the word "and"; and to add to the title the words, "and to extend the powers and jurisdiction of said municipality and its officers."

The motion prevailed.

Senator Kimball moved to suspend the eleventh rule, and that 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 Arnold, Blackman, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, Madson, Maginnis, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Teale, Webb, Woolson, and Young—34.

The nays were:

Senators Carr, Foster, Ham, Harned, Kinne, McCormack, Merrell, Shelley, Stoneman, Wilson, Wonn, and Wright—12.

Absent or not voting:

Senator Bestow, Bronson, Haines, and Russell—4.

So the bill passed and the title was agreed to.

The President submitted a communication from the Governor, announcing the resignation of Thomas Officer as Trustee of the Deaf and Dumb Asylum at Council Bluffs.

Passed on file.

On motion of Senator Young, at 5:10 o'clock, P. M., the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 16, 1878. }

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

Pending reading of the journal, Senator Graham moved that further reading be dispensed with.

The motion prevailed.

Senator Kinne asked leave to have his vote recorded on Senate File No. 259. Leave was granted, and the vote was recorded in the negative.

Senator Nichols of Benton was excused.

INTRODUCTION OF BILLS.

By Committee on Elections: Senate File No. 301, a bill for an act defining corrupt solicitation and prescribing the penalty therefor.

Read first and second time, and passed on file.

By leave, Senator Wright introduced Senate File No. 302, a bill for an act in relation to vacancies in offices whose incumbents are chosen by the General Assembly.

Read first and second time.

On motion of Senator Wright the eleventh rule was suspended, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kinne, Larrabee, Lawrence, McCoid, McCormack, Madson, Maginnis, Merrell, Miller, Nichols of Benton, Patterson, Rumble, Shelley, Webb, Wilson, Wonn, Woolson, Wright, and Young--37.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, Dows, Foster, Haines, Harned, Kimball, Lewellen, Meyer, Nichols of Guthrie, Russell, Stoneman, and Teale—13.

So the bill passed and the title was agreed to.

By leave, Senator Harmon introduced Senate File No. 303, a bill for an act to amend section 80, chapter 4, title 2, of the Code.

Read first and second time.

Senator Harmon moved that the eleventh rule be suspended, and that 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 Arnold, Blackman, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Gallup, Gilmore, Graham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kinne, Larrabee, Lawrence, McCoid,

McCormack, Madson, Maginnis, Merrell, Miller, Nichols of Benton, Patterson, Rumble, Russell, Shelley, Webb, Wilson, Wonn, Woolson, and Wright—37.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, Dows, Foster, Haines, Ham, Kimball, Lewellen, Meyer, Nichols of Guthrie, Stoneman, Teale, and Young—13

So the bill passed and the title was agreed to.

By leave, Senator Gallop introduced Senate File No. 304, a bill for an act to legalize the boundaries of the Independent School District of Nevada, Iowa.

Read first and second time.

On motion of Senator Gallup, the eleventh rule was suspended, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCoid, McCormack, Madson, Merrell, Meyer, Miller, Nichols of Benton, Patterson, Rumble, Russell, Shelley, Stoneman, Webb, Wilson, Wonn, and Woolson—40.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, Dows, Foster, Lewellen, Maginnis, Nichols of Guthrie, Teale, Wright, and Young—10.

So the bill passed and the title was agreed to.

On motion of Senator McCormack, substitute for Senate File No. 180, a bill for an act to provide for the construction and maintenance of fish-ways, to enable fish to pass over dams across the rivers and streams of the State of Iowa, with report of committee recommending a substitute, was taken up, considered, and the report of the committee was adopted.

Senator McCormack moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Clark, Dashiell, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Hartshorn, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Stoneman, Webb, Wilson, and Wonn—37.

The nays were:

Senators Chase, Harned, and Shelley—3.

Absent or not voting:

Senator Bestow, Bronson, Dows, Foster, Hebard, Lewellen, Teale, Woolson, Wright, and Young—10.

So the bill passed and the title was agreed to.

On motion of Senator Clark, House File No. 510, a bill for an act to legalize the incorporation and ordinances of the town of Solon, John-

son county, Iowa, with report of committee recommending amendments, was taken up, considered, and the report of the committee amending the publication clause was adopted.

Senator Nichols, of Benton, moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCoid, McCormack, Madson, Meyer, Miller, Nichols of Benton, Patterson, Rumble, Russell, Shelley, Teale, Webb, Wonn, Woolson, and Young—39.

The nays were:

Senators Nichols of Guthrie, Stoneman, and Wilson—3.

Absent or not voting:

Senators Bestow, Bronson, Dows, Hanna, Lewellen, Maginnis, Merrell, and Wright—8.

So the bill passed and the title was agreed to.

Senator Lewellen was excused.

On motion of Senator Clark, House File No. 397, a bill for an act to amend chapter 50, section 1, of the laws of the Twelfth General Assembly of the State of Iowa, was taken up and considered.

Senator Nichols, of Benton, moved that the eleventh rule be suspended, and the bill 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 Blackman, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCoid, McCormack, Madson, Merrell, Meyer, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, and Young—39.

The nays were:

Senator Woolson—1.

Absent or not voting:

Senators Arnold, Bestow, Bronson, Dows, Ham, Hanna, Lewellen, Maginnis, Miller, and Wright—10.

So the bill passed and the title was agreed to.

By leave, Senator Larrabee introduced Senate File No. 305, a bill for an act to legalize the incorporation of the town of Cherokee, in Cherokee county, Iowa.

Read first and second time.

Senator Lawrence moved a suspension of the eleventh rule, and that 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 Arnold, Blackman, Carr, Chase, Dashiell, Dwelle, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned,

Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCoid, McCormack, Madson, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumples, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, and Woolson—40.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, Clark, Dows, Ford, Lewellen, Maginnis, Merrell, Wright, and Young—10.

So the bill passed and the title was agreed to.

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 has passed the following bills, in which the concurrence of the Senate is asked:

Substitute for House File No. 395, a bill for an act authorizing the copying of the indexes and records of counties.

House File No. 447, for an act to provide for the improvement of highways in the State of Iowa.

House File No. 530, a bill for an act for the better security of the revenue regulating the duties of county treasurers and boards of supervisors in relation to the same, and amending section 912 of the Code.

House File No. 359, a bill for an act to repeal section 1767, of chapter 9, title 12, of the Code, and enact a substitute therefor, relating to the age and qualification of teachers.

W. V. LUCAS, *Clerk.*

By leave, the Committee on Schools introduced Senate File No. 306, a bill for an act to legalize the acts of the Board of Directors of the Independent District of Fort Dodge, in the county of Webster, in setting off and fixing the boundaries of the district township of Cooper, in the county of Webster, and the election of the boards of directors in said district township of Cooper.

Read first and second time.

Senator Russell moved to suspend the eleventh rule, and that 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 Arnold, Blackman, Carr, Chase, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCoid, McCormack, Madson, Merrell, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumples, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, and Young—41.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, Clark, Dows, Ham, Lewellen, Maginnis, Meyer, and Wright—9.

So the bill passed and the title was agreed to.

On motion of Senator Shelley, Senate File No. 82, a bill for an act

for the repose of certain taxes, with the report of committee recommending amendments, was taken up and considered.

Senator Woolson moved to amend the amendments, by adding to section 2 the words, *Provided*, That nothing in this act contained shall affect the rights of parties to any action now pending, but the rights of all parties to actions now pending, are hereby expressly reserved, as the same are at this date.

The motion was adopted.

Senator Larrabee moved to refer the bill to the Judiciary Committee.

The motion prevailed.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

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

Senate File No. 245, an act to amend section 990, chapter 2, title 7, of the Code of 1873.

Substitute for Senate Files Nos. 10 and 65, an act in relation to the First, Fifth, and Seventh Judicial Circuits of the State; subdividing the same, providing for the appointment and election of Judges of the Circuit Courts therein, and defining the power and duties thereof.

Senate File No. 15, an act to repeal section 3889, of chapter 3, title 24, of the Code, in relation to setting out fires, and to enact a substitute therefor.

Senate File No. 44, an act to amend section 1, chapter 57, of the public laws of the Fifteenth General Assembly, in relation to holding normal institutes.

Senate File No. 158, an act to legalize the sale of certain school lands in Allamakee county.

W. V. LUCAS, *Clerk*.

On motion of Senator Blackman, Senate File No. 137, a bill for an act to amend sections 1802 and 1808 of the Code of Iowa, with report of committee recommending indefinite postponement, was then taken up and considered.

Senator Blackman offered a substitute for the bill.

Senator Woolson moved to amend the substitute, by adding the words, *Provided*, That no measure or motion shall be considered as having been adopted by the board, unless there shall be three votes in favor thereof.

The motion prevailed.

The substitute was then adopted.

Senator Blackman moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Clark, Dashiell, Dwelle, Ford, Gallup, Gilmore, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCoid, Madson,

Maginnis, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Teale, Webb, Woolson and Young—31.

The nays were:

Senators Chase, Foster, Graham, Haines, Ham, Merrell, Meyer, Miller, and Wilson—9.

Absent or not voting:

Senators Bestow, Bronson, Dows, Lewellen, McCormack, Rumple, Shelley, Stoneman, Wonn, and Wright—10.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEES.

Senator Arnold from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred substitute for House File No. 304, a bill for an act for the endowment and support of 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 do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred substitute for House File No. 299, a bill for an act making appropriations for the construction of the new capitol building, for the purchase of a lot and the construction of a sewer therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out all of section 1 after the enacting clause. Also, by changing section 2 to section 1, section 3 to section 2, and section 4 to section 3, and when so amended that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Substitute for Senate File No. 142, and House File No. 378, a bill for an act making appropriations to the Iowa 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.

D. ARNOLD, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 4, a bill for an act authorizing patents to issue to Neal McNeal, Richard Stebbins, and Moses Adams, for certain land in Monona 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.

WOOLSON, *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 House File No. 150, a bill for an act to authorize counties, cities, and towns, to refund outstanding bonded debt at a lower rate of interest, and to provide for the payment of the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred substitute for House File No. 90, a bill for an act to provide for the assessment and taxation of telegraph lines within 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.

LARRABEE, *Chairman.*

Ordered passed on file.

HOUSE MESSAGES.

House File No. 359 was taken up, read first and second times, and referred to Committee on Schools.

House File No. 530, was taken up, read first and second time, and referred to Committee on Ways and Means.

House File No. 447 was taken up, read first and second time, and referred to Committee on Highways.

Substitute for House File No. 395 was taken up, read first and second time, and referred to Committee on Judiciary.

On motion of Senator Ford, House File No. 427, a bill for an act authorizing patents to issue to Neal McNeal, Richard Stebbins, and Moses Adams, for certain lands in Monona county, with report of committee recommending it do pass, was taken up and considered.

Senator Ford moved that the eleventh rule be suspended, and the bill 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 Arnold, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Foster, Gallup, Graham, Haines, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCoid, McCormack, Madson, Maginnis, Merrell, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Woolson, and Young—40.

The nays were—None.

Absent or not voting—

Senators Bestow, Blackman, Bronson, Dows, Gilmore, Ham, Lewellen, Meyer, Wonn, and Wright—10.

So the bill passed and the title was agreed to.

On motion of Senator Larrabee, Senate File No. 90, a bill for an act to provide for the assessment and taxation of telegraph lines within the

State of Iowa, with report of committee recommending that it do pass, was taken up and considered.

Senator Larrabee moved that the eleventh rule be suspended, and the bill 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 Arnold, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hebard, Hemenway, Kinne, Larrabee, Lawrence, McCoid, Madson, Maginnis, Merrell, Nichols of Benton, Patterson, Rumpel, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, and Young—36.

The nays were—None.

Absent or not voting:

Senators Bestow, Blackman, Bronson, Dows, Hartshorn, Johnson, Kimball, Lewellen, McCormack, Meyer, Miller, Nichols of Guthrie, Russell, and Wright—14.

So the bill passed and the title was agreed to.

On motion of Senator Russell, House File No. 525, a bill for an act authorizing the Register of the State Land Office to change the spelling in certain patents issued by the State, was taken up and considered.

Senator Russell moved that the eleventh rule be suspended, and the bill 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 Arnold, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Nichols of Benton, Patterson, Rumpel, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, and Young—41.

The nays were—None.

Absent or not voting:

Senators Bestow, Blackman, Bronson, Dows, Ham, Lewellen, Miller, Nichols of Guthrie, and Wright—9.

So the bill passed and the title was agreed to.

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

Resolved by the Senate, the House concurring, That the Senate will meet the House of Representatives in joint convention, for the purpose of electing trustees for the several State institutions on Tuesday, March 19, 1878, at 7 o'clock, p. m.

On motion of Senator Teale, Senate File No. 54, was taken up, considered, and, on motion of Senator Teale, was made a special order for Monday, March 18, 1878, at 2 o'clock, p. m.

Senator Arnold moved to take up House File No. 299, and that the same be recommitted to the Committee on Appropriations.

The motion prevailed, and the bill was recommitted.

On motion of Senator Larrabee, Senate File No. 253, was taken up and made a special order for Monday, at 10 o'clock, a. m., and that consideration of appropriation bills follow, not to interfere, however, with special orders now made.

On motion of Senator Ham, the hour of adjournment was postponed 30 minutes.

On motion of Senator McCoid, Senate File No. 227, a bill for an act for the leasing of grounds and buildings for the Girls' Department of the State Reform School, and to make appropriations therefor, with report of committee recommending amendments, was taken up and considered.

Senator Rumble was excused until Monday.

Senator Merrell moved that when the Senate adjourn, it be until 2:30 o'clock this afternoon.

The motion prevailed.

At 12:30 o'clock, P. M., the President declared the Senate adjourned.

AFTERNOON SESSION.

2:30 O'CLOCK, P. M.

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

The consideration of Senate File No. 227 was resumed.

The question being on the amendments of the committee, they were lost.

Senator Dashiell moved to amend by inserting the words, "by and with the consent of the Executive Council," after the word "authorize," in line two, section 1.

The amendment was adopted.

Senator Dashiell moved to amend by striking out the words, "at or near the City of Mt. Pleasant, Henry county, Iowa." Agreed to.

Senator Hartshorn moved to amend by striking out, in section 1, line five, the word "five," and insert the word "two," and add the words, "with the privilege of terminating this lease at the end of any year after the second year, by giving sixty days notice thereof."

The motion did not prevail.

Senator Dashiell moved to amend by inserting after the word "of," the words, "not to exceed five years." Adopted.

Senator Teale offered a substitute for the bill.

Senator Larrabee moved to amend the bill, by inserting after the word "years," in line five, section 1, the words "with privilege of terminating said lease, by giving one year's notice after two years."

Agreed to.

Senator Larrabee moved to amend, by striking out all after the word "school," in third line, down to and including the word "necessary," in ninth line, and inserting the words "in preparing and paying rent of buildings for the accommodation of said school." Agreed to.

Senator Larrabee moved to amend the substitute, by striking out the words "etc.," and inserting the words "furniture, fixtures and appurtenances."

The amendment was adopted.

Senator Arnold moved to fill blank in line six, section 4, by inserting the words "one thousand dollars, or as much thereof as is necessary."

The motion prevailed.

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

The yeas were:

Senators Arnold, Blackman, Dasbiell, Dwelle, Gilmore, Haines, Harned, Hartshorn, Larrabee, Maginnis, Meyer, Stoneman, Teale, Webb, and Young—15.

The nays were:

Senators Carr, Chase, Clark, Ford, Foster, Ham, Hanna, Harmon, Hebard, Hemenway, Johnson, Kimball, Kinne, Lawrence, McCoid, McCormack, Merrell, Miller, Nichols of Benton, Patterson, Russell, Shelley, Wilson, Wonn, Woolson, and Wright—26.

Absent or not voting:

Senators Bestow, Bronson, Dows, Gallup, Graham, Lewellen, Madison, Nichols of Guthrie, and Rumble—9.

So the substitute was not adopted.

The bill was then ordered engrossed.

Senator Shelley offered the following:

Resolved by the Senate, That the Judiciary Committee be instructed to report Senate File No. 82 to the Senate, Monday morning, at 10 o'clock.

The resolution was adopted.

REPORT OF COMMITTEE.

Senator Johnson, 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:

Senate File No. 15, an act to repeal section 3889 of chapter 3, title 24, of the Code, in relation to setting out fires, and to enact a substitute therefor.

Substitute for Senate Files No. 10 and 65, an act in relation to the first, fifth, and seventh judicial circuits of the State, sub-dividing the same, providing for appointment and election of judges of the circuit courts therein, and defining the powers and duties thereof.

Senate File No. 245, an act to amend section 990, chapter 2, title 7 of the Code of 1873.

Senate File No. 158, an act to legalize the sale of certain school lands in Allamakee county.

Senate File No. 44, an act to amend section 1, chapter 57, of public laws of the Fifteenth General Assembly, in relation to holding normal institutes.

M. N. JOHNSON, *Chairman*.

On motion of Senator Russell, Senate File No. 286, a bill for an act to fix the compensation of the clerk of the supreme court and his deputy, was taken up and considered.

Senator Woolson offered the following amendment to section 1:

Provided, That there shall be, and is hereby allowed said clerk, additional allowance of two and a half dollars for each day upon which he is necessarily absent from his office at Des Moines, in attendance upon, and in going to and from the sessions of the supreme court, held at any other place than Des Moines, to be paid said clerk upon his statement of the time so occupied.

The amendment was not adopted.

On motion of Senator Teale, the eleventh rule was suspended, and the bill was read a third time now.

On the question, shall the pass?

The yeas were:

Senators Arnold, Blackman, Carr, Chase, Dashiell, Dwelle, Ford, Gilmore, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCoid, McCormack, Maginnis, Merrell, Meyer, Nichols of Benton, Patterson, Russell, Shelley, Stoneman, Teale, Wilson, Wonn, Woolson, Wright, and Young—37.

The nays were:

Senator Miller—1.

Absent or not voting:

Senators Bestow, Bronson, Clark, Dows, Foster, Gallup, Graham, Lewellen, Madson, Nichols of Guthrie, Rumble, and Webb—12.

Senator Larrabee offered the following substitute for the title: A bill for an act to repeal section 3771 of the Code, and to enact a substitute therefor, in relation to compensation of the clerk of the supreme court, and fixing the amount of fees in certain cases, and providing for their collection and payment into the State treasury, and repealing section 3772 of the Code.

The substitute was adopted.

So the bill passed and the title was agreed to.

On motion of Senator Stoneman, House File No. 73, a bill for an act to amend section 2590, chapter 5, title 17, of the Code, limiting the number of changes of the place of trial in civil cases, with report of committee recommending amendments, was taken up, considered, and the report of the committee was adopted.

Senator Stoneman moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Dashiell, Dwelle, Ford, Foster, Haines, Ham, Hanna, Harned, Hartshorn, Hebard, Hemenway, Kinne, Larrabee, Lawrence, McCoid, McCormack, Maginnis, Merrell, Miller, Nichols of Benton, Patterson, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, and Wright—32.

The nays were:

Senators Carr, Chase, Gilmore, Harmon, Johnson, and Young—6.

Absent or not voting:

Senators Bestow, Bronson, Clark, Dows, Gallup, Graham, Kimball, Lewellen, Madson, Meyer, Nichols of Guthrie, and Rumble—12.

So the bill passed and the title was agreed to.

On motion of Senator Lawrence House File No. 150, with report of committee recommending it do pass, was taken up and considered.

Senator Hanna moved to amend, by inserting after the words "per annum," in ninth line of section 1, the words: "*Provided*, That no authority to refund shall be exercised at a rate of interest greater than the interest on bonds now outstanding."

The motion was not agreed to.

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

Senator Woolson moved to amend by inserting after the word "rate," in first section, the words "of interest less than the interest on the bonds refunded, and."

The motion did not prevail.

The motion to suspend the rule then prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Carr, Chase, Clark, Dwelle, Ford, Foster, Gilmore, Haines, Ham, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCoid, McCormack, Maginnis, Merrell, Meyer, Patterson, Russell, Stoneman, Webb, Wilson, Wonn, Woolson, and Wright—33.

The nays were:

Senators Dashiell, and Hanna—2.

Absent or not voting:

Senators Bestow, Bronson, Dows, Gallup, Graham, Harned, Lewellen, Madson, Miller, Nichols of Benton, Nichols of Guthrie, Rumble, Shelley, Teale, and Young—15.

So the bill passed and the title was agreed to.

On motion of Senator Shelley, House File No. 239, a bill for an act for the better protection of persons traveling on railroads, and the punishment of offenders thereon, with report of committee recommending it do pass, was taken up and considered.

Senator Chase moved to amend by inserting after the word "passenger," in second line, the words, "or riding."

The motion was agreed to.

Senator Johnson moved to amend by striking out section 2.

The motion did not prevail.

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

Senator Hemenway moved to refer the bill to the Judiciary Committee, with instructions to report on Monday morning, which motion prevailed.

On motion of Senator Stoneman, the Senate at 5:50 adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 18, 1878. }

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

Prayer by the Rev. Dr. Knott.

Pending reading of the journal of Saturday, Senator Wright moved that further reading be dispensed with.

The motion prevailed.

PETITIONS AND MEMORIALS.

By Senator Kinne: Pay-roll of Company "E," First Regiment Iowa Militia.

Referred to Committee on Claims.

By Senator Russell: Petition from citizens of Greene county, asking that the railroad tariff law be repealed. Passed on file.

INTRODUCTION OF BILLS.

By leave, Senator Hartshorn introduced Senate File No. 307, a bill for an act to legalize the incorporation of the Trustees of the Algona College.

Read first and second time.

Senator Hartshorn moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Foster, Gilmore, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCoid, McCormack, Madson, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumples, Russell, Shelley, Stoneman, Webb, Wilson, Wonn, Woolson, Wright, and Young—42.

The nays were—None.

Absent or not voting:

Senators Bestow, Bronson, Dows, Gallup, Graham, Lewellen, Maginnis, and Teale—8.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 308, an act requiring that officers of certain cities may receive a fixed compensation, and that all fees now allowed such officers shall be paid into the treasuries of such cities.

W. V. LUCAS, *Clerk*.

By leave, Senator Maginnis introduced Senate File No. 308, a bill for an act to repeal an act passed by the Seventeenth General Assembly of the State of Iowa, entitled an act to legalize the organization of the independent district of Delta, Keokuk county, Iowa, and the acts done in pursuance thereof.

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

By Committee on Retrenchment: Senate File No. 309, a bill for an act to amend section 914 and repeal section 915, of chapter 2, title 6, of the Code; also to amend subdivision 5, of section 3703, of chapter 2, title 23, of the Code, relating to the payment of money into the State treasury.

Read first and second time, and passed on file.

By Committee on Retrenchment: Senate File No. 310, a bill for an act to repeal section 3769 of the Code, and enact a substitute therefor.

Read first and second time, and passed on file.

Also, Senate File No. 311, a bill for an act to abolish the preparatory department of the State University.

Read first and second time.

Senator Carr moved that the bill be considered now.

Senator Haines moved to commit the bill to the Committee on State University, with instructions to report to-morrow morning.

Pending which the hour arrived for the consideration of Senate File No. 253, and, on motion of Senator Merrell, the special order was postponed ten minutes.

Pending further consideration of Senate File No. 311, the consideration of the special order, Senate File No. 253, was deferred, on motion of Senator Haines, until the matter under consideration is disposed of.

Senator Kimball moved the previous question.

On the question, Shall the previous question be seconded, the yeas and nays were demanded, and

The yeas were:

Senators Arnold, Blackman, Chase, Clark, Dashiell, Dwelle, Ford, Gilmore, Haines, Ham, Hanna, Harned, Hemenway, Johnson, Kimball, Kinne, Lawrence, McCoid, McCormack, Merrell, Meyer, Miller, Nichols of Guthrie, Rumble, Shelley, Teale, Wilson, Woolson, Wright, and Young—30.

The nays were:

Senators Foster, Harmon, Hartshorn, Hebard, Larrabee, Madson, Maginnis, Nichols of Benton, Patterson, Russell, Stoneman, and Wonn—12.

Absent or not voting:

Senators Bestow, Bronson, Carr, Dows, Gallup, Graham, Lewellen, and Webb—8.

So the previous question was seconded.

The main question was then ordered.

The question being on the motion to commit with instructions, it was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Substitute for House File No. 376, a bill for an act making appropriations for the State Reform School at Eldora.

House File No. 522, a bill for an act protecting dairymen, and to prevent deception in the sale of butter.

Substitute for House File No. 285, a bill for an act making further appropriations for the College for the Blind, and to amend section 1675 of the Code.

Substitute for House File No. 296, a bill for an act making appropriations for the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa.

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

Substitute for House File No. 373, a bill for an act making certain appropriations in aid of the Asylum for Feeble-Minded Children.

House File No. 564, a bill for an act appropriating money for the use of rooms occupied by committees.

Substitute for House file No. 356, a bill for an act making appropriations for the Hospital for the Insane at Mt. Pleasant.

House File No. 534, a bill for an act making appropriations for the Additional Penitentiary at Anamosa.

Also, have passed concurrent resolutions relative to joint convention for the purpose of electing trustees for the several State Institutions.

W. V. LUCAS, *Chief Clerk.*

HOUSE MESSAGES.

House File No. 534 was taken up, read first and second time, and referred to Committee on Appropriations.

Substitute for House File No. 356, was taken up, read first and second time, and referred to Committee on Appropriations.

House File No. 564 was taken up, read first and second time, and referred to Committee on Appropriations.

Substitute for House File No. 373 was taken up, read first and second time, and referred to Committee on Appropriations.

Substitute for House File No. 296 was taken up, read first and second time, and referred to Committee on Appropriations.

Substitute for House File No. 285 was taken up, read first and second time, and referred to Committee on Appropriations.

House File No. 522 was taken up, read first and second time, and referred to Committee on Agriculture.

Substitute for House File No. 376 was taken up, read first and second time, and referred to Committee on Appropriations.

REPORT OF COMMITTEE.

Senator McCoid, from the Committee on Judiciary, submitted the following report.

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 80, a bill for an act to legalize the acts of Mason Fish, a justice of the peace in Clay township, Shelby 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 House File No. 84, a bill for an act to legalize the official acts of George Bishop, a notary public in and for Black Hawk 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 Senate File No. 96, a bill for an act to legalize the official acts of W. E. Haskins, a notary public in and for Howard 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 Senate File No. 82, a bill for an act for the repose of certain 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 the accompanying substitute be adopted, and when adopted that it do pass.

M. A. McCoid, *Chairman.*

Ordered passed on file.

Senator Chase from the Committee on Penitentiaries, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries, to whom was referred Senate Files Nos. 85, 178, and 235, bills for an act in relation to the appointment of wardens for the management of the penitentiaries 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 the accompanying substitute be adopted in lieu thereof, and when adopted that the substitute do pass.

D. D. Chase, *Chairman.*

Ordered passed on file.

Senator Arnold, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred substitute for House File No. 299, a bill for an act making

appropriations for constructing the capitol building, purchasing lot, and for constructing a sewer, beg leave to report that 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 of the first line in section 1, except the enacting clause, and changing section 2 to section 1, section 3 to section 2, section 4 to section 3, and when so amended that it do pass.

D. ARNOLD, *Chairman*.

Ordered passed on file.

REPORT OF COMMITTEES.

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

MR. PRESIDENT—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled:

House File No. 525, a bill for an act to authorize the Register of State Land Office to change the spelling in certain patents issued by the State.

House File No. 427, a bill for an act to authorize patents to issue to Neal McNeil, Richard Stebbens and Moses Adams for certain lands in Monona county.

Senate substitute for House File No. 308, a bill for an act requiring that officers in certain cities may receive a fixed compensation, and that all fees now allowed such officers shall be paid into the treasuries of such cities.

House File No. 539, a bill for an act to change the name of the town of "Dayton," in the county of Washington, and State of Iowa, to "Daytonville."

House File No. 549, a bill for an act to legalize the acts and incorporation of the Farmers' Mutual Fire Insurance Company, of Clayton county, Iowa.

House File No. 543, a bill for an act to legalize the incorporation, ordinances and acts of the officers of the town of Wilton, in Muscatine county, Iowa.

House File No. 397, a bill for an act to amend chapter 50, section 1, of the laws of the Twelfth General Assembly of the State of Iowa.

House File No. 30, a bill for an act to amend chapter 3, title 5, of the Code, regulating the election of supervisors of highways and of township assessors in certain cases.

M. N. JOHNSON, *Chairman*.

Senator Wilson, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate File No. 227, a bill for an act for the leasing of grounds and buildings for the girls' department of the State Reform School and to make appropriations therefor, and find the same correctly engrossed.

WM. WILSON, *Chairman*.

Special Order, Senate File No. 253, a bill for an act in relation to revenue, was taken up, and, on motion of Senator Larrabee, was considered by sections.

Senator Haines moved to amend, by striking out the word "upon," in second line of section 3.

The motion prevailed.

Senator McCoid moved to amend, by striking out all after the word "value," in third line of section 6, and inserting the words, "shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding \$500.

The amendment was adopted.

Senator McCoid moved to amend, by adding to section 7 the words, "All additions to the State Board of Equalization shall be duly and specifically reported by said board to the next succeeding General Assembly thereafter, with the reasons therefor."

The motion prevailed.

Senator Haines moved to amend, by striking out the word "shall," and inserting the word "may," in second line of section 9, and striking out of same line, the words "the same per centage." Also strike out third line, and insert the words, "or may reduce the same as may be just."

The amendment was agreed to.

Senator Haines moved to amend by inserting after the words "add to," the words "or reduce," in first line of section 9. Adopted.

Senator Haines moved to amend by inserting the words "or diminished," in second line of section 12, after word "increased." Agreed to.

Senator McCoid moved to strike out the figures "1879," and insert "1880," in first line of section 13.

The amendment was not agreed to.

Senator Lawrence moved to amend by inserting after the word "dollar," in line nine, the words, "unless the real cash value of taxable property in any one county is so small that the amount of \$6,000 cannot be realized from said levy for county purposes, in which case the levy may be increased sufficiently to furnish that amount for county expenses.

The motion did not prevail.

Senator McCoid moved to amend section 13, line 6, by striking out the word "two," and inserting "four."

Pending which, Senator Larrabee moved that further consideration of the bill be made a special order for this afternoon.

The motion prevailed.

At 12, M., the President, *pro tem.*, declared the Senate adjourned.

AFTERNOON SESSION.

2 O'CLOCK, P. M.

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

The question being on the amendment offered by Senator McCoid, he withdrew it and offered the following in lieu thereof:

Strike out first clause of paragraph second in lines five and six, section 13, and insert the words: "2d. Providing county revenue in counties with a population of fourteen thousand and over, not more than four and a half mills on a dollar, provided that the aggregate levy for the purposes of ordinary county revenue, and for making and repairing bridges provided in paragraph four hereof, shall in no year exceed five and one-half mills on the dollar."

Pending which, Senator Kimball moved to make Senate File No. 54, a special order to follow the bill now under consideration.

The motion prevailed.

On the adoption of the amendment of Senator McCoid, the yeas and nays were demanded, and

The yeas were:

Senators Dashiell, Dwelle, Ford, Gallup, Ham, Hanna, Hebard, Kimball, Lawrence, McCoid, Maginnis, Miller, Nichols of Benton, Rumble, Woolson, and Wright—16.

The nays were:

Senators Arnold, Blackman, Carr, Chase, Gilmore, Graham, Haines, Harmon, Harned, Hartshorn, Hemenway, Johnson, Kinne, Larrabee, McCormack, Madson, Merrell, Meyer, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, and Young—28.

Absent or not voting:

Senators Bestow, Bronson, Clark, Dows, Foster, and Lewellen—6.

So the amendment was not adopted.

Pending further consideration of the bill, the following message was received from the House:

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

House File No. 548, a bill for an act providing for paying Company B, Sixth Regiment Iowa National Guards, for services during the strike of July, 1877.

House File No. 506, a bill for an act for the relief of James Admire.

House File No. 458, a bill for an act making appropriations for the improvement of the Penitentiary of the State at Fort Madison.

House File No. 532, a bill to amend section 620, title 5, chapter 3, of the Code, in regard to residence before elections.

House File No. 283, a bill for an act to make cities and incorporated towns, districts, in certain cases, and to define their rights and liabilities.

House File No. 363, a bill for an act to legalize the official acts of George A. Jackson, a Notary Public in and for Boone county, Iowa.

Also passed, without amendment, Senate File No. 31, a bill for an act to amend chapter 39, of the public acts of the Fifteenth General Assembly, in relation to dividing counties into supervisor districts.

W. V. LUCAS, *Clerk*.

Consideration of Senate File No. 253 was resumed.

On motion of Senator Chase, the words, "two and one-half," in line six, section 13, was stricken out, and the word "three" inserted in lieu thereof.

Senator Ford moved to strike out in paragraph four, line thirteen, section 13, the word "one," and insert the word "two."

Senator Larrabee moved to amend the amendment by striking out the words, "one and one-half," and insert the word "two."

The amendment prevailed.

The motion as amended was adopted.

Senator Hanna moved to amend by inserting after the word "paragraph," in line fifteen, section 13, the words, "as provided by section 496 of the Code, including cities acting under special charters. Agreed to.

Senator Hemenway moved to amend, by striking out the word "five," in line 15, section 13, and inserting the word "six." Not agreed to.

Senator Stoneman moved to amend, by adding after the word "one," in line 16, section 13, the words, "and one-half."

The motion did not prevail.

Senator Stoneman moved to amend, by adding after the word "charter," in the 16th line of section 13, the words, "and including those acting under the general incorporation laws of the State."

The motion prevailed.

Senator Hartshorn moved to amend, by striking out the word "nine," in last line of paragraph 9, section 13, and inserting the word "eight." Agreed to.

Senator Russell moved to amend by striking out the words "one mill," in line 26, and inserting the words "one and one-half mills."

The motion prevailed.

Senator Harmon moved to amend by striking out the word "half," in line thirty, section 13. Agreed to.

Senator Russell offered the following substitute for paragraph four section 13:

"For making and repairing bridges in counties with a population of fourteen thousand and over, not more than two mills on a dollar," &c. Adopted.

Senator Hemenway moved to amend, by adding, as paragraph 13, the words, "For the purpose of extending aid to railroad companies, as provided by chapter 123, acts of the Sixteenth General Assembly and amendments thereto, not more than three per cent. upon the valuation."

The motion prevailed.

Senator Russell moved to amend by inserting after the word "same," in ninth line of section one, the words "and that I have so far as practicable examined and ascertained the character and value of all property assessed by me before assessing the same." Agreed to.

Senator Nichols of Guthrie moved to amend by striking out the words, in third line of section 3, "same up," and inserting the words "a copy of the same;" and insert after word "board," in fourth line, "and also in each post-office located in said township, town or city." Also insert after the word "interviewing," in fifth line, the words "after posting of said notices." Adopted.

Senator Gilmore offered the following substitute for section 9:

"It shall be the duty of the State Board of Equalization, to equalize the appraised value of all personal property, as a basis of taxation."

The substitute was not adopted.

Senator Stoneman moved to amend section 12 by adding the words: "Said board of equalization in equalizing the valuation of property throughout the State, shall not increase or decrease the aggregate assessable value of the entire property in the State."

Senator Stoneman moved that the bill be recommitted.

The motion prevailed.

Senator Dashiell moved that when the Senate adjourns, it be until 9 o'clock to-morrow morning.

The motion prevailed.

By leave, Committee on Retrenchment, introduced Senate File No. 312, a bill for an act to create a board of State Charities, and to define the duties of the same.

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

ENROLLED BILLS.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 41, an act to amend chapter 39 of the public acts of the Fifteenth General Assembly, in relation to dividing counties into supervisor districts;

House File No. 90, a bill for an act to provide for the assessment and taxation of telegraph lines within the State of Iowa;

And find the same correctly enrolled.

M. N. JOHNSON, *Chairman*.

On motion of Senator Stoneman, the Senate, at 5:10, P. M., adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 19, 1878. }

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

Prayer by the Rev. Dr. Houts.

Pending the reading of the Journal of yesterday, Senator Arnold moved that further reading be dispensed with.

The motion prevailed.

On motion of Senator Teale, the special order, Senate File No. 54, a bill for an act to provide for the organization of the State militia, and entitled "The Military Code of Iowa," 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 has passed the following bills, in which the concurrence of the Senate is asked :

House File No. 300, a bill for an act making appropriation for the Iowa Hospital for the Insane, at Independence.

House File No. 533, a bill for an act to amend chapter 2, title 11, section 1427 of the Code, relating to the support required by counties for the support of the insane.

House File No. 546, a bill for an act making appropriation to Mills & Co., for supplies furnished to the State.

House File No. 560, a bill for an act to amend section 4785 of the Code, in relation to the support of convicts.

Also, have passed without amendment, Senate File No. 273, a bill for an act to amend sections 1672 and 1676 of the Code, relating to support of the blind.

Substitute for Senate File No. 263, a bill for an act to amend section 4171 of the Code, relating to fugitives from justice.

Senate File No. 274, a bill for an act to amend section 3762 of the Code, relating to the salary of the State Librarian.

Senate File No. 284, a bill for an act to fix the salaries of the Registrar of the State Land Office and his deputy.

Also, the following with amendments:

Senate File No. 247, a bill for an act to amend sections 1384 and 1390 of the Code, amended the title by adding after the word "Code," the words "in relation to the care of the insane."

Senate File No. 251, a bill for an act to repeal section 1580 of the Code, relating to the fees of Superintendent of Public Instruction, and to amend section 3760 of the Code, relating to the compensation of Deputy Superintendent of Public Instruction, amended by striking out in the title, all after the word Instruction in the second line; also, by striking out sections two and three of the bill.

Senate File No. 252, a bill for an act to amend sections 1692 and 1693 of the Code, amended the title by adding thereto the words, "in relation to support of the deaf and dumb institution."

Senate File No. 275, a bill for an act to amend chapter 21, laws of the Fifteenth General Assembly, relative to support of Reform School. Amended, by striking out the word "seven" in the last line of section 1, and inserting the word "eight."

W. V. LUCAS, *Clerk.*

The consideration of Senate File No. 54 was resumed.

Senator Teale moved to amend by striking out, in the 20th line, section 5, the words, "twelve hundred," and inserting "1,000."

The motion was adopted.

Also, to strike out the words, "an adjutant," in 21st line, section 5, and insert "a brigadier." Adopted.

Senator Teale moved to amend by striking out, in 23d line, section 5, the words, "appointed by the Governor," and insert the words, "elected in accordance with section 3, article 6, of the constitution." Adopted.

Also to strike out the words, "during the pleasure of the same," in line 24, and insert the words, "for three years." Agreed to.

Also, to strike out the words, "by the line officers thereof" in 40th line, section 5, and insert, "in accordance with article 3, section 6, of the constitution."

The motion prevailed.

Also, to add to subdivision 5, of section 5, the words:

Provided, That in the organization of a new company the election shall be conducted under such regulations as the Adjutant-General shall prescribe."

To strike out, in line 2, of section 6, the words, "payment of road labor and." Strike out, in subdivision 2, the words, "shall," and insert the word "may," and insert after the word "company," in the 5th line of section 7, the word "or," and strike out the words, "or brigade," in same line."

To strike out the words, "or brigade," in 9th line of section 7.

The motion prevailed.

Senator Teale moved to amend by inserting, in line 27, section 8, after the word "year, the words, "without expense to the State." Agreed to.

Senator Larrabee moved to amend by striking out the words, "this State," and insert the words, "the United States," in line 33, section 8. Lost.

Senator Teale moved to amend by striking out the words, "of tort," and insert before the word "action" the word "civil," in 10th line of section 10. Adopted.

Senator Teale moved to amend by inserting after the word "commission," in second line of section 11, the words, "without expense to the State." Agreed to.

Senator Teale moved to amend by striking out section 12.

The motion prevailed.

On motion of Senator Teale, section 14 was stricken out.

Senator Larrabee moved to strike out the 17th section. Adopted.

Pending further consideration of the bill, the hour arrived for the consideration of substitute for House Files Nos. 268, 14, 245, 247, and 354.

On motion, the special order was postponed until the bill under consideration was disposed of.

The substitute was then adopted.

By leave, Senator Teale moved to amend by inserting after the word "martial," in line twenty-two, of section 10, the words: "*Provided*, that no sentence of any court martial shall affect the life, liberty, or property of any citizen of Iowa."

The amendment was adopted

On motion of Senator Teale, the eleventh rule was suspended, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Blackman, Bronson, Carr, Chase, Clark, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumples, Russell, Shelley, Stoneman, Teale, Webb, Wonn, Wright, and Young—44.

The nays were:

Senators Dashiell, Foster, Hanna, Maginnis, Wilson, and Woolson—6.

Absent or not voting—None.

So the bill passed and the title was agreed to.

Special order, substitute for House Files Nos. 268, 14, 245, 247 and 354, a bill for an act to repeal chapter 68, acts of the Fifteenth General Assembly, and provide for the establishment of a board of railroad commissioners, and defining their duties and term of office, was taken up and considered.

Senator Ham moved to postpone consideration of first section until the remaining sections have been acted on.

The motion did not prevail.

Senator Chase moved to amend by striking out the word "and," between the words "two" and "nine," and insert the words "and nine," after the word "seven."

On the adoption of the amendment the yeas and nays were demanded, and

The yeas were:

Senators Blackman, Bronson, Chase, Clark, Foster, Haines, Ham, Hanna, Harmon, Harned, Hemenway, Maginnis, Merrell, Meyer, Nichols of Benton, Rumples, Webb, Wilson, Woolson, and Young—20.

The nays were:

Senators Arnold, Bestow, Carr, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Hartshorn, Hebard, Johnson, Kimball, Kinne, Larabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Miller, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Teale, Wonn, and Wright—30.

Absent or not voting—None.

So the amendment did not prevail.

Senator Merrell moved to amend by inserting after the word "two" in line 2 of section 1, the words "three, four, five and six," and to strike out the words "and the following be enacted," in 3d line, same section.

Pending which the following message was received from the House.

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

House file No. 434, a bill for an act to legalize the foreclosure of a certain mortgage given by the trustees of the college of physicians and surgeons of the medical department of the Iowa University, etc.

House File No. 207, a bill for an act to amend chapter 125, acts of the Sixteenth General Assembly, relating to the bonding of county indebtedness.

Also that the House has concurred in the report of the Conference Committee on the substitute for House File No. 25.

The report is herewith submitted.

T. J. REIGART, *Second Assistant Clerk.*

On the adoption of Senator Merrell's amendment, the yeas and nays were demanded, and

The yeas were:

Senators Blackman, Bronson, Clark, Foster, Haines, Ham, Hanna, Harned, Hemenway, Maginnis, Merrell, Meyer, Rumble, Webb, Wilson, Woolson, and Young—17.

The nays were:

Senators Arnold, Bestow, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Wonn, and Wright—32.

Absent or not voting:

Senator Teale—1.

So the amendment was not agreed to.

Senator Woolson moved to amend by adding after the word "Assembly," in 2d line of section 1, the words "*Provided*, that in any case where, under the schedule of rates, any railroad company would not be entitled to receive the sum of twenty-five cents for the transportation of any freight, they may and are hereby authorized to charge said sum."

On the adoption of the amendment the yeas and nays were demanded, and

The yeas were:

Senators Blackman, Bronson, Clark, Foster, Haines, Ham, Hanna, Harmon, Harned, Hemenway, Maginnis, Merrell, Meyer, Rumble, Webb, Wilson, Woolson, and Young—18.

The nays were:

Senators Arnold, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Hartshorn, Hebard, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Wonn, and Wright—30.

Absent or not voting:

Senators Bestow, and Teale—2.

So the Senate disagreed to the amendment.

Senator Meyer moved to amend by striking out all after the word "terms" in fourth line of section 1, down to and including the word "council," in the tenth line, and inserting the words, "one for nine months, one for twenty-one months, and one for thirty-three months, and at every general election hereafter, there shall be elected by the qualified electors of the State, one commissioner, who shall continue in office for three years."

Pending which, Senator Rumble moved a call of the Senate.

The motion prevailed.

The roll was then called and the Senators were found all present.

On motion of Senator Stoneman, further proceedings under the call were dispensed with.

On the adoption of Senator Meyers' amendment the yeas and nays were demanded, and

The yeas were:

Senators Blackman, Bronson, Chase, Clark, Foster, Haines, Ham, Hanna, Harned, Hemenway, McCoid, McCormack, Maginnis, Merrell, Meyer, Nichols of Benton, Rumple, Shelley, Webb, Wilson, Woolson, and Young—22.

The nays were:

Senators Arnold, Bestow, Carr, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, Madson, Miller, Nichols of Guthrie, Patterson, Russell, Stoneman, Teale, Wonn, and Wright—28.

Absent or not voting—None.

So the amendment was not adopted.

Senator Woolson moved to amend by striking out all of section 2, down to and including the word "council," in line 10, and inserting the words: "The Governor, with the advice and consent of the Senate shall, within five days of the taking effect of this act, appoint three competent persons (one of whom shall be a civil engineer) who shall constitute a board of railroad commissioners, and who shall hold their offices respectively for the terms of two, three, and four years from the 20th day of April, next, and until their successors are duly appointed and qualified.

The resignation of a commissioner shall be made to the Governor; the Governor may appoint, when the Senate is not in session, to fill any vacancy in said board, whether caused by resignation, non-acceptance of the office, or otherwise. Such appointment shall be valid until next session of the Senate, when such appointment shall be at once submitted to the Senate for their action, and at every session of the Senate, the Governor shall submit to the Senate for their acceptance or rejection, the names of persons by him nominated to fill vacancies that may happen by expiration of the terms of office of commissioners then existing.

Senator Dashiell moved that when the Senate adjourn it be until 1:30, this afternoon.

The motion did not prevail.

At 12, M., the President declared the Senate adjourned.

AFTERNOON SESSION.

2 O'CLOCK, P. M.

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

The question being on the amendment offered by Senator Woolson, Pending which, Senator Larrabee moved that when the Senate adjourns it be at 5 o'clock this evening.

The motion prevailed.

Pending further consideration of Senator Woolson's amendment,

By leave, Senator Meyer presented a petition from forty-one citizens of Jasper county, against the repeal of the railroad tariff law.

Also petition from citizens of same county, protesting against the repeal of the railroad tariff law.

Both passed on file.

By leave, Senator Stoneman presented a petition from citizens of Clayton county, asking that the present railroad tariff law be repealed.

Passed on file.

By leave, Senator Young presented a petition from citizens of Cass county, protesting against the repeal of the railroad tariff law.

Passed on file.

Pending further consideration of the amendment offered by Senator Woolson,

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

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined :

Senate File No. 274, an act to amend section 3762 of the Code, relating to salary of the State Librarian ;

Senate File No. 284, an act to fix the salaries of the Register of the State Land Office and his deputy ;

Senate File No. 263, an act to amend section 4171 of the Code, relating to fugitives from justice ;

Senate File No. 273, a bill for an act to amend sections 1672 and 1676 of the Code, relating to support of the blind ;

And find the same correctly enrolled.

M. N. JOHNSON, *Chairman*.

The question being on the adoption of Senator Woolson's amendment, the yeas and nays were demanded, and

The yeas were:

Senators Blackman, Bronson, Chase, Foster, Haines, Ham, Hanna, Harmon, Harned, Hemenway, Maginnis, Merrell, Meyer, Nichols of Benton, Rumble, Shelley, Webb, Wilson, Woolson, and Young—20.

The nays were :

Senators Arnold, Carr, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Hartshorn, Hebard, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Miller, Nichols of Guthrie, Patterson, Russell, Stoneman, Teale, Wonn, and Wright—28.

Absent or not voting:

Senators Bestow, and Clark—2.

So the amendment did not prevail.

Pending further consideration of the bill, the following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bill without amendment:

Senate File No. 211, a bill for an act authorizing the establishment of a depository or depositories in the city of Des Moines, for the collection of drafts, checks and certificates of deposit, received by the treasurer of State on account of State dues.

W. V. LUCAS, *Clerk*.

Senator Ham moved to amend by adding to the end of ninth requirement, in section 4, the words "and the salaries paid to each."

On the adoption of the amendment the yeas and nays were demanded, and

The yeas were:

Senators Blackman, Bronson, Chase, Foster, Haines, Ham, Hanna, Harned, Hemenway, Maginnis, Merrell, Meyer, Nichols of Benton, Rumble, Webb, Wilson, Woolson, and Young—18.

The nays were:

Senators Arnold, Bestow, Carr, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Miller, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Teale, Wonn, and Wright—31.

Absent or not voting:

Senator Clark—1.

So the motion did not prevail.

Senator Rumble moved to strike out in line 2, section 6, the words, "three thousand," and insert the words "twenty-five hundred;" also strike out the words "fifteen hundred" in line 5 of section 6, and insert the words "one thousand."

On the adoption of the amendment, the yeas and nays were demanded, and

The yeas were:

Senators Blackman, Bronson, Chase, Clark, Foster, Haines, Ham, Hanna, Harmon, Harned, Hemenway, McCoid, Maginnis, Merrell, Meyer, Nichols of Benton, Rumble, Shelley, Webb, Wilson, Woolson, and Young—22.

The nays were:

Senators Arnold, Bestow, Carr, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Hartshorn, Hebard, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCormack, Madson, Miller, Nichols of Guthrie, Patterson, Russell, Stoneman, Teale, Wonn, and Wright—28.

Absent or not voting—None.

So the motion did not prevail.

Senator Ham moved to amend by adding to section 8 the words, "provided that all railroads shall be exempt from the requirements of this section for five years after trains upon said road shall first run upon the same for the transaction of business."

Pending which the following message was received from the House:

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

Resolution relative to a joint convention, to meet to-morrow Wednesday, March 20, at 7, P. M.

T. J. REIGART, *Second Asst. Clerk.*

On motion of Senator Kimball, House messages were taken up:

Concurrent Resolution relative to a joint convention of the two Houses for the purpose of electing trustees for the various State institutions, and regents for the State University, was taken up and concurred in.

On motion of Senator Larrabee, the time for adjournment was extended one hour.

The question recurring on Senator Haines' amendment, the yeas and nays were demanded, and

The yeas were:

Senators Blackman, Bronson, Chase, Clark, Foster, Haines, Ham, Hanna, Harmon, Harned, Hemenway, Maginnis, Merrell, Meyer, Rump, Shelley, Webb, Wilson, Woolson, and Young—20.

The nays were:

Senators Arnold, Bestow, Carr, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Hartshorn, Hebard, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Stoneman, Wonn, and Wright—29.

Absent or not voting:

Senator Teale—1.

So the amendment was not agreed to.

Senator Shelley moved that the Senate do now adjourn. Lost.

REPORT OF COMMITTEE.

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

MR. PRESIDENT—The Committee on Enrolled Bills, respectfully report that they have examined:

Senate File No. 211, an act authorizing the establishment of a depository or depositories in the city of Des Moines, for the collection of drafts, checks and certificates of deposit, received by the treasurer of State on account of State dues;

House File No. 150, a bill for an act to authorize counties, cities and towns to refund outstanding bonded debt at a lower rate of interest, and to provide for the payment of the same;

House File No. 510, a bill for an act to legalize the incorporation and ordinances of the town of Solon, Johnson county, Iowa;

And find the same correctly enrolled.

M. N. JOHNSON, *Chairman.*

Consideration of the railroad bill was resumed.

Senator Hemenway moved to strike out the eighth section.

Pending which, Senator Ham moved a call of the Senate.

The motion prevailed.

The roll was called, and the members were all found to be present.

On the adoption of Senator Hemenway's amendment the yeas and nays were demanded, and

The yeas were:

Senators Blackman, Bronson, Clark, Foster, Haines, Ham, Harmon, Harned, Hemenway, Madson, Maginnis, Merrell, Meyer, Rumble, Webb, Wilson, Woolson, and Young—18.

The nays were:

Senators Arnold, Bestow, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Hanna, Hartshorn, Hebard, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Teale, Wonn, and Wright—32.

Absent or not voting—None.

So the amendment was not agreed to.

Senator Young moved to amend by inserting in 9th line of section 10, after the word "it," the words "under like conditions."

On the adoption of the amendment the yeas and nays were demanded, and

The yeas were:

Senators Blackman, Bronson, Chase, Clark, Foster, Haines, Ham, Hanna, Harmon, Harned, Hemenway, Merrell, Meyer, Rumble, Webb, Wilson, Woolson, and Young—18.

The nays were:

Senators Arnold, Bestow, Carr, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Hartshorn, Hebard, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Teale, Wonn, and Wright—31.

Absent or not voting:

Senator Maginnis—1.

So the Senate refused to adopt the amendment.

Senator Haines offered the following substitute for section 11.

SEC. 11. No railroad corporation shall charge or receive for the transportation of freight to any station on its road a greater sum than is at the time charged or received for the transportation of the like class and quantity of freight from the same original point of departure to a station at a greater distance on its road in the same direction. And two or more railroad corporations, whose roads connect, shall not charge or receive for transportation of freight to any station on the road of either of them, a greater sum than is at the time charged or received for the transportation of the like class and quantity of freight from the original point of departure, to a station at a greater distance on the road of either of them in the same direction. And no railroad corporation shall at any time discriminate against any person, company or corporation, by charging or receiving more from one person, company or corporation, than it at the same time charges to any other person, company or corporation, for transporting the same class and

quantity of freight over the same road in the same direction. Any railroad corporation violating any of the provisions of this section shall be liable to the person, company or corporation injured, in double the amount of damage, with reasonable attorney's fee, to be taxed by the court as costs.

Senator Gilmore moved the previous question.

On the question shall the previous question be seconded the yeas and nays were demanded, and

The yeas were:

Senators Arnold, Bestow, Carr, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Kinne, Larrabee, Maginnis, Patterson, Teale, and Young—15.

The nays were:

Senators Blackman, Bronson, Chase, Clark, Dashiell, Foster, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Lawrence, Lewellen, McCoid, McCormack, Madson, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Rumble, Russell, Webb, Wilson, Wonn, Woolson, and Wright—33.

Absent or not voting:

Senators Shelley, and Stoneman—2.

So the Senate refused to second the previous question.

Senator Larrabee moved that the bill under consideration be continued as a special order until disposed of.

The motion prevailed.

Senator Dashiell moved that when the Senate adjourns it be until this evening at 7:30 o'clock.

Which was agreed to.

On motion of Senator Haines, the Senate at 5:30 adjourned.

EVENING SESSION.

7:30 O'CLOCK, P. M.

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

The pending question being on the substitute for section 11,

Senator McCormack moved a call of the Senate, which motion prevailed.

The roll was called, and Senators Larrabee, Stoneman, Kimball, McCoid, and Ham, were found absent without excuse.

Senator Foster was excused.

The Sergeant-at-Arms presented the absentees before the bar of the Senate, and they were, on motion, excused.

Senator Teale moved that the Senate adjourn. Not agreed to.

Senator Arnold moved that further proceedings under the call be dispensed with.

The motion prevailed.

The question recurring on the adoption of Senator Haines' substitute, the yeas and nays were demanded, and

The yeas were:

Senators Blackman, Bronson, Chase, Clark, Foster, Haines, Ham, Hanna, Harmon, Harned, Hemenway, Maginnis, Merrell, Meyer, Nichols of Benton, Rumble, Webb, Wilson, Woolson, and Young—20.

The nays were:

Senators Arnold, Bestow, Carr, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Hartshorn, Hebard, Johnson, Kinne, Larrabee, Lawrence, Lewellen, McCormack, Madson, Miller, Nichols of Guthrie, Patterson, Russell, Shelley, Teale, Wonn, and Wright—27.

Absent or not voting:

Senators Kimball, McCoid, and Stoneman—3.

So the substitute was not adopted.

Senator Haines moved to amend by adding to section 11, the words: "It shall be unlawful for any railway company to make or enter into any contract, arrangement or stipulation of any kind with any other railway company running in the same general direction, to pool or divide in any manner or proportion, the joint earnings upon the whole or any part of the freight transported over such roads, to or from any point within this State, from or to any point either within or without the State, and a violation of this provision shall render the railway company so violating the same, liable to a penalty of \$5,000 for each month for which such earnings are so divided or pooled, to be secured for the use of the school fund in the name of the State. The venue of such action shall be in any county, to or from any point within where any such contract, arrangement or stipulation shall be made, whether wholly or partly preferred in this State.

On the adoption of the amendment the yeas and nays were demanded, and

The yeas were:

Senators Blackman, Bronson, Clark, Foster, Haines, Ham, Harned, Hemenway, Maginnis, Merrell, Meyer, Rumble, Webb, Wilson, Woolson, and Young—16.

The nays were:

Senators Arnold, Bestow, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Hanna, Harmon, Hartshorn, Hebard, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCormack, Madson, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Teale, Wonn, and Wright—33.

Absent or not voting:

Senator McCoid—1.

So the motion to amend did not prevail.

Senator Rumble moved to amend by adding to section 11, the words "*Provided*, that no railroad company shall be allowed to increase its present rates at competing points on its line of road."

On the adoption of the amendment the yeas and nays were demanded, and

The yeas were:

Senators Blackman, Bronson, Clark, Foster, Haines, Ham, Hanna, Harned, McCoid, McCormack, Maginnis, Merrell, Meyer, Rumble, Webb, Wilson, Woolson, and Young—18.

The nays were:

Senators Arnold, Bestow, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, Madson, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Teale, Wonn, and Wright—32.

Absent or not voting—None.

So the amendment was not adopted.

Senator Chase moved to amend by striking out in line 7, section 13, the words "to be recovered in a civil action therefor."

On which the yeas and nays were demanded, and

The yeas were:

Senators Blackman, Bronson, Chase, Clark, Foster, Haines, Ham, Hanna, Harmon, Harned, Hemenway, McCoid, Maginnis, Merrell, Meyer, Nichols of Benton, Rumble, Webb, Wilson, Woolson, and Young—21.

The nays were:

Senators Arnold, Bestow, Carr, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Hartshorn, Hebard, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCormack, Madson, Miller, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Teale, Wonn, and Wright—29.

Absent or not voting—None.

So the amendment was disagreed to.

Senator Ham moved to amend by inserting in 2d line of section 16 after the word "steam," the words "excluding street railways."

On the adoption of the amendment the yeas and nays were demanded, and

The yeas were—

Senators Blackman, Bronson, Chase, Clark, Foster, Haines, Ham, Hanna, Harmon, Harned, Hemenway, Maginnis, Merrell, Meyer, Nichols of Benton, Rumble, Shelley, Webb, Wilson, Woolson, and Young—21.

The nays were:

Senators Arnold, Bestow, Carr, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Hartshorn, Hebard, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Miller, Nichols of Guthrie, Patterson, Russell, Stoneman, Teale, Wonn, and Wright—29.

Absent or not voting—None.

So the amendment was not adopted.

Senator Foster moved to amend by adding to section 18, the words: "Provided, However, that no claim, action, right of action or judgment, existing against any railroad company by virtue of the provisions of chapter 68, of the acts of the Fifteenth General Assembly, and growing out of over charges, penalty for over charges or other cause of action specified and provided in said chapter 68, shall in any wise be repealed or affected by this act, but the same shall be and hereby are expressly reserved from the operation of this act."

On the adoption of the amendment the yeas and nays were demanded, and

The yeas were:

Senators Blackman, Bronson, Chase, Foster, Haines, Ham, Hanna,

Harmon, Harned, Hemenway, McCormack, Maginnis, Merrell, Meyer, Nichols of Benton, Rumple, Shelley, Webb, Wilson, Woolson, and Young—21.

The nays were:

Senator Arnold, Bestow, Carr, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Hartshorn, Hebard, Johnson, Kimball, Kinne, Larabee, Lawrence, Lewellen, McCoid, Madson, Miller, Nichols of Guthrie, Patterson, Russell, Stoneman, Teale, Wonn, and Wright—28.

Absent or not voting:

Senator Clark—1.

So the amendment was not agreed to.

NOTE.—On account of the importance of the subject, we insert this in printed journals.—[SECRETARY.]

Senator McCoid offered the following substitute for the bill:

Senate File No. 208, a bill for an act to amend chapter 68, laws of the Fifteenth General Assembly, in relation to the maximum rates of tariff for transportation of freight and passengers on the different railroads of this State, and to repeal portions of the same.

SECTION. 1. *Be it enacted by the General Assembly of the State of Iowa*, That all railroad corporations organized or doing business in this State, their trustees, receivers, or lessees, under the laws or authority thereof, shall be directed in the maximum charges for the transportation of passengers and freight by the schedule of rates herein prescribed, subject to such modifications, to be made by said corporations, as may be reasonable and just to said corporations and to the people of the State. All railroads in this State shall be classified according to the gross amount of their respective annual earnings within the State, per mile, for the preceding year, as follows: Class "A" shall include all railroads whose gross annual earnings, per mile, shall be four thousand dollars (\$4,000) or more. Class "B" shall include all railroads whose gross annual earnings, per mile, shall be three thousand dollars (\$3,000), or any sum in excess thereof less than four thousand dollars (\$4,000). Class "C" shall include all railroads whose gross annual earnings, per mile, shall be less than three thousand dollars (\$3,000).

SEC. 2. All railroad corporations, according to their classifications as herein prescribed, shall be limited to compensation per mile for the transportation of any person, with ordinary baggage, not exceeding one hundred pounds in weight, as follows: "Class "A" three cents; class "B" three and one-half cents; class "C" four cents. *Provided*, That no such corporation shall charge, demand or receive any greater compensation per mile for the transportation of children twelve years of age or under, than half the rate above prescribed. *And provided*, also, a charge of ten cents may be added to the fare of any passenger, when the same is paid upon the cars, if a ticket might have been procured within a reasonable time before the departure of the train.

SEC. 3. The tariff rates established in the following schedule, shall be considered the directory basis upon which to compute the compensation for transporting freights, goods, merchandise, or property over the lines of railway within this State, subject to such reasonable and equitable modifications as the railway corporations operating the same

may from time to time make, which modifications shall be fair and just to said corporations and to the people of the State.

(Clerk insert tables of chapter 88, laws Fifteenth General Assembly.)

SEC. 4. All corporations or individuals operating railways in this State of class "A," as provided in section 2 of this act, shall be required to treat and use as the standard basis of rates of freight as herein provided ninety per cent. of the rates established in section 3 of this act, subject to the modifications therein provided for: All of class "B" one hundred and five (105) per cent. of said rates as aforesaid: All of class "C" one hundred and twenty (120) per cent. of said rates as aforesaid.

SEC. 5. The following classification of freights, explanatory of the preceding schedules, shall be taken and held to be the classification in force in this State under the provisions of this act.

(Clerk insert tables, same as original act).

SEC. 6. Such corporations operating railways as herein provided, may establish reasonable loading way bill, and unloading fees, and other charges, not covered by section 3 of this act, for services in the prosecution of their business in this State.

SEC. 7. Every railroad corporation doing business in this State, shall prepare and keep posted in each of its freight and passenger offices, a copy of the foregoing classification of freights, together with a true copy of the schedules of rates of freight and passenger tariffs under which said road may be brought by the foregoing classification.

SEC. 8. It shall be the duty of each railroad corporation operating a railroad in this State, during the month of January, 1875, and each and every year thereafter, to make and return to the governor a statement of its gross receipts on its entire road within this State, for the year preceding and ending with the 31st of December. Said statement shall be sworn to by the president and superintendent of the road in this State, and shall contain a detailed statement of the entire receipts for transporting freight and passengers, and all other sources of income of the road. A failure to comply with the provisions of this section, shall subject the corporation so failing, to a penalty of one hundred dollars per day for each and every day after such report is due until it is made; to be recovered in an action in the name of the State of Iowa, for the benefit of the school fund. If the executive council shall, on examination, be satisfied of the correctness of said return, it shall be their duty to classify the different railroads in this State as hereinbefore provided, and the governor, when there shall be any change in classification, shall issue a certificate to any corporation or corporations affected by such change, certifying to them the class to which they are respectively assigned. And any change of rates made by any railroad corporation, pursuant to any change of classification, shall take effect and be in force from and after the 4th day of July following such changes. The reports from the railroad corporations of this State for the year 1873, made pursuant to the provisions of section 1280 of the Code, shall determine the classification of each road for the year ending July 3d, 1875.

SEC. 9. Where any prosecution or action for the violation of any of the provisions of this act in relation to the transportation of passengers or freight, shall be commenced, it shall be the duty of the governor

when notified thereof, and requested by the person or persons commencing the prosecution or action, supported by a recommendation of at least twenty tax-payers of the county where the violation occurred, to employ suitable counsel, if he deem it necessary, to conduct or assist in conducting the same; and the sum of ten thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the treasury, for compensation for such counsel, and to pay any incidental expenses necessary to carry on said prosecution or action. Such compensation and incidental expenses shall be audited and allowed by the auditor of state on the certificate of the executive council, that services were actually performed, and such incidental expenses necessary, and that the sums in such certificate were reasonable for the service rendered. And when thus certified and allowed, it shall be paid by the treasurer of state out of said appropriation, less whatever amount may be allowed by the court or courts and included in the judgment as attorney's fees.

SEC. 10. All connecting railroads in this state, operated or controlled by the same person or company, under lease or otherwise, shall for the purposes of this act, in computing distances and determining the rates and classes of roads, be regarded as one road.

SEC. 11. No railroad company shall charge any person, company or corporation for the transportation of any property a greater sum than it shall at the same time charge and collect from any other person, company or corporation for a like service, from the same place, and upon like conditions; and all concessions of rates, drawbacks, and contracts for special rates founded upon the demands of commerce and transportation, shall be open to all persons, companies and corporations alike.

SEC. 12. Any officer, agent or employee of any railroad company, person, or corporation, operating a line of railroad within this state, who shall violate or be a party to the violation of any of the provisions of this act, or instrumental therein, shall be guilty of a misdemeanor, and shall, on conviction thereof, be punished for every such offense by fine not less than twenty dollars, nor more than one hundred dollars, or by imprisonment not less than five nor more than thirty days; or any such person, corporation or railroad company as aforesaid, who shall authorize, direct, cause, permit or allow any violation of the provisions of this act by any officer, agent or employee, such railroad company, person or corporation shall forfeit and pay to the person injured five times the amount, compensation or charge illegally taken or demanded, or five times the amount of damage caused, as the case may be, to be recovered, with a reasonable attorney's fee, by such person, in a civil action in any court, or before a justice of the peace, as the case may be, of this state; and if an appeal be taken from the judgment, or any part thereof, it shall be the duty of the appellate court to include in the judgment an additional reasonable attorney's fee for services in the appellate court or courts; and for every such violation such railroad company, person or corporation shall forfeit and pay to the state of Iowa, for the use of the school fund, the sum of five hundred dollars, to be recovered in any civil action in the name of the state; and it is hereby made the duty of the attorney-general of the state, and of the several district attorneys, within their respective districts, to sue for and recover all sums forfeited as aforesaid.

SEC. 13. The terms "railroad corporation" and "railroad company," contained in this act, shall be deemed and taken to mean all corporations, companies, or individuals now owning, or which may hereafter own or operate any railroad, in whole or in part, in this state; and the provisions of this act shall apply to all persons, firms, and companies, and to all associations of persons, whether incorporated or otherwise, that shall do business as common carriers upon any of the lines of railways in this state (express companies and street railways excepted) the same as to railroad corporations hereinbefore mentioned.

SEC. 14. All acts or parts of acts inconsistent with this act are hereby repealed.

Senator Woolson moved to amend the substitute by adding to section 4 the words: "In any action that may be brought for a violation of the provisions of this act, the basis of rates by this section and act provided shall be held to be *prima facie* the reasonable and just charges therefor."

On the adoption of the amendment the yeas and nays were demanded, and

The yeas were:

Senators Blackman, Bronson, Chase, Haines, Ham, Hanna, Harmon, Harned, Hemenway, Maginnis, Merrell, Meyer, Nichols of Benton, Rumble, Webb, Wilson, Woolson, and Young—18.

The nays were:

Senators Arnold, Bestow, Carr, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Hebard, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Miller, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Teale, Wonn, and Wright—28.

Absent or not voting:

Senators Clark, Ford, Foster, and Hartshorn—4.

So the motion did not prevail.

Senator Clark was excused.

Senator Woolson moved to amend the substitute by striking out section 14, and adding the following additional sections:

SEC. 14. The Governor shall, by and with the advice and consent of the Senate, immediately upon the taking effect of this act, and every two years thereafter, appoint one competent person who shall act as Railroad Commissioner, and who shall hold his office from the date of his appointment for the term of two years, and until his successor is appointed and qualified. In case of vacancy, by resignation or otherwise, when the Senate is not in session, the Governor shall appoint another to fill the vacancy which appointment shall be valid until the next session of the Senate, when such appointment shall be submitted for the action of the Senate. And at each biennial session, the Governor shall appoint and nominate to the Senate for its approval or rejection, a Commissioner to fill the vacancy happening by expiration of the term of office of the Commissioner then in office. No person owning any bonds, stock or property in any railroad company, or who is in the employment of, or who is in any way or manner pecuniarily interested in any railroad corporation, shall be eligible to the office of Railroad Commissioner. Said Commissioner shall be a qualified elector of this State.

SEC. 15. Said Commissioner shall have the general supervision of

all railroads in the State operated by steam, and shall inquire into any neglect or violation of the laws of this State by any railroad corporation doing business therein, or by the officers, agents or employees thereof, and shall also from time to time carefully examine and inspect the condition of each railroad in the State, and of its equipment and the manner of its conduct and management, with reference to the public safety and convenience; and for the purpose of keeping the several railroad companies advised as to the safety of their bridges, shall make a semi-annual examination of the same and report their condition to the said companies.

SEC. 16. The said Railroad Commissioner shall, on or before the first Monday in December, in each year, make a report to the Governor of his doings for the preceding year, containing such facts, statements and explanations as will disclose the working of the system of railroad transportation in this State, and its relation to the general business and prosperity of the citizens of the State, and, such suggestions and recommendations in respect thereto as may to him seem appropriate. Said report shall also contain as to every railroad corporation doing business in this State:

First—The amount of its capital stock.

Second—The amount of its preferred stock, if any, and the conditions of its preferment.

Third—The amount of its funded debt, and the rate of interest.

Fourth—The amount of its floating debt.

Fifth—The cost and actual present cash value of its road and equipment, including permanent way, buildings and rolling stock, all real estate used exclusively in operating the road, and all fixtures and conveniences for transacting its business.

Sixth—The estimated value of all other property owned by such corporation, with a schedule of the same, not including lands granted in aid of its construction.

Seventh—The number of acres originally granted in aid of construction of its road by the United States or by this State.

Eighth—Number of acres of such land remaining unsold.

Ninth—A list of its officers and directors with their places of residence, and the salaries paid each.

Tenth—Such statistics of the road and its transportation business for the year as may in the judgment of the Commissioner be necessary and proper for the information of the General Assembly, or as may be required by the Governor. Such report shall exhibit and refer to the condition of such corporation on the first day of July of each year, and the details of its transportation business during the year ending June 30th.

Eleventh—The average amount of tonnage that can be carried over each road in the State with an engine of given power.

Twelfth—Said Commissioner shall carefully observe and closely examine the operation and working of the tariff law, both in regard to the different railroads in the State and to the people, and shall include in said report all facts in regard to the same, stating fully and in detail wherein the law works unjustly to the railroads, or the people, and shall recommend wherein the maximum rates for the transportation of freight or passengers should be increased or lessened, in reference to all, or any class of roads.

SEC. 17. To enable said Commissioner to make such report, the president or managing officer of any railroad corporation doing business in this State, shall annually make to said Commissioner on the 15th day of September, such returns, in the form in which he may prescribe, as will afford the information required for said report; said returns shall be verified by the oath of the officer making the same; and any railroad corporation whose returns shall not be made as herein prescribed by the 15th day of September, shall be liable to a penalty of one hundred dollars for each day after the 16th day of September, that such return shall be willfully delayed or refused.

SEC. 18. The said Commissioner shall hold his office in the capitol, or at some other suitable place in the city of Des Moines. He shall receive a salary of two thousand dollars per annum and actual traveling expenses, every account for which shall be sworn to by the Commissioner, to be paid as the salaries of other State officers are paid, and shall be provided at the expense of the State with necessary office furniture and stationery, and he shall have authority to appoint a secretary, who shall receive a salary of one thousand dollars per annum.

SEC. 19. Said Commissioner and Secretary shall be sworn to the due and faithful performance of the duties of their respective offices before entering upon the discharge of the same, as prescribed in section 676 of the Code; and no person in the employ of any railroad corporation, or holding stock in any railroad corporation, shall be employed as Secretary. Said Commissioner shall enter into bonds, with security to be approved by the executive council, in the sum of ten thousand dollars, conditioned for the faithful performance of his duties.

SEC. 20. The said Commissioner shall have power, in the discharge of the duties of his office, to examine any of the books, papers or documents of any such corporation, or to examine under oath or otherwise any officer, director, agent, or employe of any such corporation; he shall be empowered to issue subpoenas and administer oaths in the same manner and with the same power to enforce obedience thereto in the performance of his duties as belong and pertain to courts of law in this State; and any person who may willfully obstruct said Commissioner in the performance of his duties, or who may refuse to give any information within his possession that may be required by said Commissioner within the line of his duty, shall be deemed guilty of a misdemeanor, and shall be liable, on conviction thereof, to a fine not exceeding one thousand dollars, in the discretion of the court, the costs of such subpoena and investigation to be first paid by the State on the certificate of said Commissioner.

SEC. 21. It shall be the duty of any railroad corporation, when within their power to do so, and upon reasonable notice, to furnish suitable cars to any and all persons who may apply therefor, for the transportation of any kind of freight, and to receive and transport the same with all reasonable dispatch, and to provide and keep suitable facilities for receiving and handling the same at any depot on the line of its road.

SEC. 22. Upon the occurrence of any accident upon a railroad which shall result in personal injury or loss of life, the corporation operating the road upon which the accident occurred shall give immediate notice thereof to the Commissioner, whose duty it shall be, if he deems it nec-

essary, to investigate the same and promptly report to the Governor the extent of the personal injuries or loss of life, and whether the same was the result of the mismanagement or neglect of the corporation on whose line the injury or loss of life occurred. *Provided*, That such report shall not be evidence or referred to in any case in any court.

SEC. 23. It shall be the duty of said Commissioner upon the complaint and application of the mayor and aldermen of any city, or the mayor and council of any incorporated town, or the trustees of any township, to make an examination of the rate of passenger fare or freight tariff charged by any railroad company, and of the condition or operation of any railroad, any part of whose location lies within the limits of such city, town, or township; and if twenty-five or more legal voters in any city or township shall by petition, in writing, request the mayor and aldermen of such city, or the trustees of such township, to make the said complaint and application, and the mayor and aldermen, or the trustees, refuse or decline to comply with the prayer of the petition, they shall state the reason for such non-compliance in writing, upon the petition, and return the same to the petitioners; and the petitioners may thereupon, within ten days from the date of such refusal and return, present such petition to said Commissioner; and said Commissioner shall, if upon due inquiry and hearing of the petitioners he thinks the public good demands the examination, proceed to make it, in the same manner as if called upon by the mayor and aldermen of any city, or the trustees of any township. Before proceeding to make such examination in accordance with such application or petition, said Commissioner shall give to the petitioners and the corporation reasonable notice, in writing, of the time and place of entering upon the same. If upon such an examination it shall appear to said Commissioner that the complaint alleged by the applicants or petitioners is well founded, they shall so adjudge, and shall inform the corporation operating such railroad of their adjudication within ten days, and shall also report their doings to the Governor, as provided in the fourth section of this act. And if any railroad corporation shall deem themselves aggrieved or injured by any of the provisions of this act they shall have the right to petition said Commissioner, in writing, as to the matters of which complaint is made, and it shall be the duty of the Commissioner to examine, at the earliest day consistent with his other duties, as fully and completely as may be necessary to a full understanding of all the matters of which complaint is made, and include his findings thereon, with such recommendations as to him may seem proper, in his report to the Governor.

SEC. 24. Nothing in this act shall be construed to estop or hinder any persons or corporations from bringing suit against any railroad company for any violation of any of the laws of this State for the government of railroads.

SEC. 25. All acts or parts of acts inconsistent with this act are hereby repealed.

The amendment was not agreed to.

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

The yeas were:

Senators Blackman, Haines, Ham, Harmon, Harned, Johnson, Kim-

ball, McCoid, Maginnis, Merrell, Meyer, Rumble, Webb, Wilson, Wright, and Young—16.

The nays were:

Senators Arnold, Bestow, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Hanna, Hartshorn, Hebard, Hemenway, Kinne, Larrabee, Lawrence, Lewellen, McCormack, Madson, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Teale, Wonn, and Woolson—31.

Absent or not voting:

Senators Bronson, Clark, and Foster—3.

So the substitute was not adopted.

The question recurring on the original bill, Senator Arnold moved a suspension of the eleventh rule, and that the bill be read a third time now.

Senator Ham moved that the Senate take a recess for five minutes.

The motion did not prevail.

Senator McCormack moved a call of the Senate.

The motion prevailed.

The roll was then called and the Senators were found to be all present.

On the suspension of the eleventh rule the yeas and nays were demanded, and

The yeas were:

Senators Arnold, Bestow, Blackman, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Wright, and Young—44.

The nays were:

Senators Bronson, Foster, Ham, Meyer, and Woolson—5.

Absent or not voting:

Senator Clark—1.

So the motion to suspend the eleventh rule prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Gallup, Graham, Hartshorn, Hebard, Johnson, Kinne, Larrabee, Lawrence, Lewellen, McCormack, Madson, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Teale, Wonn, and Wright—29.

The nays were:

Senators Blackman, Bronson, Clark, Foster, Gilmore, Haines, Ham, Hanna, Harmon, Harned, Hemenway, Kimball, McCoid, Maginnis, Merrell, Meyer, Rumble, Webb, Wilson, Woolson, and Young—21.

Absent or not voting—None.

Senator Hanna offered the following substitute for the title of the bill:

A bill for an act to repeal parts of chapter 68, acts of the Fifteenth General Assembly, to provide for the appointment of a Board of Railroad Commissioners, and for levying and collecting a tax on the rail-

roads of the State to pay the salaries and current expenses of said commissioners.

On the adoption of the substitute for the bill, the yeas and nays were demanded, and

The yeas were:

Senators Bronson, Chase, Foster, Haines, Ham, Hanna, Harmon, Harned, Hemenway, Magiunis, Merrell, Meyer, Nichols of Benton, Rumble, Webb, Wilson, Woolson, and Young--18.

The nays were:

Senators Arnold, Bestow, Carr, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Hartshorn, Hebard, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Miller, Nichols of Guthrie, Patterson, Russell Shelley, Stoneman, Teale, Wonn, and Wright--30.

Absent or not voting:

Senators Blackman, and Clark--2.

So the motion did not prevail, and the bill passed and the title was agreed to.

On motion, the Senate at 12:55, A. M., adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 20, 1878. }

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

Prayer by the Rev. Mr. Kane.

Pending reading of the journal of yesterday, Senator Shelley moved that further reading be dispensed with.

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 has passed the following bills, in which the concurrence of the Senate is asked:

Substitute for House File No. 313, a bill for an act to amend section 814 of title 6, chapter 1, of the Code, in relation to exemption of United States Bonds from taxation.

House File No. 415, a bill for an act to grant relief to the taxpayers of the former Sub District No. 2, of the district township of Honey Creek, in Delaware county, Iowa. Remitting school-house taxes levied but uncollected and not needed for the purpose for which they were voted.

House File No. 483, a bill for an act to prescribe a delinquent tax book, to remove liens, and for the payment of taxes in certain cases.

House File No. 559, a bill for an act to amend chapter 137 of the acts of the Sixteenth General Assembly, relating to support of convicts in the Additional Penitentiary.

House Substitute for Senate File No. 104, a bill for an act to amend section 3829, title 23 of the Code, in relation to attorneys' fees for defending persons charged with crime.

House File No. 570, a bill for an act to authorize the Treasurer of State to pay to the several counties the amount of the swamp land indemnity fund that has been withheld by him and his predecessors in office, under the provisions of section 12, chapter 160 of the acts of the Ninth General Assembly.

House File No. 571, a bill for an act entitled an act to promote fish culture in the State of Iowa, and to amend and consolidate the enactments heretofore passed for that purpose.

Also, have passed without amendment:

Senate File No. 307, a bill for an act to legalize the incorporation of the Trustees of the Algona College.

Senate File No. 299, a bill for an act making it unlawful for officers of the State institutions to contract indebtedness in excess of appropriations, or divert funds from purposes for which the same were appropriated, and providing a punishment therefor.

Senate File No. 286, a bill for an act to repeal section 3771 of the Code, and enact a substitute therefor, in relation to and fixing the amount of fees in certain cases, and providing for their collection and payment into the State treasury, and repealing section 3772 of the Code.

Substitute for Senate File No. 234, a bill for an act appropriating money to defray the expenses incurred by reason of threatened riots during the summer of 1877.

Also, Joint Resolution proposing to amend section 1, of article 2, and section 4, of article 3 of the Constitution of the State of Iowa.

W. V. LUCAS, *Clerk*.

Senator Foster was excused for the day.

The hour having arrived for the consideration of the motion to reconsider the vote by which the Senate concurred in House resolution relative to adjournment, it was taken up, considered, and, on motion of Senator Larrabee, further consideration was postponed, and made a special order for 10 o'clock, A. M., to-morrow.

REPORTS OF COMMITTEES.

Senator Young, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred House File No. 286, a bill for an act amendatory to section 2, chapter 123, of the acts of the Sixteenth General Assembly, relating to townships and incorporated towns and cities, to aid in the construction of railroads, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

LAFAYETTE YOUNG, *Chairman*.

Ordered passed on file.

Senator Foster, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred House File No. 420, a bill for an act to amend section 435, chapter 10, 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 do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 255, a bill for an act to amend section 475 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.

FOSTER, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 352, a bill for an act to repeal section 1767, of chapter 9, title 12, of the Code, and to enact a substitute therefor, relating to the age and qualification of teachers, beg leave to report that 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 substitute for House File No. 39, a bill for an act to secure to children the benefits of elementary instruction, 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.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Schools, to whom was referred substitute for House File No. 314, a bill for an act to provide for the subdivision of independent school districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as shown herewith, and when so amended that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 89, a bill for an act to amend section 1714, title 12, chapter 9, of the Code, in relation to the election of school 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 do pass.

Ordered passed on file.

Also the following.

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 107, a bill for an act amending section 1746 of the Code of Iowa, relating to the penalty for neglect of duty on part of secretary of school districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 156, a bill for an act to amend sections 1774 and 1776 of the Code, defining the duties of county superintendents, providing for their compensation, and giving boards of supervisors certain powers, beg leave to report that they 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. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Rumble, from the Committee on State University, submitted the following report:

MR. PRESIDENT—Your Committee on State University, to whom was referred Senate File No. 311, a bill for an act to abolish the preparatory department of 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 the accompanying joint resolution be adopted as a substitute for said bill, and when so adopted, that said joint resolution do pass.

J. N. W. RUMPLE, *Chairman*.

Ordered passed on file.

Senator Wright, from the Committee on Congressional Districts, submitted the following report:

MR. PRESIDENT—Your Committee on Congressional Districts, to whom was referred Senate File No. 292, a bill for an act to repeal chapter 55 of the public laws of the regular session of the Fourteenth General Assembly, and to divide the State into nine congressional 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 without recommendation.

GEO. F. WRIGHT, *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 substitute for House File No. 26, a bill for an act to repeal section 2272 of the Code, in relation to the guardianship of drunkards, spendthrifts and lunatics, and enact a substitute therefor, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 389, a bill for an act confirming the diplomas of

the medical college at the city of Keokuk, 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 pass.

M. A. McCoid, *Chairman.*

Ordered passed on file.

REPORT OF COMMITTEE OF CONFERENCE.

Your Committee of Conference, on the disagreement between the two Houses on Senate File No. 106, and substitute for House File No. 25, beg leave to report that they have met, and after a full and frank conference beg leave to report the following:

They recommend—

1. That the Senate recede from its substitute for the bills above named.

2. That substitute for House File No. 25 be amended by striking out of line 7, of section 1, the word "ten" and insert the word "twenty," and that when thus amended the bill do pass.

3. That Senate File No. 106 be indefinitely postponed.

All of which is respectfully submitted.

JOHN S. WOOLSON,
D. D. CHASE,
S. HARNED,

Committee on part of Senate.

L. ALFORD,
C. M. WATERMAN,
G. W. CROOKS,

Committee on part of the House.

On the adoption of the report:

The yeas were:

Senators Arnold, Bestow, Blackman, Bronson, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Patterson, Rump, Shelley, Stoneman, Teale, Wilson, Wonn, Woolson, and Wright—44.

The nays were—None.

Absent or not voting:

Senators Clark, Foster, Nichols of Guthrie, Russell, Webb, and Young—6.

So the report of Conference Committee was adopted.

HOUSE MESSAGES.

House File No. 363, a bill for an act to legalize the official acts of George A. Jackson, a notary public in and for Boone county, was taken up and read first and second time.

Senator Gallup moved the suspension of the eleventh rule and that the bill be read now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Blackman, Bronson, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCoid, McCormack, Madson, Merrell, Meyer, Miller, Nichols of Benton, Patterson, Rumble, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—44.

The nays were—None.

Absent or not voting:

Senators Clark, Foster, Lewellen, Maginnis, Nichols of Guthrie, and Russell—6.

So the bill passed and the title was agreed to.

House File No. 506, was taken up, read first and second time, and referred to Committee on Claims.

House File No. 458, was taken up, read first and second time, and referred to Committee on Appropriations.

House File No. 548, was taken up, read first and second time, and referred to Committee on Claims.

House File No. 560, was taken up, read first and second time, and referred to Committee on Retrenchment.

House File No. 533, was taken up, read first and second time, and referred to Committee on Retrenchment.

House File No. 546, was taken up, read first and second time, and referred to Committee on Claims.

House File No. 200, was taken up, read first and second time, and referred to Committee on Appropriations.

House File No. 207, was taken up, read first and second time, and referred to Committee on County and Township Organizations.

House File No. 434 was taken up, read first and second time, and referred to Committee on Judiciary.

House File No. 283 was taken up, read first and second time, and referred to Committee on Highways.

Substitute for House File No. 313, was taken up, read first and second time, and referred to Committee on Ways and Means.

House File No. 532 was taken up, read first and second time, and referred to Committee on Judiciary.

House File No. 415, a bill for an act to grant relief to the tax-payers of the former sub-district No. 2, of the district township of Honey Creek, in Delaware county, Iowa, remitting school-house taxes levied but uncollected, and not needed for the purpose for which they were voted, was taken up, read first and second time.

On motion of Senator Bronson the eleventh rule was suspended, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Blackman, Bronson, Chase, Clark, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young

The nays were:

Senator Dashiell—1.

Absent or not voting:

Senators Carr, Foster, Lewellen, and Nichols of Guthrie—4.

So the bill passed and the title was agreed to.

House File No. 483 was taken up, read first and second time, and referred to Committee on Judiciary.

House File No. 559 was taken up, read first and second time, and referred to Committee on Retrenchment.

House File No. 570 was taken up, read first and second time, and referred to Committee on Ways and Means.

House File No. 571 was taken up, read first and second time, and referred to Committee on Appropriations.

Joint Resolution relative to amending the State Constitution was taken up, and read first and second time.

Senator Russell moved to refer to the Committee on Constitutional Amendments.

On the adoption of the motion the yeas and nays were demanded, and

The yeas were:

Senators Bestow, Bronson, Carr, Chase, Dows, Dwelle, Ford, Gilmore, Haines, Harmon, Hebard, Johnson, Kinne, Larrabee, Lawrence, McCoid, McCormack, Maginnis, Merrell, Nichols of Guthrie, Rumble, Russell, Stoneman, Teale, Wilson, Wonn, and Wright—27.

The nays were:

Senators Arnold, Clark, Dashiell, Gallup, Graham, Hanna, Harned, Hartshorn, Hemenway, Kimball, Lewellen, Madson, Meyer, Miller, Nichols of Benton, Patterson, Shelley, Webb, Woolson, and Young—20.

Absent or not voting:

Senators Blackman, Foster, and Ham—3.

So the motion to refer prevailed, and the joint resolution was so referred.

By leave, Senator Bestow offered the following resolution, which was adopted:

Resolved, That a Sifting Committee of ten, of the chairmen 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.

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:

House File No. 549, an act to legalize the acts and incorporation of the Farmers' Mutual Fire Insurance Company of Clayton county, Iowa.

House File No. 543, an act to legalize the incorporation, ordinances and acts of the officers of the town of Wilton, in the county of Muscatine.

House File No. 525, an act to authorize the Register of State Land Office to change the spelling in certain patent issued by the State.

House File No. 427, an act authorizing patents to issue to Neal Mc-Niel, Richard Stebbins and Moses Adams, for certain lands in Monona county.

House File No. 539, an act to change the name of the town of Dayton, in the county of Washington, Iowa, to "Daytonville."

House File No. 397, an act to amend chapter 50, section 1 of the Twelfth General Assembly.

House File No. 30, an act to amend chapter 3, title 5 of the Code, regulating the election of supervisors of highways, and of township assessors in certain cases.

House File No. 90, an act to provide for the assessment and taxation of telegraph lines within the State of Iowa.

Senate File No. 41, an act to amend chapter 39, of the public acts of the Fifteenth General Assembly, in relation to dividing counties into supervisor districts.

House File No. 510, an act to legalize the incorporation and ordinances of the town of Solon, Johnson county, Iowa.

BEN. VAN STEINBURG, *Assistant Clerk.*

On motion of Senator Russell, Senate File No. 309, a bill for an act to amend section 914, and repeal section 915, of chapter 2, title 6 of the Code; also, to amend sub-division 5, of section 3793, of chapter 2, title 23 of the Code, relating to the payment of money into the State treasury, was taken up and considered.

Senator Russell moved that the eleventh rule be suspended, and the bill 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 Arnold, Bestow, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—48.

The nays were:

Senator Meyer—1.

Absent or not voting:

Senator Foster—1.

So the bill passed and the title was agreed to.

Senator McCoid moved that House File No. 389 be taken up.

The motion did not prevail.

The time for the special order having arrived, it being the consideration of appropriation bills, Senate File No. 136, a bill for an act making appropriations for the Iowa Hospital for the Insane, at Mt. Pleasant, was taken up, considered, and amendments of committee were adopted.

Senator Woolson moved a suspension of the eleventh rule, and that 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 Arnold, Bestow, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Harmon, Harned, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Woolson, Wright, and Young—45.

The nays were—None.

Absent or not voting:

Senators Foster, Hanna, Hartshorn, Kinne, and Wonn—5.

So the bill passed and the title was agreed to.

On motion of Senator Larrabee, substitute for Senate File No. 142 and House File No. 378, a bill for an act making appropriations to the Iowa Agricultural College, with report of committee recommending it do pass, was taken up and considered.

Senator Teale moved that the eleventh rule be suspended, and the bill 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 Arnold, Bestow, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Gallup, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—43.

The nays were:

Senators Gilmore, McCormack, Madson, and Maginnis—4.

Absent or not voting—

Senators Foster, Kinne, and Shelley—3.

So the bill passed and the title was agreed to.

Senator Arnold moved to take up House File No. 300, a bill for an act making appropriation for the hospital for the insane at Independence, instead of Senate File No. 139 on the same subject.

The motion prevailed, and the bill was taken up and considered.

On motion of Senator Arnold, the eleventh rule was suspended, and the bill was read a third time now.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—47.

The nays were—None.

Absent or not voting:

Senators Foster, Kinne, and Russell—3.

So the bill passed and the title was agreed to.

Senator Larrabee moved to indefinitely postpone Senate File No. 139. The motion prevailed.

At 12, m., the President, *pro tem.*, declared the Senate adjourned.

AFTERNOON SESSION.

2 O'CLOCK, P. M.

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

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 passed the following bills, in which the concurrence of the Senate is asked:

Substitute for House File No. 6, a bill for an act to repeal sections 231, 2761, and 2771, of the Code, and enact substitutes therefor, limiting the number of jurors in the circuit court.

House File No. 491, a bill for an act defining the ownership of grain deposited in warehouses and elevators.

House File No. 572, a bill for an act making further appropriations to the College for the Blind.

House File No. 490, a bill for an act to further protect the rights of the holders of warehouse receipts, or vouchers, for grain, beef, pork, lard, and beef and pork products.

Also, without amendment, Senate File No. 223, a bill for an act to legalize the organization and acts of the Central Block Association, of Webster City, Iowa.

W. V. LUCAS, *Clerk.*

Senate File No. 138, a bill for an act to provide for the building of the Institution for the Deaf and Dumb, and to provide for the government of the same, with report of committee recommending a substitute, was taken up, and considered.

Senator Haines moved to amend by striking out all after the word "no" in first line of section 2, down to and including the word "members" in second line, and insert after word "employees" in third line, "and no teacher, superintendent, steward, or other employe," and add to section two the words, "except by arrangements made in advance with the trustees, and for prices that shall be just to the State."

The amendment was adopted.

Senator Meyer moved to strike out section 2.

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

The yeas were:

Senators Dashiell, Dwelle, Gilmore, Graham, Harned, Madson, Maginnis, and Meyer—8.

The nays were:

Senators Arnold, Bestow, Blackman, Bronson, Carr, Chase, Clark, Dows, Ford, Gallup, Haines, Ham, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kinne, Larrabee, Lawrence, Lewellen, McCormack, Merrell, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Stoneman, Teale, Webb, Wonn, Woolson, Wright, and Young—36.

Absent or not voting:

Senators Foster, Kimball, McCoid, Miller, Shelley, and Wilson—6.

So the motion was lost.

Senator Larrabee moved to insert after the words "furniture for," in the first line of section 6, the words, "use of pupils in." Also, add to end of section the words, "as much thereof as may be necessary."

The motion prevailed.

The substitute was then adopted.

Senator Arnold moved that the eleventh rule be suspended, and the bill 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 Arnold, Bestow, Blackman, Bronson, Carr, Chase, Clark, Dows, Ford, Gallup, Haines, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Merrell, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Stoneman, Teale, Webb, Wonn, Woolson, Wright, and Young—39.

The nays were:

Senators Dashiell, Dwelle, Gilmore, Graham, Harned, Maginnis, and Meyer—7.

Absent or not voting:

Senators Foster, Ham, Shelley, and Wilson—4.

Senator Larrabee moved to amend the title by adding the words, "and repeal a portion of section 1885 of the Code."

The motion was adopted.

So the bill passed and the title was agreed to.

ENROLLED BILLS.

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

MR. PRESIDENT—Your Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled:

Senate File No. 286, a bill for an act to repeal section 3771 of the Code and to enact a substitute therefor, in relation to compensation of the clerk of the supreme court, and fixing the amount of fees in certain cases and providing for their collection and payment into the State treasury, and repealing section 3772 of the Code.

Senate File No. 307, a bill for an act to legalize the incorporation of the trustees of the Algona college.

Senate File No. 299, a bill for an act making it unlawful for officers of State institutions to contract indebtedness in excess of the appropriations, or divert funds from purposes for which the same were appropriated, and providing a punishment therefor.

Also, that they have this day presented to the Governor for his approval the following bills to-wit:

Substitute for House File No. 308, a bill for an act requiring that officers in certain cities may receive a fixed compensation, and that all fees now allowed such officers shall be paid into the treasury of such cities.

House File No. 539, a bill for an act to change the name of the town of Dayton in the county of Washington, and State of Iowa, to Daytonville.

House File No. 549, a bill for an act to legalize the acts and incorporation of the Farmers' Mutual Fire Insurance Company, of Clayton county, Iowa.

House File No. 543, a bill for an act to legalize the incorporation, ordinances and acts of the officers of the town of Wilton, in Muscatine county, Iowa.

House File No. 90, a bill for an act to provide for the assessment and taxation of telegraph lines within the State of Iowa.

Senate File No. 41, a bill for an act to amend chapter 39 of the public acts of the Fifteenth General Assembly, in relation to dividing counties into supervisor districts.

House File No. 397, a bill for an act to amend chapter 50, section 1, of the acts of the Twelfth General Assembly of the State of Iowa.

House File No. 30, a bill for an act to amend chapter 3, title 5, of the Code, regulating the election of supervisors of highways and of township assessors in certain cases.

Senate File No. 211, a bill for an act authorizing the establishment of a depository or depositories in the city of Des Moines for the collection of drafts, checks, and certificates of deposit received by the Treasurer of State on account of State dues.

House File No. 525, a bill for an act to authorize the Register of the State Land Office to change the spelling in certain patents issued by the State.

House File No. 427, a bill for an act to authorize patents to issue to Neal McNeil, Richard Stebbens, and Moses Adams, for certain lands in Monona county.

M. N. JOHNSON, *Chairman.*

REPORTS OF COMMITTEES.

By leave, 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 Senate File No. 253, a bill for an act in relation to revenue, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding to said bill the following: "Section 14. On and after January 1, 1879, no municipal corporation shall be allowed to become indebted in any manner or for any purpose to an

amount in the aggregate exceeding three per centum on the value of the taxable property within such corporation, to be ascertained by the last state and county tax lists previous to the incurring of such indebtedness." And that section 14 be section 15, section 15 be section 16, and that when so amended it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred substitute for House File No. 313, a bill for an act to amend section 814, of title 6, chapter 1, of the Code, in relation to exemption of United States bonds from taxation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred House File No. 570, a bill for an act to authorize the Treasurer of State to pay to the several counties the amount of the Swamp Land Indemnity Fund that has been withheld by him and his predecessors in office, under the provisions of section 12, chapter 160, of the acts of the Ninth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred House File No. 530, a bill for an act entitled an act for the better security of the revenue, regulating the duties of county treasurers and boards of supervisors in relation to the same, and amending section 912 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.

By leave, Senator Arnold, from the Committee on Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 262, a bill for an act to enable school districts to issue bonds for the purpose of bonding judgment indebtedness now existing, beg leave to report that they 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.

ARNOLD, *Chairman.*

Ordered passed on file.

Senator Bestow submitted a report of investigation made at Ft. Madison Penitentiary, which was ordered printed and passed on file.

Senator McCoid moved to reconsider the vote by which the Senate concurred in the resolution relative to a joint convention.

Pending which Senator Haines moved to adjourn, which motion did not prevail.

On motion of Senator McCoid, the Secretary was instructed to re-

quest the return of the resolution, relative to a joint convention, from the House.

By leave, the Committee on Railroads introduced Senate File No. 313, a bill for an act to further define the duties of the board of railroad commissioners.

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

REPORT OF COMMITTEE.

By leave, Senator Ham, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred House File No. 1, a bill for an act to authorize cities and towns to procure the right of way over railroad bridges, 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.

HAM, of Committee.

Ordered passed on file.

On motion of Senator Russell, Senate File No. 313 was taken up and made a special order to follow the consideration of appropriation bills.

The President announced the following sifting committee:

Senators Larrabee, Arnold, Young, Hebard, Graham, McCoid, Harmon, Russell, Chase, and Hemenway.

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:

Senate File No. 211, an act authorizing the establishment of a depository or depositories in the city of Des Moines for the collection of drafts, checks, and certificates of deposit received by the Treasurer of State on account of State dues.

House File No. 150, an act to authorize counties, cities and towns to refund outstanding bonded debt at a lower rate of interest, and to provide for the payment of the same.

I also herewith return to your honorable body Concurrent Resolution relative to holding a joint convention for the election of officers of the State institutions for this evening.

BEN. VAN STEINBURG, Ass't Clerk.

Concurrent Resolution relative to Joint convention was taken up.

Senator McCoid moved to reconsider the vote by which the Senate concurred in the resolution.

On the adoption of the motion the yeas and nays were demanded, and

The yeas were:

Senators Arnold, Bestow, Blackman, Bronson, Carr, Chase, Dows, Ford, Hanna, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, Madson, Maginnis, Miller, Nichols of Guthrie, Rum-

ple, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—32.

The nays were:

Senators Dashiell, Dwelle, Gallup, Gilmore, Graham, Haines, Ham, Harmon, Harned, Hartshorn, Johnson, McCormack, Merrell, Meyer Nichols of Benton, and Patterson—16.

Absent or not voting:

Senators Clark, and Foster—2.

So the motion to reconsider prevailed.

The Senate then refused to concur in the resolution.

On motion of Senator Hemenway, House File No. 84, a bill for an act to legalize the official acts of George Bishop, a notary public in and for Black Hawk county, with report of committee recommending it do pass was taken up and considered.

Senator Hemenway moved that the eleventh rule be suspended, and the bill 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 Arnold, Bestow, Blackman, Chase, Dashiell, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumple, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—44.

The nays were—None.

Absent or not voting:

Senators Bronson, Carr, Clark, Dows, Foster, and Hebard—6.

So the bill passed and the title was agreed to.

On motion of Senator Shelley, House File No. 389, a bill for an act confirming the diplomas of the medical college at the city of Keokuk, Iowa, with report of committee recommending that it do pass, was taken up and considered.

Senator Shelley moved that the eleventh rule be suspended, and the bill 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 Arnold, Bestow, Blackman, Bronson, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kinne, Larrabee, Lawrence, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Patterson, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, and Wright—38.

The nays were—None.

Absent or not voting:

Senators Carr, Chase, Clark, Foster, Haines, Ham, Kimball, Lewellen, Nichols of Guthrie, Rumple, Russell, and Young—12.

So the bill passed and the title was agreed to.

On motion of Senator Graham, House File No. 53, a bill for an act to repeal section 1558 of the Code of Iowa, in relation to fines and costs

assessed and judgments rendered for violations of the intoxicating liquor law, and to enact a substitute therefor, with report of committee recommending that it do pass, was taken up and considered.

Sanator Stoneman moved to refer the bill to the Judiciary Committee.

On motion of Senator McCoid, the bill was recommitted to the Committee on Suppression of Intemperance.

On motion of Senator Gilmore, substitute for House File No. 26, a bill for an act to repeal section 2272, chapter 5, title 15, of the Code, in relation to the guardianship of drunkards, spendthrifts, and lunatics, and to enact a substitute therefor, with report of committee recommending that it do pass, was taken up and considered.

Senator Russell moved to postpone further consideration until tomorrow at 9:45, A. M.

The motion prevailed.

Senator Dashiell moved that when the Senate adjourn it be until tomorrow at 9 o'clock, A. M. Carried.

On motion of Senator Russell, at 6 o'clock, P. M., the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 21, 1878. }

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

Prayer by the Rev. Mr. Gelwicks.

Pending the reading of the journal of yesterday, Senator Graham moved that the further reading be dispensed with.

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 has passed the following bills in which the concurrence of the Senate is asked:

House File No. 524, a bill for an act to legalize the organization of the independent school district of Sioux Rapids, in the county of Buena Vista, State of Iowa.

House File No. 520, a bill for an act to legalize the revised ordinances of the city of Vinton.

Also, have passed without amendment:

Senate File No. 238, a bill for an act requiring the boards of supervisors to cancel the unpaid taxes voted in aid of railways between the 1st day of January, 1868, and the 1st day of January, 1875.

Senate File No. 185, a bill for an act to promote the collection of revenue in incorporated cities acting under special charters, and to legalize the taxes heretofore levied thereon and sales made thereunder.

Senate File No. 305, a bill for an act to legalize the incorporation of the town of Cherokee, in Cherokee county, Iowa.

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

Senate File No. 307, an act to legalize the incorporation of the trustees of the Algona College.

Senate File No. 299, an act making it unlawful for officers of State institutions to contract indebtedness in excess of the appropriations, or divert funds from purposes for which the same were appropriated, and providing a punishment therefor.

Senate File No. 286, an act to repeal section 3781 of the Code, and to enact a substitute therefor, in relation to compensation of the clerk of the Supreme Court, and fixing the amount of fees in certain cases, and providing for their collection and payment into the State treasury, and repealing section 3772 of the Code.

Senate File No. 273, an act to amend sections 1672 and 1676 of the Code, relating to support of the blind.

Senate File No. 284, an act to fix the salaries of the Register of State Land Office and his Deputy.

Senate File No. 263, an act to amend section 4171 of the Code, relating to fugitives from justice.

Senate File No. 274, an act to amend section 3762 of the Code, relating to salary of the State Librarian.

W. V. LUCAS, *Clerk.*

REPORT OF COMMITTEES.

By leave, Senator McCormack, from the Committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate File No. 124, a bill for an act to repeal section 10, chapter 70, of the laws of the Sixteenth General Assembly, relating to the propagation of fish, beg leave to report that they 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 Fish and Game, to whom was referred Senate File No. 216, a bill for an act to prevent the wanton destruction of birds, beg leave to report that they 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.

McCORMACK, *Chairman.*

Ordered passed on file.

On motion of Senator McCoid, bills on third reading were taken up. Senate File No. 227, a bill for an act for the leasing of grounds and buildings for the Girls' Department of the State Reform School, and to make appropriations therefor, was taken up and read a third time.

On the question, shall the pass?

The yeas were:

Senators Arnold, Bestow, Blackman, Carr, Chase, Dashiell, Dwelle,

Ford, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Harned, Hartshorn, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Patterson, Rumble, Russell, Shelley, Webb, Wilson, Wonn, Woolson, Wright, and Young—41.

The nays were—None.

Absent or not voting:

Senators Bronson, Clark, Dows, Foster, Ham, Hebard, Nichols of Guthrie, Stoneman, and Teale—9.

So the bill passed and the title was agreed to.

Senate File No. 275, a bill for an act to amend chapter 21, laws of the Fifteenth General Assembly, relating to the support of the Reform Schools, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Blackman, Carr, Chase, Dashiell, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Patterson, Rumble, Russell, Shelley, Webb, Wilson, Wonn, Woolson, Wright, and Young—42.

The nays were—None.

Absent or not voting:

Senators Bronson, Clark, Dows, Foster, Ham, Nichols of Guthrie, Stoneman, and Teale—8.

So the bill passed and the title was agreed to.

Senate File No. 252, a bill for an act to amend sections 1692 and 1693 of the Code, in relation to support of the Deaf and Dumb Institution, with amendments reported by the House, was taken up.

On the question, shall the Senate concur in the House amendments?

The yeas were:

Senators Arnold, Bestow, Blackman, Bronson, Carr, Chase, Dashiell, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Patterson, Rumble, Russell, Shelley, Webb, Wilson, Wonn, Woolson, Wright, and Young—43.

The nays were—None.

Absent or not voting:

Senators Clark, Dows, Foster, Ham, Nichols of Guthrie, Stoneman, and Teale—7.

So the Senate concurred in House amendments.

Senate File No. 251, a bill for an act to repeal section 1580 of the Code, relating to the fees of superintendent of public instruction, with amendments reported by the House, was taken up.

On the question, shall the Senate concur in the House amendments?

The yeas were:

Senators Arnold, Bestow, Blackman, Bronson, Carr, Chase, Dashiell, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, Maginnis, Merrell, Meyer, Mil-

ler, Patterson, Rumble, Shelley, Webb, Wilson, Wonn, Woolson, and Wright—38.

The nays were:

Senators McCormack, Madson, Nichols of Benton, Russell, and Young—5.

Absent or not voting:

Senators Clark, Dows, Foster, Ham, Nichols of Guthrie, Stoneman, and Teale—7.

So the Senate concurred in the House amendments.

Senate File No. 247, a bill for an act to amend sections 1384 and 1390 of the Code, in relation to the care of the insane, with amendments reported by the House, was taken up.

On the question, shall the Senate concur in the House amendments?

The yeas were:

Senators Arnold, Bestow, Blackman, Bronson, Carr, Chase, Dashiell, Dwelle, Ford, Gallup, Graham, Haines, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Patterson, Rumble, Russell, Shelley, Webb, Wilson, Wonn, Woolson, Wright, and Young—42.

The nays were—None.

Absent or not voting:

Senators Clark, Dows, Foster, Gilmore, Ham, Nichols of Guthrie, Stoneman, and Teale—8.

So the Senate concurred in House amendments.

Substitute for House File No. 104, a bill for an act to amend section 382 of title 23 of the Code, in relation to attorneys' fees for defending persons charged with crime, with amendments reported by the House, was taken up.

On the question, shall the Senate concur in the House amendments?

The yeas were:

Senators Arnold, Bestow, Chase, Dashiell, Dows, Dwelle, Ford, Gilmore, Hanna, Harned, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lewellen, McCoid, McCormack, Madson, Merrell, Meyer, Miller, Patterson, Russell, Stoneman, Wilson, Wonn, Woolson, Wright, and Young—30.

The nays were:

Senators Blackman, Bronson, Carr, Clark, Graham, Haines, Ham, Harmon, Hartshorn, Johnson, Lawrence, Maginnis, Nichols of Benton, Nichols of Guthrie, Rumble, and Shelley—16.

Absent or not voting:

Senators Foster, Gallup, Teale, and Webb—4.

So the Senate concurred in House amendments.

By leave Senator Russell, from the Committee on Retrenchment, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment, to whom was referred House File No. 533, a bill for an act to amend chapter 2, title 11, section 1427, of the Code, relating to the support required by counties for the support of the insane, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Retrenchment, to whom was referred House File No. 560, a bill for an act to amend section 4785 of the Code, in relation to the support of convicts, beg leave to report that they 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 Retrenchment, to whom was referred House File No. 559, a bill for an act to amend chapter 137 of the acts of the Sixteenth General Assembly, relating to the support of convicts in the additional penitentiary, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

RUSSELL, *Chairman.*

Ordered passed on file.

On motion of Senator Russell, House File No. 560, just reported, was taken up and considered.

Senator Russell moved that the eleventh rule be suspended, and the bill 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 Arnold, Bestow, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumple, Russell, Shelley, Stoneman, Webb, Wilson, Wonn, Woolson, Wright, and Young—46.

The nays were—None.

Absent or not voting:

Senators Foster, Gallup, Merrell, and Teale—4.

So the bill passed and the title was agreed to.

On motion of Senator Russell, House File No. 559, reported this morning, was taken up and considered.

Senator Bestow moved that the eleventh rule be suspended, and the bill 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 Arnold, Bestow, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Meyer, Miller, Nichols of Benton, Patterson, Rumple, Russell, Shelley, Stoneman, Webb, Wilson, Wonn, Woolson, Wright, and Young—44.

The nays were—None.

Absent or not voting:

Senators Foster, Gallup, Gilmore, Merrell, Nichols of Guthrie, and Teale—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 has passed the following bill in which the concurrence of the Senate is asked:

House File No. 416, a bill for an act to compel railroad companies to fence their right of way in certain cases.

And have passed, without amendment, Senate File No. 49, a bill for an act to amend chapter 145 of the acts of the Sixteenth General Assembly, in relation to taxing, and the sale of public lands for taxes.

W. V. LUCAS, *Chief Clerk*.

On motion of Senator Russell, House File No. 533, reported this morning, was taken up and considered.

Senator Russell moved that the eleventh rule be suspended, and the bill 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 Arnold, Bestow, Blackman, Bronson, Carr, Chase, Clark, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kirne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—47.

The nays were—None.

Absent or not voting:

Senators Dashiell, Foster, and Haines—3.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor, for his approval:

Senate File No. 263, an act to amend section 4171 of the Code, relating to fugitives from justice.

Senate File No. 274, an act to amend section 3762 of the Code, relating to salary of State Librarian.

Senate File No. 307, an act to legalize the incorporation of the trustees of the Algona College.

Senate File No. 286, an act to repeal section 3771 of the Code, and to enact a substitute therefor, in relation to compensation of the Clerk

of the Supreme Court, and fixing the amount of fees in certain cases, and providing for the collection and payment into the state treasury; and repealing section 3772 of the Code.

Senate File No. 299, an act making it unlawful for officers of State institutions to contract indebtedness in excess of appropriations, or divert funds from purposes for which the same were appropriated, and providing a punishment therefor.

Senate File No. 284, an act to fix the salaries of the Register of State Land Office and his Deputy.

Senate File No. 273, an act to amend sections 1672 and 1676 of the Code, relating to support of the blind.

Also, respectfully report that they have examined:

Senate File No. 223, an act to legalize the organization and acts of the Central Block Association of Webster City, Iowa;

Senate File No. 234, an act appropriating money to defray the expenses incurred by reason of threatened riots during the summer of 1877;

And find the same correctly enrolled.

M. N. JOHNSON, *Chairman.*

On motion of Senator Larrabee, Senate File No. 253, a bill for an act in relation to revenue, with report of committee recommending amendments was taken up, considered, and the report of the committee was adopted.

Pending consideration of the bill the hour arrived for the consideration of House File No. 26.

On motion of Senator Larrabee, the special order was postponed one-half hour.

Consideration of Senate File No. 253 was resumed.

Senator Hemenway moved to amend by adding to 1st paragraph of section 13, the following words: "The Executive Council shall, in no case, levy a tax which shall, in the aggregate, exceed the amount of all the expenditures which are authorized by law to be made for the year for which the levy is made. It shall, in no case, cause a surplus of money to accumulate in the State treasury."

Senator Johnson moved to amend by striking out the last clause of Senator Hemenway's amendment. Not agreed to.

The amendment was then adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—The House of Representatives request the return of House File No. 26, an act to repeal section 2272 of the Code, &c.

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

The consideration of Senate File No. 253 was resumed.

Senator McCoid moved to amend by striking out paragraph 2, of section 13, and insert the words, "for ordinary revenue and bridge tax not more than six mills on a dollar, and a poll tax of fifty cents." Not agreed to.

Pending further consideration the hour arrived for special order, it being concurrent resolution relative to adjournment,

Senator Stoneman moved that the special order be postponed, and that it be made a special order to follow the disposition of the bill pending.

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 has passed the following bill, which is sent to your honorable body for concurrence, with this explanation: Through mistake the original bill was sent to your honorable body in lieu of the substitute which passed the House:

Substitute for House File No. 36, a bill for an act to repeal section 2272, chapter 5, title 15, of the Code, in relation to the guardianship of drunkards, spendthrifts, and lunatics, and to enact a substitute therefor.

W. V. LUCAS, *Clerk*.

The consideration of Senate File No. 253 was resumed.

Senator Larrabee moved a suspension of the eleventh rule, and that 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 Arnold, Bestow, Bronson, Carr, Chase, Clark, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kimball, Larrabee, Lawrence, Madson, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Stoneman, Webb, Wonn, Woolson, and Young—36.

The nays were:

Senators Dashiell, Johnson, Kinne, Lewellen, McCoid, McCormack, Maginnis, Shelley, Teale, Wilson, and Wright—11.

Absent or not voting:

Senators Blackman, Dows, and Foster—3.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Substitute for House File No. 233, a bill for an act to repeal sections 1996, 2002, and 2003, of chapter 8, title 13, of the Code, and enacting a substitute therefor, limiting and defining the extent to which property claimed as a homestead shall be exempt from execution.

W. V. LUCAS, *Clerk*.

REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

House File No. 150 a bill for an act to authorize counties, cities, and towns to refund outstanding bonded debt at a lower rate of interest, and to provide for the payment of the same.

House File No. 510, a bill for an act to legalize the incorporation and ordinances of the town of Solon, Johnson county, Iowa.

M. N. JOHNSON, *Chairman.*

Special order, concurrent resolution, relative to final adjournment, was taken up and considered.

Senator Larrabee moved to amend by striking out the words "Thursday, 21st," and inserting the words "Tuesday, 26th, at 11, A. M."

Senator Merrell moved to amend the amendment, by striking out the words "Tuesday, 26th, at 11, A. M." and inserting the words "Saturday, 23d, at 11 o'clock; A. M."

On the adoption of the amendment the yeas and nays were demanded, and

The yeas were:

Senators Arnold, Carr, Dwelle, Gallup, Gilmore, Graham, Haines, Hanna, Kinne, Lewellen, McCormack, Madson, Merrell, Meyer, Patterson, Rumble, Stoneman, Wilson, and Wright—19.

The nays were:

Senators Bestow, Bronson, Chase, Clark, Dashiell, Dows, Ford, Ham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, McCoid, Maginnis, Miller, Nichols of Benton, Nichols of Guthrie, Russell, Shelley, Teale, Webb, Woolson, and Young—28.

Absent or not voting:

Senators Blackman, Foster, and Wonn—3.

So the amendment to the amendment did not prevail.

The original amendment was then adopted.

The resolution as amended was then concurred in.

Special order being substitute for House File No. 26, a bill for an act to repeal section 2272 of the Code, in relation to the guardianship of drunkards, spendthrifts and lunatics, and enact a substitute therefor, was taken up, read first and second time.

Senator Chase moved to commit the bill to the Judiciary Committee.

Pending which, 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 amendments to the resolution relative to fixing the time for final adjournment on Tuesday, the 26th inst., at 11 o'clock, A. M.

W. V. LUCAS, *Clerk.*

The question being on the motion to commit substitute for House File No. 26, it was adopted.

Senator Dows moved to take up Senate File No. 145, and make it a special order to follow appropriation bills.

The motion prevailed.

On motion of Senator Arnold, substitute for House File No. 304, with majority report of committee recommending it do pass, was taken up and considered.

Senator Larrabee moved to strike out the word "annually," in third line of section 1.

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

Pending which, Senator Teale, from the Committee on Appropriations, submitted the following

MINORITY REPORT :

MR. PRESIDENT—The undersigned, a minority of your Committee on Appropriations, to whom was referred House File No. 304, a bill for an act for the endowment and support of the State University, beg leave to dissent from the report of said committee recommending a permanent annual appropriation for the support of the State University, for the reason that the present condition of the State finances does not warrant any expenditure of public funds for any purpose not absolutely necessary to carry on the government of the State, or to provide for the unfortunates in our charitable institutions. While the sum granted in this bill might be advantageously used by the University in the furtherance of its objects, we believe the actual necessities of the institution might be provided for with a less sum, and at this time, when the expenses of all other State institutions have been reduced to the lowest point consistent with their existence in an efficient condition, we see no reason why this alone should be exempt from the embarrassment felt not only by our other State institutions, but by all classes of the people of the State.

In our opinion, the University has no such prior claim upon the funds of the State, as to entitle it to a first lien upon the treasury for all future time, and it is neither wise nor necessary for this General Assembly to bind the people of the State to pay an annual sum to this institution regardless of its necessities, and of the ability of the State to contribute to its support, and such action would be a departure from the settled policy of the State—not warranted by any considerations that injustice has been done in the past. The object of this institution being to give to young persons the benefit of a classical or professional education, does not transcend in importance the other objects for which the State government exists, but is an attempt to do that which the State is under no moral obligation to do, and which can as well or better be done by private enterprise.

In our opinion the only duty which the State owes to its children in the way of providing for their education, is to give them an opportunity of acquiring such a common school education as will prepare them for their duties as citizens and serve as a foundation upon which they may build such higher culture as they may desire; and, therefore, any expenditure for the purpose of giving professional or classical education can be claimed not as a right but as a donation.

That the sum of twenty thousand dollars per annum, named in this bill, is greater than the actual *necessities* of the institution demand; its endowment fund produces a revenue of twenty-one thousand dollars per annum; the tuition fees, at the present rate charged, produce a revenue of eleven thousand dollars per annum, and the amount granted by this bill would increase the total revenue to fifty-two thousand dollars per annum, and your committee suggest to the Board of Regents a close scrutiny of the expenditure of this large sum, that they may determine whether in some instances salaries have not been paid which bear no just proportion to the work performed; or persons employed whose services are of no adequate benefit to the institution; in order that they may reduce the current expenses of the same, to the probable revenue to be derived from the endowment, the tuition fees, and such donations as the liberality of the legislature may from time to time make to provide for any unforeseen increase in its expenses.

That the amount of ten thousand dollars further appropriated by this bill for repairs of buildings is more than is shown to be necessary to preserve and keep in order the buildings belonging to the institution, and we recommend for this purpose the sum of six thousand dollars for the ensuing biennial period.

Respectfully submitted,

FRED TEALE,
J. L. MCCORMACK,
S. HARNED.

At 12 o'clock, M., the President, *pro tem.*, declared the Senate adjourned.

AFTERNOON SESSION.

2 O'CLOCK, P. M.

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

Consideration of Senator Larrabee's motion to strike out the word "annually," pending at the hour of adjournment, was resumed.

Pending which the following message was received from the House:

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

House File No. 368, a bill for an act to repeal sections 4048, 4049, 4050 and 4051 of the Code, chapter 69 of the laws of the Fifteenth General Assembly.

Substitute for House File No. 271 and 301, a bill for an act apportioning the State into representative districts and declaring the ratio of representation.

BEN. VAN STEINBURG, *Assistant Clerk.*

Consideration of House File No. 304 was resumed.

On the adoption of the motion to strike out the word "annually," the yeas and nays were demanded, and

The yeas were:

Senators Bestow, Blackman, Carr, Dashiell, Dows, Gallup, Graham, Harned, Hebard, Kimball, Larrabee, Lewellen, McCormack, Madson, Magiunis, Merrell, Meyer, Patterson, Russell, Shelley, Stoneman, Teale, and Woolson—23.

The nays were:

Senators Bronson, Chase, Clark, Ford, Foster, Haines, Ham, Hanna, Harison, Hartshorn, Hemenway, Johnson, Kinne, Lawrence, McCoid, Miller, Nichols of Benton, Nichols of Guthrie, Rumble, Webb, Wilson, Wonn, Wright, and Young—24.

Absent or not voting:

Senators Arnold, Dwelle, and Gilmore—3.

So the Senate refused to adopt the amendment.

Senator Stoneman moved to amend by adding to section 1, the words: "Provided, that after the 1st day of July, 1879, no part of the funds belonging to said university shall be used for the support of the preparatory or non-collegiate course of studies heretofore taught in said University, or to use the buildings of the University for that purpose."

Senator Larrabee offered the following substitute for the amendment: "That the Board of Regents of the State University are hereby required to discontinue the so-called sub freshmen or preparatory department of the State University before the 1st day of January, A. D., 1879, and the said Board of Regents are hereby prohibited from thereafter establishing or maintaining any such department, or any department of a lower grade than the regular collegiate departments, as now established in connection with the said University.

Senator Haines raised a point of order that the amendment offered by Senator Stoneman was not germane to the subject of the bill.

The chair decided the point of order not well taken.

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 passed the following concurrent resolution in which the concurrence of the Senate is asked:

Relative to changing the time of final adjournment.

Joint Resolution relative to printing the laws of the Seventeenth General Assembly in the Iowa *Staats Anzeiger*.

W. V. LUCAS, Clerk.

Consideration of House File No. 304 was resumed.

Senator Hemenway moved that the bill pass on file, and be made a special order to follow consideration of Senate File No. 311, a bill for an act to abolish the sub-freshmen or preparatory course at the State University, which motion prevailed.

Senator Hartshorn moved that when the Senate adjourn, it be until 7 o'clock, this evening.

The motion did not prevail.

Senate File No. 311, with report of committee recommending Joint Resolution as a substitute, was taken up and considered.

Senator _____ raised the point of order that it is not in order for a joint resolution to be offered as a substitute for a bill.

The chair decided the point of order well taken.

Senator Haines offered a substitute for the bill, which was adopted.

Senator Nichols, of Benton, was excused until Monday noon.

Senator Arnold was excused.

Senator Haines moved a suspension of the eleventh rule, and that 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 Bestow, Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harned, Hartshorn, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rump, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—46.

The nays were:

Senators Harmon, and Hebard—2.

Absent or not voting:

Senators Arnold, and Blackman—2.

So the bill passed and the title was agreed to.

Consideration of House File No. 304 was resumed.

The question being on the amendment offered by Senator Larrabee it was withdrawn.

The question recurring on the amendment offered by Senator Stoneman it was withdrawn.

Senator Larrabee moved to amend by striking out the word "twenty" in 2d line of section 1 and inserting the word "fifteen;" also, strike out the figures "20" in 3d line of section 1 and insert the figures "15."

On the adoption of the amendment the yeas and nays were demanded, and

The yeas were:

Senators Blackman, Carr, Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Harned, Hebard, Larrabee, Lewellen, McCormack, Madson, Maginnis, Merrell, Meyer, Patterson, Russell, Shelley, and Teale—21.

The nays were:

Senators Bronson, Chase, Clark, Ford, Foster, Haines, Ham, Hanna, Harmon, Hartshorn, Hemenway, Johnson, Kimball, Kinne, Lawrence, McCoid, Miller, Nichols of Benton, Nichols of Guthrie, Rump, Stoneman, Webb, Wilson, Wonn, Woolson, Wright, and Young—27.

Absent or not voting:

Senators Arnold, and Bestow—2.

So the amendment was not agreed to.

Senator Meyer offered a substitute for the bill.

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

The yeas were:

Senators Bestow, Blackman, Dashiell, Dows, Gallup, Gilmore,

Harned, Hebard, Larrabee, McCormack, Madson, Maginnis, Merrell, Meyer, Shelley, and Teale—16.

The nays were:

Senators Bronson, Carr, Chase, Clark, Dwelle, Ford, Foster, Graham, Haines, Ham, Hanna, Harmon, Hartshorn, Hemenway, Johnson, Kimball, Kinne, Lawrence, Lewellen, McCoid, Miller, Nichols of Benton, Nichols of Guthrie, Patterson, Rumble, Russell, Stoneman, Webb, Wilson, Wonn, Woolson, Wright, and Young—33.

Absent or not voting:

Senator Arnold—1.

So the substitute was not adopted.

On motion of Senator Haines, the eleventh rule was suspended, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bronson, Carr, Chase, Clark, Dwelle, Ford, Foster, Gallup, Haines, Ham, Hanna, Harmon, Hartshorn, Hemenway, Johnson, Kimball, Kinne, Lawrence, Lewellen, McCoid, Miller, Nichols of Benton, Nichols of Guthrie, Rumble, Shelley, Stoneman, Webb, Wilson, Wonn, Wright, and Young—31.

The nays were:

Senators Bestow, Blackman, Dashiell, Dows, Gilmore, Graham, Harned, Hebard, Larrabee, McCormack, Madson, Maginnis, Merrell, Meyer, Patterson, Russell, Teale, and Woolson—18.

Absent or not voting:

Senator Arnold—1.

So the bill passed and the title was agreed to.

Senator Dows moved that the time for adjournment this evening be fixed at 7 o'clock.

The motion prevailed.

By leave, Senator Stoneman introduced Senate File No. 314, a bill for an act to create a commission to investigate the affairs of the Fort Madison penitentiary during the administration of S. H. Craig, as warden, and continue the investigation already commenced by the joint committee of the Seventeenth General Assembly, and to provide for the compensation of said commission.

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

By leave, the Committee on Retrenchment introduced Senate File No. 315, a bill for an act amending chapter 132, laws of the Sixteenth General Assembly, relative to the publication and distribution of the laws.

Read first and second time.

Senator Russell moved a suspension of the eleventh rule, and that the bill be read a third time, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bestow, Blackman, Carr, Chase, Clark, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Merrell, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—43.

The nays were :

Senator Dashiell—1.

Absent or not voting:

Senators Arnold, Bronson, Foster, Maginnis, Meyer, and Nichols of Benton—6.

So the bill passed and the title was agreed to.

Senator Rumble moved to take up House messages.

The motion prevailed.

Concurrent Resolution, relative to time of adjournment, was taken up, and, on motion of Senator Shelley, was laid on the table.

By leave, Senator Chase introduced Senate File No. 316, a bill for an act to legalize the official acts of Wm. R. Daniel, a notary public of Hamilton county.

Read first and second time, and passed on file.

REPORT OF COMMITTEES.

By leave, Senator McCoid, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 123, a bill for an act to amend chapter 1, of title 4, of the Code, relating to re-location of county seats, 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 by inserting in the 5th line of section 1, after the word "ordered," the words "and proceedings had," and substitute the word "sections" for the word "section" in line 6 of same section, and when so amended that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 308, a bill for an act to repeal an act passed by the Seventeenth General Assembly of the State of Iowa, entitled an act to legalize the organization of the Independent District of Delta, Keokuk county, Iowa, and the acts done in pursuance 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 indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 114, a bill for an act relating to cities organized and existing under special charters, conferring additional powers upon, and amending the charters of such cities, beg leave to report that 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 Senate File No. 146, a bill for an act exempting poultry and do-

mestic birds from execution, beg leave to report that 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 Senate File No. 166, a bill for an act to prohibit the sale of wine and beer by the glass or drink, and to abolish wine or beer saloons, beg leave to report that 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 Senate File No. 133, a bill for an act to provide for the adoption of general rules of practice in the courts of this State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate 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 Senate File No. 84, a bill for an act to repeal section 963, of the Code of 1873, 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 be indefinitely postponed.

Ordered passed on file.

Also the following :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 177, a bill for an act providing for a court expense fee, for the benefit of the district and circuit judges, beg leave to report that 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 Senate File No. 27, a bill for an act to amend section 3849, chapter 2, title 24 of the Code of Iowa, in relation to offenses against the lives and persons of individuals, beg leave to report that 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 House File No. 148, a bill for an act to amend section 3072, chapter 2, title 18, of the Code, exempting poultry from execution, beg leave to report that 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 House File No. 81, a bill for an act to amend section 3275, 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 House File No. 110, a bill for an act relating to lands of which parties die seized, beg leave to report that 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.

M. A. McCoid, *Chairman*.

Ordered passed on file,

By leave, Senator Wright, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred House File No. 152, a bill for an act to repeal sections 489, 493 and 531 of chapter 10, title 1 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 pass.

WRIGHT, *Chairman, pro tem*.

Ordered passed on file.

By leave, Senator Chase introduced Senate File No. 317, a bill for an act to legalize a library tax voted in Wall Lake township, Wright county, Iowa.

Read first and second time, and passed on file.

By leave, Committee on Ways and Means introduced Senate File No. 318, a bill for an act to tax sleeping and dining cars.

Read first and second time.

On motion of Senator Larrabee, the eleventh rule was suspended, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bestow, Blackman, Bronson, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Nichols of Guthrie, Patterson, Rumble, Russell, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—42.

The nays were:

Senators Carr, and Miller—2.

Absent or not voting:

Senators Arnold, Hartshorn, Kinne, Meyer, Nichols of Benton, and Shelley—6.

So the bill passed and the title was agreed to.

On motion of Senator Young, Senate File No. 300, a bill for an act authorizing and directing the Governor to certify to the Sioux City & St. Paul Railway Company certain lands named therein, and the repeal

of section 34, of the private, local and temporary acts of the Fifteenth General Assembly, was taken up and considered.

Senator Young offered a substitute for the bill.

Senator Merrell moved the reference of the bill to the Railroad Committee.

The motion prevailed.

Senator Bestow moved that the Senate do now adjourn. Lost.

Senator Teale moved a call of the Senate.

The Senate refused to second the call.

By leave, Senator Young introduced Senate File No. 319, a bill for an act to legalize and extend the time for the collection of taxes voted in aid of the Sheldon, Beloit, & Dakota Railroad Company.

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

On motion of Senator Hartshorn, House File No. 368 was taken up and referred to Committee on Fish and Game.

Senator Clark was excused.

On motion of Senator Young, Senate File No. 80, with report of committee recommending it do pass, was taken up and considered.

Senator Young moved that the eleventh rule be suspended, and the bill 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 Bestow, Chase, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Harmon, Hartshorn, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Miller, Patterson, Rumble, Russell, Stoneman, Teale, Webb, Wonn, Wright, and Young—31.

The nays were:

Senator Woolson—1.

Absent or not voting:

Senators Arnold, Blackman, Bronson, Carr, Clark, Foster, Ham, Hanna, Harned, Hebard, Kinne, Maginnis, Merrell, Meyer, Nichols of Benton, Nichols of Guthrie, Shelley, and Wilson--18.

So the bill passed and the title was agreed to.

Senator Dashiell moved that when the Senate adjourns it be until tomorrow morning, at 9 o'clock.

The motion prevailed.

By leave, Senator Kimball introduced Joint Resolution relative to instructing our members in Congress, on certain subjects.

Read first and second time, and passed on file.

By leave, Senator Harmon, 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 House File No. 207, a bill for an act to amend chapter 125, acts of the Sixteenth General Assembly, relating to the bonding of county indebtedness, beg leave to report that they 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.

HARMON, *Chairman.*

Ordered passed on file.

On motion of Senator Lawrence, House File No. 524, a bill for an act to legalize the independent school district of Sioux Rapids, Iowa, was taken up and read first and second time.

Senator Lawrence moved that the eleventh rule be suspended, and the bill 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 Bestow, Chase, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Harmon, Hartshorn, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, Madson, Meyer, Miller, Paterson, Stoneman, Teale, Webb, Woolson, and Young—27.

The nays were—None.

Absent or not voting:

Senators Arnold, Blackman, Bronson, Carr, Clark, Dashiell, Foster, Ham, Hanna, Harned, Hebard, Kinne, McCormack, Maginnis, Merrell, Nichols of Benton, Nichols of Guthrie, Rumble, Russell, Shelley, Wilson, Wonn, and Wright—23.

So the bill passed and the title was agreed to.

At 7:05 the President, *pro tem*, declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 22, 1878. }

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

Prayer by the Rev. Mr. Telleen.

Pending the reading of the journal of yesterday, Senator Hartshorn moved that further reading be dispensed with.

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 has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 547, a bill for an act providing for payment of the claim of William R. Craig.

House File No. 577, a bill for an act providing for the employment of one guard for every eight prisoners at the Anamosa Penitentiary.

House File No. 576, a bill for an act to legalize the official acts of James D. Carson as justice of the peace.

Also, have passed, without amendment:

Substitute for Senate File No. 30, a bill for an act to prohibit defendants convicted of murder being admitted to bail.

Senate File No. 262, a bill for an act to regulate the *per diem* and

mileage of Trustees of State Institutions, members of Visiting Committees to Hospitals for Insane, and Regents of the State University.

Also, with amendment:

Senate File No 268, a bill for an act to repeal chapter 123, acts of the Eleventh General Assembly, chapters 8 and 120, acts of the Twelfth General Assembly, and chapter 93, acts of the Thirteenth General Assembly, by striking out section 2, or publication clause.

W. V. LUCAS, *Clerk.*

Senator Arnold was excused for to-day.

On motion of Senator Dows, Senate File No. 145, a bill for an act in aid of the State Agricultural Society, with report of committee recommending amendments, was taken up, considered, and the report of the committee was adopted.

Senator Dows moved that the eleventh rule be suspended, and the bill 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 Bestow, Blackman, Bronson, Clark, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Hanna, Harmon, Hebard, Hemenway, Kimball, Larrabee, Lawrence, Lewellen, McCoid, Madson, Nichols of Guthrie, Rumble, Webb, Wonn, and Wright—25.

The nays were:

Senators Carr, Dashiell, Haines, Ham, Harned, Hartshorn, Johnson, Kinne, McCormack, Maginnis, Merrell, Miller, Russell, Shelley, Stoneman, Wilson, Woolson, and Young—18.

Absent or not voting:

Senators Arnold, Chase, Foster, Meyer, Nichols of Benton, Patterson, and Teale—7.

So the bill not having received a constitutional majority, did not pass.

Senator Hartshorn moved that the vote by which the bill failed to pass be reconsidered.

Senator Ham moved to lay the motion on the table.

The motion did not prevail.

The motion to reconsider was then agreed to.

On the question, shall the bill pass?

The yeas were:

Senators Blackman, Bronson, Clark, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hemenway, Kimball, Larrabee, Lawrence, Lewellen, McCoid, Madson, Patterson, Rumble, Webb, Wonn, and Wright—24.

The nays were:

Senators Carr, Chase, Dashiell, Foster, Haines, Ham, Hanna, Harned, Johnson, Kinne, McCormack, Maginnis, Merrell, Meyer, Miller, Shelley, Stoneman, Teale, Wilson, Woolson, and Young—21.

Absent or not voting:

Senators Arnold, Bestow, Nichols of Benton, Nichols of Guthrie, and Russell—5.

So the bill not having received a constitutional majority did not pass.

On motion of Senator Dows, Senate File No. 140, a bill for an act making appropriations for the maintenance of the Normal School at

Cedar Falls, with report of committee recommending amendments, was taken up, considered, and the report of the committee was adopted.

Senator Hemenway offered a substitute for the bill.

Pending which,

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

MR. PRESIDENT—The Committee on Enrolled Bills, respectfully report that they have examined:

Senate File No. 305, a bill for an act to legalize the incorporation of the town of Cherokee, Cherokee county, Iowa;

Senate File No. 238, a bill for an act requiring the board of supervisors to cancel the unpaid taxes voted in aid of railroads between the 1st day of January, 1868, and the 1st day of January, 1875;

Senate File No. 185, a bill for an act to promote the collection of revenue in incorporated cities acting under special charters, and to legalize the taxes heretofore levied therein and sale made thereunder;

Substitute for Senate File No. 104, an act to amend section 3829, title 28, of the Code, in relation to attorneys' fees for defending persons charged with crime;

House File No. 363, a bill for an act to legalize the official acts of George A. Jackson, a Notary Public in and for Boone county;

Substitute for House File No. 25, a bill for an act to repeal section No. 166 of the Code, in relation to special terms of court, and to enact a substitute therefor;

Substitute for House Files Nos. 668, 14, 245, 247, and 354, a bill for an act to repeal chapter 68, acts of the Fifteenth General Assembly, and provide for the establishment of a Board of Railroad Commissioners, and defining their duties and term of office;

House File No. 300, a bill for an act making an appropriation for the Iowa Hospital for the Insane at Independence;

House File No. 415, a bill for an act to grant relief to the tax payers of the former sub-district No. 2, of the district township of Honey Creek, in Delaware county, Iowa, remitting school-house taxes levied but uncollected, and not needed for the purpose for which they were voted;

Substitute for Senate File No. 142 and House File No. 378, a bill for an act making appropriations to Iowa Agricultural College;

House File No. 533, a bill for an act to amend chapter 2, title 11, section 1427 of the Code, relating to the support required by counties for the support of the insane;

House File No. 84, a bill for an act to legalize the official acts of Geo. Bishop, a notary public in and for Black Hawk county;

House File No. 559, a bill for an act to amend chapter 137 of the acts of the Sixteenth General Assembly, relating to support of convicts in the additional penitentiary;

House File No. 560, a bill for an act to amend section 4785 of the Code, in relation to the support of convicts;

Senate File No. 275, a bill for an act to amend chapter 21, laws of the Fifteenth General Assembly, relative to support of Reform Schools;

Senate File No. 251, an act to repeal section 1580 of the Code, relating to the fees of Superintendent of Public Instruction;

Senate File No. 252, a bill for an act to amend sections 1692 and

1693 of the Code, in relation to support of Deaf and Dumb Institution;
Senate File No. 247, a bill for an act to amend sections 1384 and 1390 of the Code, in relation to the care of the insane;

Senate File No. 49, an act to amend chapter 145, of the acts of the Sixteenth General Assembly, in relation to taxing, and the sale of public lands for taxes;

And find the same correctly enrolled.

M. N. JOHNSON, *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 passed the following bill with amendment:

Substitute for Senate File No. 259, a bill for an act to prohibit, regulate and punish the sale of malt or vinous liquors within two miles of the corporate limits of any municipality, and within two miles of where an election is held, and to extend the powers and jurisdiction of said municipality and its officers. Amended, by inserting after word "corporation," in third line of section 1, the words: "Except at wholesale, for the purpose of shipment to places outside of such corporation and such two mile limits," in which amendment the concurrence of the Senate is asked.

W. V. LUCAS, *Clerk.*

The consideration of Senate File No. 140 was resumed, and the substitute was adopted.

Senator Hemenway moved a suspension of the eleventh rule, and that the bill be read a third time now, agreed to, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bestow, Blackman, Bronson, Carr, Chase, Clark, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Haines, Ham, Hanna, Harmon, Hartshorn, Hemenway, Johnson, Kimball, Larrabee, Lawrence, McCoid, Madson, Nichols of Guthrie, Rumple, Russell, Webb, Woolson, Wright, and Young—31.

The nays were:

Senators Dashiell, Graham, Harned, Hebard, Kinne, McCormack, Maginnis, Merrell, Meyer, Miller, Patterson, Shelley, Stoneman, Teale, Wilson, and Wonn—16.

Absent or not voting:

Senators Arnold, Lewellen, and Nichols of Benton—3.

So the bill passed and the title was agreed to.

At 12, m., the President, *pro tem*, declared the Senate adjourned.

AFTERNOON SESSION.

2 O'CLOCK, P. M.

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

By leave, Senator Bestow introduced Senate File No. 320, a bill for an act to repeal chapter 35, of the private, local and temporary acts of the Fifteenth General Assembly, and chapter 97, of the acts of the Sixteenth General Assembly, and to provide for leasing the convict labor of the State.

Read first and second time.

Senator Bestow moved a suspension of the eleventh rule, and that 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 Bestow, Bronson, Carr, Clark, Dows, Dwelle, Ford, Gilmore, Graham, Haines, Ham, Harmon, Harned, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lewellen, Maginnis, Meyer, Miller, Patterson, Webb, Wilson, Wonn, Woolson, and Young--29.

The nays were--None.

Absent or not voting:

Senators Arnold, Blackman, Chase, Dashiell, Foster, Gallup, Hanna, Hartshorn, Lawrence, McCoid, McCormack, Madson, Merrell, Nichols of Benton, Nichols of Guthrie, Rumple, Russell, Shelley, Stoneman, Teale, and Wright--21.

So the bill passed and title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT—I am directed to inform your honorable body that the House has passed the following bills without amendment:

Senate File No. 122, a bill for an act to repeal section 1160 of the Code of 1873, and to enact a substitute therefor to require mutual insurance companies to make annual reports.

Senate File No. 227, a bill for an act for the leasing of grounds and buildings for the Girl's Department of the State Reform School, and to make appropriations therefor.

Senate File No. 237, a bill for an act to prevent the making and publication of false or deceptive statements in relation to the business of fire insurance.

Senate File No. 304, a bill for an act to legalize the boundaries of the independent school district of Nevada, Iowa.

Senate File No. 303, a bill for an act to amend section 80, chapter 4, title 20 of the Code.

Have amended the title of substitute for Senate File No. 54, a bill for an act to provide for the organization of the State Militia, and entitled the Military Code of Iowa, by adding at the end of the title the words, "and fixing the salaries of certain officers."

W. V. LUCAS, Clerk.

By leave, the Committee on Claims introduced Senate File No. 321, a bill for an act for the payment of the State Militia for services in preventing anticipated riots in 1877.

Read first and second time, and passed on file.

By leave, Senator Graham introduced Senate File No. 322, a bill for an act making certain appropriations to compensate the Trustees of the State Reform School for services during an investigation of the management of said institution, as authorized by the Governor of the State.

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

By leave, Senator Hebard, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred House File No. 506, a bill for an act for the relief of James Admire, 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. From all the information the committee have been able to obtain they are satisfied that the various statements in the preamble to the bill are substantially correct.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Claims, to whom was referred House File No. 546, a bill for an act making appropriation for Mills & Co., for supplies furnished to 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.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Claims, to whom was referred House File No. 538, a bill for an act appropriating money for paying the salaries of the Commissioners of the Anamosa Penitentiary, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Claims, to whom was referred the several claims of sundry military companies called out by order of the Adjutant-General, July 26, 1877, and ordered to hold themselves in readiness for service in suppressing expected riots, and for the support of law and order, also House File No. 548, of the same character, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying bill be enacted into a law for the settlement of said claims.

A. HEBARD, *Chairman.*

Ordered passed on file.

ENROLLED BILLS.

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

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined Senate File No. 262, a bill for an act to regulate the per diem and mileage of Trustees of State Institutions, members of Visiting Committees to Hospitals for the Insane, and Regents of the State University;

Substitute for Senate File No. 30, a bill for an act to prohibit defendants convicted of murder being admitted to bail;

And find the same correctly enrolled.

M. N. JOHNSON, *Chairman.*

RESOLUTION.

Senator Ham offered the following resolution, which was adopted:

Resolved by the Senate, That hereafter, for the remainder of the session, speeches be limited to five minutes each, and that the discussion of any one bill or resolution be limited to thirty minutes.

On motion of Senator Dows, House File No. 571, a bill for an act to promote fish culture in the State of Iowa, and to amend and consolidate the enactments heretofore passed for that purpose, was taken up and considered.

Senator Dashiell moved to amend by striking out the words, "or by both imprisonment and fine," in the 6th section. Agreed to.

Senator Haines moved to amend by striking out the word "twelve," in the second line of the second section, and insert the word "five." Lost.

Senator Dashiell moved to strike out the words, "including the present incumbent," in the first line of section 2. Not agreed to.

Senator Haines moved to strike out the word "six," in the third line of the third section, and insert the word "two."

On the adoption of the amendment the yeas and nays were demanded, and

The yeas were:

Senators Bestow, Dashiell, Gallup, Haines, Hanna, Harned, Larrabee, Merrell, Meyer, Miller, Patterson, Shelley, Teale, and Wilson—14.

The nays were:

Senators Blackman, Carr, Chase, Clark, Dows, Ford, Gilmore, Graham, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Nichols of Guthrie, Russell, Webb, Wonn, Wright, and Young—27.

Absent or not voting:

Senators Arnold, Bronson, Dwelle, Foster, Ham, Nichols of Benton, Rumble, Stoneman, and Woolson—9.

So the motion did not prevail.

Senator Carr moved a suspension of the eleventh rule, and that 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 Blackman, Bronson, Carr, Chase, Clark, Dows, Dwelle,

Ford, Gilmore, Graham, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Lawrence, McCormack, Madson, Maginnis, Rumble, Russell, Webb, Wonn, and Wright—27.

The nays were:

Senators Bestow, Dashiell, Gallup, Haines, Harned, Larrabee, Lewellen, McCoid, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Teale, Wilson, Woolson, and Young—17.

Absent or not voting:

Senators Arnold, Foster, Ham, Nichols of Benton, Shelley, and Stoneman—6.

So the bill passed and the title was agreed to.

Senator Teale moved to take up Joint Resolution relative to amending the State Constitution.

The motion did not prevail.

Senator Dows called up substitute for House File No. 296, a bill for an act making appropriations for the Soldiers' Orphan's Home, and Home for Indigent Children, at Davenport, Iowa.

Senator Teale moved to amend by adding the following as an additional section:

Chapter 94 of the acts of the Sixteenth General Assembly, is hereby amended by striking out and repealing sections 1, 2, and 3, of said chapter 94, and inserting in lieu thereof, the following: "The Trustees of the Iowa Soldiers' Orphans' Home are hereby required to admit no children to the benefits of said Orphans' Home except the orphans of Iowa soldiers."

Pending which, the following message was received from the House:

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

House File No. 471, a bill for an act to create a Board of Control for certain State institutions and define the duties of the same.

Also without amendment, Senate File No. 302, a bill for an act in relation to vacancies in offices whose incumbents are chosen by the General Assembly.

Also without amendment, Senate File No. 306, a bill for an act to legalize the acts of the Board of Directors of the Independent District of Fort Dodge, in the county of Webster, in setting off and fixing the boundaries of the District Township of Cooper, in the county of Webster, and the election of the Board of Directors of said District Township of Cooper.

Substitute for Senate File No. 311, a bill for an act to prevent the use of the funds of the State University for support of the Preparatory Department after July 1, 1879.

W. V. LUCAS, Clerk.

The consideration of House File No 296 was resumed.

The amendment offered by Senator Teale was adopted.

Senator Dows moved to amend by striking out section 1, and inserting the following:

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That there be and is hereby appropriated out of the funds in the state treasury, not otherwise appropriated, the sum of five thousand

four hundred and twenty-five dollars, to be expended by the Board of Trustees of said Home in manner as follows :

For furniture.....	\$ 500.00
For lumber and general repairs.....	2,500.00
For library.....	200.00
For reimbursing support fund.....	1,800.00
For amount due F. Kent & Son.....	425.00

Said several sums of money so appropriated shall be drawn out of the state treasury upon the order of the Board of Trustees.

The amendment was adopted.

On motion of Senator Dows the eleventh rule was suspended, and the bill was read a third time.

On the question, shall the bill pass ?

The yeas were:

Senators Bestow, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Merrell, Miller, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Teale, Wilson, Wonn, Woolson, Wright, and Young—42.

The nays were:

Senators Hanna, Maginnis, Meyer, Rumple, and Webb—5.

Absent or not voting:

Senators Arnold, Foster, and Nichols of Benton—3.

Senator Teale moved to amend the title by adding the words, "and to repeal sections 1, 2 and 3, chapter 94, acts of the Sixteenth General Assembly, and provide a substitute therefor." Agreed to.

So the bill passed and the title was agreed to.

Senator Teale moved to reconsider the vote by which the bill passed, and then moved to lay the motion on the table.

The motion to table prevailed.

BILLS ON THIRD READING.

Senate File No. 259, a bill for an act to prohibit, regulate and punish the sale of malt or vinous liquors within two miles of the corporate limits of any municipality, and within two miles of where election is held, and to extend the powers and jurisdiction of said municipality and its officers, with amendments reported by the House was taken up.

On the question, shall the Senate concur in House amendments?

The yeas were:

Senators Bestow, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dows, Ford, Gallup, Gilmore, Graham, Haines, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, Madson, Maginnis, Meyer, Miller, Nichols of Guthrie, Patterson, Rumple, Russell, Teale, Webb, Woolson, and Young—35.

The nays were:

Senators Ham, Harned, Kinne, McCormack, Shelley, Stoneman, Wilson, Wonn, and Wright—9.

Absent or not voting:

Senators Arnold, Dwelle, Foster, Hanna, Merrell, and Nichols of Benton—6.

So the Senate concurred in House amendments.

Senate File No. 268, a bill for an act to repeal chapter 123, acts of the eleventh General Assembly, and chapter 8 and chapter 120, of the acts of the Twelfth General Assembly, and chapter 93, acts of the Thirteenth General Assembly, with amendments reported by the House was taken up.

On the question, shall the Senate concur in House amendments:

The yeas were:

Senators Bestow, Blackman, Bronson, Carr, Chase, Dows, Dwelle, Ford, Gilmore, Graham, Haines, Harmon, Harned, Hartshorn, Hebard, Hemenway, Larrabee, Madson, Maginnis, Meyer, Miller, Nichols of Guthrie, Patterson, Rumple, Russell, Stoneman, Teale, Webb, Wilson, Wright, and Young—31.

The nays were:

Senators Clark, Ham, Johnson, Kimball, Kinne, Lewellen, McCoid, McCormack, Merrell, Shelley, Wonn, and Woolson—12.

Absent or not voting:

Senators Arnold, Dashiell, Foster, Gallup, Hanna, Lawrence, and Nichols of Benton—7.

So the Senate concurred in House amendments.

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:

House File No. 560, a bill for an act to amend section 4785 of the Code, in relation to the support of convicts.

House File No. 559, a bill for an act to amend chapter 137 of the acts of the Sixteenth General Assembly, relating to the support of convicts in the additional Penitentiary.

House File No. 84, a bill for an act to legalize the official acts of George Bishop, a notary public in and for Black Hawk county.

House File No. 533, a bill for an act to amend chapter 2, title 11, section 1427, of the Code, relating to the support required by counties for the support of the insane.

Substitute for House File No. 268, etc., a bill for an act to repeal chapter 68, acts of the Fifteenth General Assembly, and provide for the establishment of a board of railroad commissioners, and defining their duties and term of office.

House File No. 25, a bill for an act to repeal section 166 of the Code, in relation to special terms of court, and enact a substitute therefor.

House File No. 300, a bill for an act making an appropriation for the Iowa Hospital for the Insane at Independence.

House File No. 415, a bill for an act to grant relief to the tax-payers of the former sub-district No. 2, of the district-township of Honey Creek, in Delaware county, Iowa, remitting school-house taxes levied but uncollected, and not needed for the purpose for which they were voted.

House File No. 363, a bill for an act to legalize the official acts of George A. Jackson, a notary public in and for Boone county.

House File No. 142, a bill for an act making appropriations to the Iowa Agricultural College.

Senate File No. 49, a bill for an act to amend chapter 145, of the acts of the Sixteenth General Assembly, in relation to taxing and the sale of public lands for taxes.

Senate File No. 247, a bill for an act to amend sections 1384 and 1390 of the Code, in relation to the care of the insane.

Senate File No. 185, a bill for an act to repeal section 1580 of the Code, relating to the fees of Superintendent of Public Instruction.

Senate File No. 186, a bill for an act to promote the collection of revenue in incorporated cities acting under special charters, and to legalize the taxes heretofore levied therein and sales made thereunder.

Senate File No. 252, a bill for an act to amend sections 1692 and 1693 of the Code, in relation to support of the Deaf and Dumb Institution.

Senate File No. 104, a bill for an act to amend section 3829, title 23, of the Code, in relation to attorney's fees for defending persons charged with crime.

Senate File No. 275, a bill for an act to amend chapter 21, laws of the Fifteenth General Assembly, relative to support of Reform Schools.

Senate File No. 238, a bill for an act requiring the boards of supervisors to cancel the unpaid taxes voted in aid of railroads between the first day of January, 1868, and the first day of January, 1875.

Senate File No. 305, a bill for an act to legalize the incorporation of the town of Cherokee, in Cherokee county, Iowa.

Senate File No. 262, a bill for an act to regulate the per diem and mileage of trustees of State institutions, members of visiting committees to Hospital for Insane, and Regents of the State University.

Senate File No. 30, a bill for an act to prohibit defendants, convicted of murder, being admitted to bail.

Senate File No. 223, a bill for an act to legalize the organization and acts of "the Central Block Association of Webster City, Iowa.

Senate File No. 234, a bill for an act appropriating money to defray the expenses incurred by reason of threatened riots during the summer of 1877.

Substitute for House File No. 304, a bill for an act for the endowment and support of the State University.

House File No. 389, a bill for an act confirming the diplomas of medical college, at the city of Keokuk, Iowa.

W. V. LUCAS, *Clerk.*

Senate File No. 54, a bill for an act to provide for the organization of the State militia, and entitled the Military Code of Iowa, and fixing the salaries of certain officers, with amendments reported by the House was taken up.

On the question, shall the Senate concur in House amendments?

The yeas were:

Senators Bestow, Blackman, Bronson, Carr, Chase, Clark, Dows, Dwelle, Ford, Gallup, Graham, Haines, Ham, Harmon, Harned, Hartshorn, Hebard, Johnson, Kimball, Kinne, Larrabee, Lawrence,

Lewellen, McCoid, McCormack, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Webb, Wilson, Wonn, Woolson, Wright, and Young—41.

The nays were:

Senators Dashiell, and Gilmore—2.

Absent or not voting:

Senators Arnold, Foster, Hanna, Hemenway, Madson, Nichols of Benton, and Teale—7.

So the Senate concurred in House amendments.

On motion of Senator Dows, Senate File No. 278, a bill for an act to provide for the maintenance of the Asylum for Feeble-Minded Children at Glenwood, Iowa, and to direct the sale of certain property, was taken up and considered.

Senator Miller moved to postpone consideration, and that House File No. 373 be taken up.

The motion did not prevail.

On motion of Senator Miller the bill was recommitted.

On motion of Senator Dows, Senate File No. 282, a bill for an act making appropriations for the Boys' Reform School at Eldora, was taken up and considered.

Senator Dows moved that the eleventh rule be suspended, and the bill 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 Bestow, Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—44.

The nays were—None.

Absent or not voting:

Senators Arnold, Blackman, Foster, Miller, Nichols of Benton, and Nichols of Guthrie—6.

So the bill passed and the title was agreed to.

On motion of Senator Dows, substitute for Senate File No. 281, a bill for an act making further appropriations for the college for the blind, was taken up and considered.

Senator Carr moved to amend by adding to section 1 the words "six hundred dollars for constructing a sewer, or so much thereof as shall be required." Agreed to.

Senator Dows moved that the eleventh rule be suspended, and the bill 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 Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell,

Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—45.

The nays were—None.

Absent or not voting:

Senators Arnold, Bestow, Bronson, Foster, and Nichols of Benton—5.

So the bill passed and the title was agreed to.

On motion of Senator Dows, Senate File No. 293, a bill for an act making appropriations for the additional penitentiaries at Anamosa, was taken up and considered.

Senator Dows moved to amend by striking out the words "two thousand dollars per year," and insert the words "four dollars per day for time actually engaged in work," in 4th and 5th lines of section 3. Adopted.

Senator Stoneman moved to amend by adding to section 4 the words: "Provided, that the Executive Council may direct said money to be drawn and expended if, in their opinion, the defect of title does not affect the ground on which said building is to be erected." Adopted.

Senator Carr moved to amend by adding to section 1, the following words: "For the purpose of purchasing a stone quarry and land, being east half of southwest quarter of section 33, township 85, range 4, west, fifth P. M., one thousand dollars (\$1,000); *Provided*, that the State receive a clear title to the same, and upon filing an abstract with warranty deed, with Executive Council; the auditor of State shall draw his warrant for the same."

The amendment was not adopted.

Senator Teale moved that when the Senate adjourns it be until tomorrow morning at 9 o'clock. Agreed to.

On motion of Senator Larrabee the eleventh rule was suspended, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bestow, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Stoneman, Teale, Webb, Wilson, Woolson, Wright, and Young—43.

The nays were:

Senators Haines and Wonn—2.

Absent or not voting:

Senators Arnold, Foster, Nichols of Benton, Russell, and Shelley—5.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—The Committee on Enrolled bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

House File No. 533, a bill for an act to amend chapter 2, title 11, sec-

tion 1427, of the Code, relating to the support required by counties for the support of the Insane.

House File No. 84, a bill for an act to legalize the official acts of Geo. Bishop, a notary public in and for Black Hawk county.

House File No. 559, a bill for an act to amend chapter 137, of the acts of the Sixteenth General Assembly, relating to support of convicts in the additional penitentiary.

House File No. 560, a bill for an act to amend section 4785 of the Code, in relation to the support of convicts.

House File No. 363, a bill for an act to legalize the official acts of George A. Jackson, a notary public in and for Boone county.

Substitute for House File No. 25, a bill for an act to repeal section No. 166 of the Code, in relation to special terms of court, and enact a substitute therefor.

Substitute for House File No. 304, a bill for an act for the endowment and support of the State University.

House File No. 389, a bill for an act confirming the diplomas of medical college at city of Keokuk, Iowa.

Substitute for House Files Nos. 268, 14, 245, 247, and 354, a bill for an act to repeal chapter 68, acts of the Fifteenth General Assembly, and provide for the establishment of a Board of Railroad Commissioners, and defining their duties and term of office.

House File No. 300, a bill for an act making an appropriation for the Iowa Hospital for the Insane, at Independence.

House File No. 415, a bill for an act to grant relief to the tax payers of the former sub-district No. 2, of the district township of Honey Creek, in Delaware county, Iowa, remitting school-house taxes levied but uncollected, and not needed for the purpose for which they were voted.

Substitute for Senate and House Files Nos. 142 and 378, a bill for an act making appropriations to the Iowa Agricultural College.

Senate File No. 262, an act to regulate the per diem and mileage of trustees of State institutions, members of visiting committees to Hospitals for Insane, and Regents of the State University.

Senate File No. 30, an act to prohibit defendants, convicted of murder, being admitted to bail.

Substitute for Senate File No. 104, an act to amend section 3829, title 23 of the Code, in relation to attorneys' fees for defending persons charged with crime.

Senate File No. 251, an act to repeal section 1580 of the Code, relating to the fees of Superintendent of Public Instruction.

Senate File No. 49, an act to amend chapter 145 of the acts of the Sixteenth General Assembly, in relation to taxing, and the sale of public lands for taxes.

Senate File. No 247, an act to amend sections 1384 and 1390 of the Code, in relation to the care of the insane.

Senate File No. 185, an act to promote the collection of revenue in incorporated cities acting under special charters, and to legalize the taxes heretofore levied therein and sales made thereunder.

Senate File No. 223, an act to legalize the organization and acts of the Central Block Association of Webster City, Iowa.

Senate File No 234, an act appropriating money to defray the ex-

penses incurred by reason of threatened riots during the summer of 1877.

Senate File No. 252, an act to amend sections 1692 and 1693 of the Code, in relation to support of the Deaf and Dumb Institution.

Senate File No. 275, an act to amend chapter 21, laws of the Fifteenth General Assembly, relative to support of Reform Schools.

Senate File No. 238, an act requiring the Board of Supervisors to cancel the unpaid taxes voted in aid of railroads, between the 1st day of January, 1868, and the 1st day of January, 1875.

Senate File No. 305, an act to legalize the incorporation of the town of Cherokee, in Cherokee county, Iowa.

M. N. JOHNSON, *Chairman.*

By leave, Senator McCoid, from the Committee on Judiciary, submitted the following report.

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 314, a bill for an act to create a commission to investigate the affairs of the Penitentiary at Fort Madison during the administration of S. H. Craig, as warden, and to continue the investigation already commenced by the joint committee of the Seventeenth General Assembly, and to provide for the compensation of said commission, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as noted in the bill, and when so amended that it do pass.

Ordered passed on file.

Also the following :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 271, beg leave to report that they 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 House File No. 450, beg leave to report that they 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 substitute for House File No. 26, a bill for an act to repeal section 2272, chapter 5, title 15 of the Code, in relation to the guardianship of drunkards, spendthrifts, and lunatics, 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 be amended by inserting, after the word "proved," in the 10th line, the words, "by an authenticated copy of the record of a competent court or authority of the State where such person resides," and when so amended that it do pass.

Ordered passed on file.

Also the following :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred

Senate File No. 201, a bill for an act to legalize certain tax levies and assessments made by the counties of Boone and Crawford, 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 indefinitely postponed.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 483, a bill for an act to prescribe a delinquent tax book, to remove liens, and for the payment of taxes in certain cases, 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 striking out the third section of the bill, and when so amended that it do pass.

Ordered passed on file.

Also the following.

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 532, a bill for an act to amend section 620, title 5, 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 be indefinitely postponed.

Ordered passed on file.

Also the following.

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 262, a bill for an act to enable school districts to issue bonds for the purpose of funding judgment indebtedness now existing, beg leave to report that they 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. 319, a bill for an act to legalize, and extend the time for the collection of taxes voted in aid of the Sheldon, Beloit & Dakota Railroad Company, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following.

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 240, a bill for an act for the relief of James and A. P. Wickham, contractors for the erection of the west lateral wing of the Deaf and Dumb Asylum, at Council Bluffs, and making 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 without recommendation.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 13, beg leave to report that 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 for the reason that it is unconstitutional.

McCoid, *Chairman*.

Ordered passed on file.

Senator Dashiell, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments, to whom was referred Joint Resolution, proposing to amend section 1, of article two, and section 4, of article 3, of the Constitution of the State of Iowa, beg leave to report that they have had the same under consideration, and the majority of said committee have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

HENRY L. DASHIELL, *Chairman*.

Ordered passed on file.

Senator Young, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 300, a bill for an act authorizing and directing the Governor to certify to the Sioux City & St. Paul Railway Company certain lands named therein, and the repeal of chapter 34 of the private, local and temporary acts of the Fifteenth General Assembly, beg leave to report that they have had the same under consideration, and have prepared the accompanying substitute, and have instructed me to report the same back to the Senate with the recommendation that it be adopted, and when adopted that it do pass.

YOUNG, *Chairman*.

Ordered passed on file.

Senator Chase called up substitute for Senate Files Nos. 85, 187 and 235. The same was made special order for to-morrow, at 10 o'clock, A. M.

At 6:20, P. M., on motion of Senator McCoid, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 23, 1878. }

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

Prayer by the Rev. Mr. Nash.

Pending reading of the Journal of yesterday, Senator Russell moved that further reading be dispensed with.

The motion prevailed.

By leave, Senator Russell introduced Joint Resolution authorizing the Governor to accept and receive grants or appropriations from the United States for the purpose of indemnifying settlers on lands in Iowa.

Read first and second time.

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

On the question, shall the joint resolution pass?

The yeas were:

Senators Bestow, Bronson, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Gallup, Graham, Haines, Ham, Hanna, Harmon, Harned, Harts-horn, Hebard, Hemenway, Johnson, Larrabee, Lawrence, McCoid, McCormack, Madson, Maginnis, Merrell, Miller, Nichols of Guthrie, Pat-terson, Russell, Shelley, Teale, Webb, Wonn, Woolson, Wright, and Young—37.

The nays were—None.

Absent or not voting:

Senators Arnold, Blackman, Clark, Foster, Gilmore, Kimball, Kinne, Lewellen, Meyer, Nichols of Benton, Rumble, Stoneman, and Wilson—13.

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

By leave, Senator Dwelle, from the Committee on Agriculture, sub-mitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 522, a bill for an act protecting dairymen, and to prevent deception in the sale of butter, beg leave to report that they have had the same under consideration, and have instructed me to re-port the same back to the Senate with the recommendation that it do pass.

DWELLE, *Chairman.*

Ordered passed on file.

By leave, Senator McCormack, from the Committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred House File No. 368, a bill for an act to repeal sections 4048, 4049, 4050, and 4051 of the Code, chapter 69 of the laws of the Fifteenth General Assembly, and chapter 122 of the laws of the Sixteenth General Assembly, in relation to the protection of game, and to enact a substitute in lieu thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the following amend-ments in the said bill be made: Insert in the second line of the title, between the words "the" and "laws," the word "public"; also, in the fifth line of section 1, between the words "the" and "laws," the word "public"; also, strike out, in line six, of section 2, the word "fifteenth," and insert in place thereof the word "first," and that as so amended the bill do pass.

J. L. McCORMACK, *Chairman.*

On motion of Senator McCormack, the bill was considered now.

The amendments of the committee were adopted.

Senator Chase moved to amend by inserting the words "knowingly receive," in the 8th section, and strike out after the word "criminals," in same section, the words, "in their possession." Adopted.

Senator Dashiell moved to amend by adding to section 11 the words: "Provided, that the county shall in no case be held liable for said at-torney's fee or penalty." Agreed to.

Senator McCormack moved that the eleventh rule be suspended, and the bill 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 Bestow, Carr, Clark, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—42.

The nays were:

Senator Foster—1.

Absent or not voting:

Senators Arnold, Blackman, Bronson, Chase, Dashiell, Harmon, and Nichols of Benton—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 has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 578, a bill for an act to authorize counties, cities and towns to refund outstanding bonded debts at a lower rate of interest, and provide for payment of same.

House File No. 121, a bill for an act to authorize boards of supervisors to sell swamp lands.

Substitute for House File No. 353, a bill for an act to promote fish culture in the State of Iowa.

House File No. 98, a bill for an act to repeal section 1001, chapter 3, title 7, of the Code, and enact a substitute therefor.

House File No. 336, a bill for an act to establish the salary of district attorneys, repealing section 3775 of the Code, and enacting a substitute therefor.

Also passed with amendments, Senate File No. 136, a bill for an act making appropriations for the Iowa Hospital for the Insane at Mount Pleasant. Amended by striking out lines 4, 5, 6, 7, 8, 9 and 10, and inserting amendments as noted.

Also amended, Joint Resolution, relative to mail service between Sheldon and Spencer, by striking out Sheldon and inserting Primghar, and as amended passed the House.

Also that the House has passed the following bills without amendment:

Senate File No. 309, a bill for an act to amend section 914 and repeal section 915 of chapter 3, title 6, of the Code; also to amend sub-division 5 of section 3793, of chapter 2, title 23, of the Code, relating to the payment of money into the State Treasury.

Senate File No. 320, a bill for an act to repeal chapter 35 of the private, local and temporary acts of the Fifteenth General Assembly, and chapter 97 of the acts of the Sixteenth General Assembly, and to provide for the leasing of the convict labor of the State.

Senate File No. 318, a bill for an act to tax sleeping and dining cars.

Senate File No. 256, a bill for an act to provide for opening drains to be constructed through two or more adjoining counties. Amendatory of chapter 2, title 10, of the Code.

Senate File No. 269, a bill for an act to amend chapter 101, laws of the Sixteenth General Assembly, in relation to fences.

Senate File No. 137, a bill for an act amendatory of section 1802 of the Code of Iowa.

Senate File No. 315, a bill for an act amendatory to chapter 132, laws of the Sixteenth General Assembly, relating to the publication and distribution of the laws.

Senate File No. 80, a bill for an act to legalize the official acts of Mason Fish, a justice of the peace in Clay township, Shelby county.

Substitute for Senate File No. 195, a bill for an act for the protection of cemeteries in the State of Iowa.

W. V. LUCAS, *Clerk.*

REPORT OF COMMITTEES.

Senator Larrabee, from the Sifting Committee, submitted the following report:

MR. PRESIDENT—Your Sifting Committee, to whom was referred all bills, have instructed me to report the same back to the Senate with the recommendation that said bills be considered, after present special orders, in the order arranged by said Committee, and that no bill shall be taken up out of this order, whenever five Senators object to it.

LARRABEE, *Chairman.*

The report was adopted.

Senator Arnold was excused on account of sickness.

By leave, Senator Dows, from the Committee on Appropriations, submitted the following report:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 278, a bill for an act to provide for the maintenance of the asylum for feeble-minded children at Glenwood, Iowa, and to direct the sale of certain property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding after the words "to wit" the following: "for dormitories, \$2,500.00;" strike out "one thousand" in fifth line, and insert "fifteen hundred," and when so amended that it do pass.

S. L. DOWS, *Chairman.*

On motion of Senator Dows, the bill was considered now, and the amendments reported by the committee adopted.

Senator Dows moved that the eleventh rule be suspended, and the bill 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 Bestow, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball,

Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rump, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—47.

The nays were—None.

Absent or not voting:

Senators Arnold, Harmon, and Nichols of Benton—3.

So the bill passed and the title was agreed to.

On motion of Senator Dows, Senate File No. 323, a bill for an act making special appropriation for the Asylum for Feeble-Minded Children at Glenwood, Iowa, was taken up and considered.

Senator Hebard moved that the eleventh rule be suspended, and the bill 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 Bestow, Blackman, Bronson, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rump, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—46.

The nays were—None.

Absent or not voting:

Senators Arnold, Carr, Harmon, and Nichols of Benton—4.

So the bill passed and the title was agreed to.

On motion of Senator Dows, substitute for House File No. 458, a bill for an act making appropriations for the improvement of the Penitentiary of the State, at Ft. Madison, was taken up and considered.

Senator Bestow moved to amend by striking out of line eight, section 1, the words "the river," and insert "to hog pens;" also to strike out the words "eighteen hundred," and insert the words "one hundred and fifty," and add to section 1, the words "for cleaning vaults."

The motion did not prevail.

Senator Dows moved to strike out the fifth line of section 1.

Pending which, the hour arrived for the consideration of substitute for Senate Files Nos. 85, 187 and 235, and, on motion, the special order was postponed until the bill under consideration is disposed of.

Senator Dows' amendment was adopted.

On motion of Senator Dows the eleventh rule was suspended and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Blackman, Bronson, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rump, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, and Wright—44.

The nays were—None.

Absent or not voting:

Senators Arnold, Bestow, Carr, Hanna, Nichols of Benton, and Young—6.

So the bill passed and the title was agreed to.

On motion of Senator Dows, Senate File No. 194, a bill for an act making appropriations to establish and maintain a Normal School at Le Mars, in Plymouth county, with report of committee recommending amendment, was taken up, considered, and the report of the committee was adopted.

Senator McCoid moved to postpone further consideration, and make the bill a special order for Tuesday, at 10 o'clock, A. M.

Senator Russell moved to amend by striking out "Tuesday at 10," and inserting "Monday, at 11."

Senator Dashiell moved the previous question. The Senate refused to second the previous question.

The amendment was then adopted.

The original motion as amended prevailed.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 227, a bill for an act for the leasing of grounds and buildings for the girls' department of the State Reform School, and to make appropriations therefor;

Substitute for Senate File No. 237, a bill for an act to prevent the making and publication of false or deceptive statements in relation to the business of fire insurance;

Senate File No. 122, a bill for an act to repeal section 1160 of the Code of 1873, and to enact a substitute therefor to require mutual insurance companies to make annual reports;

Senate File No. 304, a bill for an act to legalize the boundaries of the independent school district of Nevada, Iowa;

Senate File No. 259, a bill for an act to prohibit, regulate and punish the sale of malt or vinous liquors within two miles of the corporate limits of any municipality, and within two miles of where an election is held, and to extend the powers and jurisdiction of said municipality and its officers;

Senate File No. 302, a bill for an act in relation to vacancies in offices whose incumbents are chosen by the General Assembly;

Senate File No. 268, a bill for an act to repeal chapter 23, acts of the Eleventh General Assembly, chapter 8 and chapter 120 of the acts of the Twelfth General Assembly, and chapter 93, acts of the Thirteenth General Assembly;

Senate File No. 311, a bill for an act to prevent the use of the funds of the State University for support of the preparatory department after July 1, 1879;

Senate File No. 303, a bill for an act to amend section 80 of chapter 4, title 2, of the Code of 1873;

Senate File No. 306, a bill for an act to legalize the acts of the board of directors of the independent district of Fort Dodge, in the county of Webster, in setting off and fixing the boundaries of the district-township of Cooper, in the county of Webster, and the election of the board of directors of said district-township of Cooper;

House File No. 524, a bill for an act to legalize the organization of the Independent School District of Sioux Rapids, in the county of Buena Vista, State of Iowa;

House File No 73, a bill for an act to amend section 2590 of the Code, limiting the number of changes of the place of trial in civil cases;

House File No. 571, a bill for an act entitled an act to promote fish culture in the State of Iowa, and to amend and consolidate the enactments heretofore passed for that purpose;

House File No. 493, a bill for an act legalizing the acts of the county recorder of Lee county, Iowa, in recording mortgages on town lots and other city property with the deeds in town lot record;

And find the same correctly enrolled.

M. N. JOHNSON, *Chairman.*

On motion of Senator Dows, House File No. 299, a bill for an act making appropriation for the construction of the new capitol building, for the purchase of a lot and the construction of a sewer therefor, with report of committee recommending amendments, was taken up, considered, and the report of the committee was not adopted.

Senator Young moved that the eleventh rule be suspended, and the bill 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 Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Harmon, Harned, Hartshorn, Hemenway, Johnson, Kimball, Kinne, Lawrence, Lewellen, McCoid, Madson, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—38.

The nays were:

Senators Bestow, Haines, Hebard, Larrabee, McCormack, Maginnis, Merrell, and Stoneman—8.

Absent or not voting:

Senators Arnold, Blackman, Nichols of Benton, and Hanna—4.

So the bill passed and the title was agreed to.

On motion of Senator Dows, Senate File No 294, a bill for an act for the purchase of lands and property for the Girls' Reform School, and providing for the removal of the inmates, was taken up and considered.

Senator Stoneman moved to amend by striking out the figures "\$20,000" and inserting the figures "\$18,000" in second line of section 1. Not agreed to.

Senator McCoid moved that the bill be laid on the table.

The motion prevailed.

On motion of Senator Dows, Senate File No. 283, a bill for an act making appropriations for indebtedness incurred in putting in heating apparatus in the Deaf and Dumb Institution at Council Bluffs, and for deficiencies, was taken up and considered.

Senator Wright moved to amend by striking out the figures "2,418.69," in second line of section 1, and inserting "2,100." Adopted.

Senator Hartshorn moved to amend by inserting after the word "money," in second line of section 1, the words, "in the State treasury." Agreed to.

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

On the adoption of the report:

The yeas were:

Senators Bestow, Blackman, Carr, Chase, Dashiell, Dows, Ford, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Merrell, Miller, Patterson, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—39.

The nays were:

Senators Dwelle, Harned, Maginnis, and Meyer—4.

Absent or not voting:

Senators Arnold, Bronson, Clark, Haines, Nichols of Benton, Nichols of Guthrie, and Rumble—7.

So the bill passed and the title was agreed to.

On motion of Senator Dows, Senate File No. 321, a bill for an act for the payment of the State militia, for services in preventing anticipated riots in the year of 1877, was taken up and considered.

On motion of Senator Dows the eleventh rule was suspended, and the bill was read a third time now.

On the question, shall the bill pass?

The yeas were:

Senators Bestow, Blackman, Bronson, Chase, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Harned, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Patterson, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—41.

The nays were—None.

Absent or not voting:

Senators Arnold, Carr, Clark, Foster, Haines, Hartshorn, Nichols of Benton, Nichols of Guthrie, and Rumble—9.

So the bill passed and the title was agreed to.

Senator Larrabée moved that when the Senate adjourn, it be until 2 o'clock, this afternoon.

The motion prevailed.

By leave, the Committee on Claims introduced Senate File No. 324, a bill for an act making appropriations to meet the deficiencies of the State Reform School, at Eldora.

Read first and second time, and passed on file.

By leave, the Committee on Military introduced Senate File No. 325, a bill for an act to meet the requirements of an act entitled the Military Code of Iowa, which are not otherwise provided for, and to provide for the payment of transportation of arms, ammunition and ordnance stores used by the Iowa military guard, from the State Arsenal to the various regimental and company headquarters.

Read first and second time.

On motion of Senator Teale, the eleventh rule was suspended, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bestow, Blackman, Bronson, Chase, Dows, Dwelle, Ford, Gallup, Harmon, Hartshorn, Hebard, Hemenway, Kimball, Kinne, Larabee, Lawrence, McCoid, McCormack, Madson, Merrell, Meyer, Patterson, Stoneman, Teale, Webb, Woolson, Wright, and Young—28.

The nays were:

Senators Dashiell, Foster, Gilmore, Hanna, Harned, Johnson, Maginnis, Miller, Shelley, and Wilson—10.

Absent or not voting:

Senators Arnold, Carr, Clark, Graham, Haines, Ham, Lewellen, Nichols of Benton, Nichols of Guthrie, Ruple, Russell, and Wonn—12.

So the bill passed and the title was agreed to.

Senator Haines was excused until Monday.

Senator Foster filed a motion to reconsider the vote by which House File No. 368 was passed.

HOUSE MESSAGES.

House Files Nos. 471, 577; substitute for House Files Nos. 271 and 301; House Files Nos. 576, 547; substitute for House File No. 6; House Files Nos. 233, 520, 572, 491, 490, 416, and 336, were taken up, each read first and second time, and passed to Sifting Committee.

Joint Resolution relative to publication of laws in *Statts Anzeiger*, and House Files Nos. 98, 353, 121, and 578, were taken up, each read first and second time, and passed to Sifting Committee.

At 12:05, P. M., the President declared the Senate adjourned.

AFTERNOON SESSION.

2 O'CLOCK, P. M.

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

On motion of Senator Wright, Senate File No. 240, a bill for an act for the relief of James and O. P. Wickham, contractors for the erection of the west lateral wing of the Deaf and Dumb Asylum at Council Bluffs, and making appropriations therefor, was taken up and considered.

Senator Wright moved that the eleventh rule be suspended, and the bill 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 Bronson, Carr, Chase, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Lawrence, Lewellen, Madson, Maginnis, Meyer, Miller,

Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Webb, Wilson, Wonn, Woolson, Wright, and Young—34.

The nays were:

Senators Dows, McCoid, McCormack, Merrell, and Teale—5.

Absent or not voting:

Senators Arnold, Bestow, Blackman, Clark, Dashiell, Dwelle, Ford, Foster, Haines, Larrabee, and Nichols of Benton—11.

So the bill passed and the title was agreed to.

Special order, substitute for House Files Nos. 85, 178, and 235, a bill for an act in relation to the appointment of wardens for and the management of the penitentiaries of the State, 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 has passed the following bills and concurrent resolutions, in which the concurrence of the Senate is asked:

House File No. 214, a bill for an act to prevent fraudulent banking.

Substitute for House File No. 568, a bill for an act to exempt railroads from the operation of section 7, chapter 118, of the laws of the Sixteenth General Assembly.

House File No. 579, a bill for an act to legalize the independent school district of Plainfield, Bremer county, Iowa.

House File No. 581, a bill for an act to amend section 4374 of the Code of 1873.

Also, Concurrent Resolution, relative to tools, derricks, &c., being turned over to Commissioners of Additional Penitentiary at Anamosa.

Also, the House has passed without amendment, substitute for Senate File No. 215, a bill for an act to reduce the limits of certain cities incorporated under special charters.

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:

House File No. 524, a bill for an act to legalize the organization of the independent school district of Sioux Rapids, in the county Buena Vista, State of Iowa.

Senate File No. 259, a bill for an act to prohibit, regulate and punish the sale of malt or vinous liquors within two miles of the corporate limits of any municipality, and within two miles of where an election is held, and to extend the powers and jurisdiction of said municipality and its officers.

House File No. 571, a bill for an act entitled an act to promote fish culture in the State of Iowa, and amend and consolidate the enactments heretofore passed for that purpose.

House File No. 493, a bill for an act legalizing the acts of the County Recorder of Lee county, Iowa, in recording mortgages on town lots and other city property with the deeds in town lot records.

Senate File No. 237, a bill for an act to prevent the making and publication of false or deceptive statements in relation to the business of fire insurance.

Senate File No. 122, a bill for an act to repeal section 1160 of the Code of 1873, and to enact a substitute therefor to require mutual insurance companies to make annual reports.

Senate File No. 302, a bill for an act in relation to vacancies in offices whose incumbents are chosen by the General Assembly.

Senate File No. 304, a bill for an act to legalize the boundaries of the independent school district of Nevada, Iowa.

Senate File No. 311, a bill for an act to prevent the use of the funds of the State University for the support of the Preparatory Department, after July 1st, 1879.

Senate File No. 268, a bill for an act to repeal chapter 123, acts of the Eleventh General Assembly, and chapter 8, and chapter 120 of the acts of the Twelfth General Assembly, and chapter 93, acts of the Thirteenth General Assembly.

Senate File No. 303, an act to amend section 80, of chapter 4, title 2 the Code of 1873.

Senate File No. 306, a bill for an act to legalize the acts of the board of directors of the independent district of Fort Dodge, in the county of Webster, in setting off and fixing the boundaries of the district township of Cooper, in the county of Webster, and the election of the board of directors of the said district township of Cooper.

Senate File No. 227, a bill for an act for the leasing of grounds and buildings for the girls' department of the State Reform School, and to make provisions therefor.

W. V. LUCAS, *Clerk.*

Senator Blackman was excused.

Consideration of special order was resumed.

Senator Dashiell moved to amend by striking out the word "Senate," and inserting "Executive Council," in 2d line, section 2. Not agreed to.

Senator Hemenway moved to amend by adding to section 4, the words "such liens to attach from the time of the maturity of said notes."

The motion prevailed.

Senator Lawrence moved to amend by striking out the word "six," and inserting the word "ten," in line 7, section 3. Lost.

Senator Larrabee moved to strike out the words "twenty-five hundred," and insert the words "two thousand," in 1st line, section 9.

On the adoption of the amendment the yeas and nays were demanded, and

The yeas were:

Senators Dashiell, Dwelle, Ford, Foster, Gilmore, Graham, Hanna, Harned, Hartshorn, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Merrell, Miller, Nichols of Guthrie, Patterson, Wilson, and Wonn—24.

The nays were:

Senators Bestow, Bronson, Chase, Dows, Gallup, Hebard, Johnson, Maginnis, Meyer, Rumble, Shelley, Stoneman, Webb, and Young—14. Absent or not voting:

Senators Arnold, Blackman, Carr, Clark, Haines, Ham, Harmon, Nichols of Benton, Russell, Teale, Woolson, and Wright—12.

So the amendment was adopted.

Senator Stoneman moved to insert after the word "penitentiaries," in 4th line of section 23, the words "or in any other manner." Agreed to.

Senator Stoneman moved to insert after word "commissioner," in 5th line of section 36, the words "for the benefit of the State."

The motion prevailed.

Senator Chase moved to suspend the eleventh rule, and read the bill a third time now.

Pending which the following message was received from the House:

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

House File No. 174, a bill for an act to amend chapter 40, acts of the Sixteenth General Assembly, relating to the Additional Penitentiary at Anamosa.

T. J. REIGART, *Second Assistant Clerk.*

The motion to suspend the eleventh rule then prevailed, and the bill was read a third time now.

On the question, shall the bill pass?

The yeas were—

Senators Bronson, Chase, Dows, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kinne, Meyer, Nichols of Guthrie, Patterson, Rumble, Shelley, Stoneman, Webb, Woolson, Wright, and Young—20.

The nays were:

Senators Dashiell, Ford, Foster, Gallup, Gilmore, Graham, Hanna, Kimball, Larrabee, McCoid, McCormack, Madson, Maginnis, Merrell, Miller, Russell, Wilson, and Wonn—18.

Absent or not voting—

Senators Arnold, Bestow, Blackman, Carr, Clark, Dwelle, Haines, Ham, Lawrence, Lewellen, Nichols of Benton, and Teale—12.

So the bill, not having received 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 has passed the following bill, with amendments, in which the concurrence of the Senate is asked:

Senate File No. 253, a bill for an act in relation to revenue. Amended by striking out section 9 and substituting one noted; also, by adding nine additional sections thereto, as noted; also, amends section 7, as noted, and section 13, as noted.

Also, substitute for House File No. 307, a bill for an act to repeal section 1810, and enact a substitute therefor.

House File No. 266, a bill for an act to amend section 816 of the Code, and to prevent double taxation.

W. V. LUCAS, *Clerk.*

Senator Dows moved a call of the Senate.

The motion prevailed.

The roll was then called, and Senator Bestow was found absent without leave.

On motion of Senator Russell, further proceedings under the call were dispensed with.

REPORT OF COMMITTEE.

Senator Johnson, from the Committee on Enrolled Bills, submitted the following report.

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 137, a bill for an act amendatory of section 1802 of the Code of Iowa.

Senate File No. 320, a bill for an act to repeal chapter 35 of the private, local and temporary acts of the Fifteenth General Assembly, and chapter 97 of the acts of the Sixteenth General Assembly, and to provide for the leasing of the convict labor of the State.

Senate File No. 269, a bill for an act to amend chapter 101, laws of the Sixteenth General Assembly, in relation to fences.

Senate File No. 309, a bill for an act to amend section 914, and repeal section 915, of chapter 3, title 6, of the Code; also to amend subdivision 5, of section 3793, of chapter 2, title 23, of the Code, relating to the payment of money into the State Treasury.

Senate File No. 256, a bill for an act to provide for opening drains to be constructed through two or more adjoining counties, amendatory of chapter 2, title 10, of the Code;

Senate File No. 80, a bill for an act to legalize the acts of Mason Fish, a justice of the peace in Clay township, Shelby county;

Senate File No. 318, a bill for an act to tax sleeping and dining cars;

Senate File No. 215, a bill for an act to reduce the limits of certain cities incorporated under special charters;

Senate File No. 195, a bill for an act for the protection of cemeteries in the State of Iowa;

And find the same correctly enrolled.

Also, that they have this day presented to the Governor for his approval,

Senate File No. 237, an act to prevent the making and publication of false or deceptive statements in reference to the business of fire insurance;

Senate File No. 268, an act to repeal chapter 123, acts of the Eleventh General Assembly, and chapter 8 and chapter 120, of the acts of the Twelfth General Assembly, and chapter 93, acts of the Thirteenth General Assembly.

Senate File No. 227, an act for the leasing of grounds and buildings for the Girls' Department of the State Reform School, and to make appropriations therefor.

House File No. 571, a bill for an act entitled "an act to promote fish culture in the State of Iowa, and to amend and consolidate the enactments heretofore passed for that purpose."

House File No. 493, a bill for an act legalizing the acts of the County Recorder of Lee county, Iowa, in recording mortgages on town lots and other city property with the deeds in town lot record.

Senate File No. 304, an act to legalize the boundaries of the independent school district of Nevada, Iowa.

Senate File No. 302, an act in relation to vacancies in offices whose incumbents are chosen by the General Assembly.

Senate File No. 122, an act to repeal section 1160 of the Code of

1873, and to enact a substitute therefor to require mutual insurance companies to make annual reports.

Senate File No. 259, an act to prohibit, regulate and punish the sale of malt or vinous liquors within two miles of the corporate limits of any municipality and within two miles of where an election is held, and to extend the powers and jurisdiction of said municipality and its officers.

Senate File No. 306, an act to legalize the acts of the Board of Directors of the Independent District of Fort Dodge, in the county of Webster, in setting off and fixing the boundaries of the District Township of Cooper, in the county of Webster, and the election of the Board of Directors of said District Township of Cooper.

Senate File No. 303, an act to amend section 80, of chapter 4, title 2, of the Code of 1873.

Senate File No. 311, an act to prevent the use of the funds of the State University for support of the Preparatory Department after July 1, 1879.

Also report that they have examined Senate File No. 315, a bill for an act amendatory to chapter 132, laws of the Sixteenth General Assembly, relating to the publication and distribution of the laws, and find the same correctly enrolled.

M. N. JOHNSON, *Chairman.*

By leave, Senator Foster introduced Senate File No. 326, a bill for an act reserving claims, actions and judgments for over-charges, penalties for over-charges, or other claims or actions against any railroad company, as provided by chapter 68 of the acts of the Fifteenth General Assembly, from the operation of chapter 77 of the acts of the Seventeenth General Assembly repealing chapter 68 of the acts of the Fifteenth General Assembly, and providing for the establishment of a Board of Railroad Commissioners, and defining their duties and term of office.

Read first and second time and passed on file.

By leave, the Committee on Schools introduced Senate File No. 327, a bill for an act to amend section 1579 of the Code, relating to the publication of school laws.

Read first and second time, and passed on file.

By leave, the Committee on Claims introduced Senate File No. 328, a bill for an act to provide for the payment of the Fort Madison Penitentiary Committee.

Read first and second time, and passed on file.

REPORT OF COMMITTEES.

By leave, Senator Graham, from the Committee on Suppression of Intemperance, submitted the following report:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate File No. 183, a bill for an act to amend chapter 6, title two, of the Code, relating to the sale of intoxicating liquors, beg leave to report that 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.

WM. GRAHAM, *Chairman.*

Ordered passed on file.

By leave, Senator Gilmore, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House File No. 283, a bill for an act to make cities and incorporated towns road districts, in certain cases, and to define their rights and liabilities, 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 Highways, to whom was referred House File No. 447, a bill for an act to provide for the improvement of highways 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.

GILMORE, *Chairman.*

Ordered passed on file.

RESOLUTION.

Senator Hartshorn offered the following resolution which was adopted: "Resolved, That when the Senate adjourn this afternoon, it be to meet at 7:30 o'clock this evening, and that the Sifting Committee be instructed to report all private and local bills that have been reported favorably by committees for the consideration of the Senate at said session."

Senators Meyer, Maginnis, and Carr were excused for this evening.

House File No. 471, a bill for an act to create a board of curators for certain State institutions, and define the duties of the same, was taken up and considered.

Senator McCoid moved that the bill be indefinitely postponed.

On the adoption of the motion the yeas and nays were demanded, and

The yeas were:

Senators Bestow, Foster, Gallup, Graham, Ham, Hanna, Harned, Johnson, Kimball, Larrabee, McCoid, Maginnis, Merrell, Meyer, Nichols of Guthrie, Shelley, Wilson, Wonn, Woolson, and Young—20.

The nays were:

Senators Bronson, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Gilmore, Harmon, Hartshorn, Hebard, Hemenway, Kinne, Lawrence, Lewellen, Madson, Miller, Patterson, Rumble, Russell, Stoneman, Teale, Webb, and Wright—24.

Absent or not voting:

Senators Arnold, Blackman, Clark, Haines, McCormack, and Nichols of Benton—6.

So the motion did not prevail.

Senator Hartshorn moved to amend by striking out the words, "by and with the consent of the Executive Council," and inserting the words, "by and with the consent of the Senate," in section 1.

Senator Chase moved to postpone further consideration of the bill till Monday, at 10 o'clock A. M.

Senator McCoid moved to amend by inserting 2 o'clock instead of 10 o'clock. Not agreed to.

Senator Larrabee moved to amend by inserting 11:30 o'clock, in lieu of 10 o'clock. Lost.

The original motion prevailed.

Senators McCoid, Harned, and Wilson, were excused for this evening.

At 5:35, P. M., the President, *pro tem.*, declared the Senate adjourned.

EVENING SESSION.

7:30 O'CLOCK, P. M.

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

Senators Hanna and Merrell were excused for the evening.

By leave, Senator Hemenway introduced Senate File No. 329, a bill for an act to amend section 1381 of the Code, providing for the payment of the tuition of pauper children.

Read first and second time.

On motion of Senator Hemenway, the eleventh rule was suspended, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bestow, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Lawrence, Lewellen, Madson, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Webb, Wonn, Woolson, and Wright—28.

The nays were—None.

Absent or not voting:

Senators Arnold, Blackman, Bronson, Carr, Clark, Haines, Ham, Hanna, Kimball, Kinne, Larrabee, McCoid, McCormack, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Stoneman, Teale Wilson, and Young—22.

So the bill passed and the title was agreed to.

By leave, Senator Hartshorn introduced Senate File No. 330, a bill for an act to repeal section 1955 of the Code, and enact a substitute therefor, in relation to the acknowledgment of deeds and other instruments in writing for the conveyance of real estate.

Read first and second time, and passed on file.

By leave, Senator Young introduced Senate File No. 331, a bill for an act to provide for taking the census of the State.

Read first and second time, and passed on file.

By leave, Senator Chase, from the Committee on Penitentiaries, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries, to whom was referred Senate File No. 284, a bill for an act to repeal chapter 156 of the laws of the Sixteenth General Assembly, and enact a substitute therefor, 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.

D. D. CHASE, *Chairman*.

Ordered passed on file.

House File No. 252, a bill for an act to legalize the official acts of F. D. Lindsey, a justice of the peace in and for Benton county, was taken up and considered.

Senator Rumble moved a suspension of the eleventh rule, and that 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 Bestow, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, Madson, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Webb, Wonn, Wright, and Young—32.

The nays were:

Senator Woolson—1.

Absent or not voting:

Senators Arnold, Blackman, Bronson, Carr, Clark, Haines, Ham, Hanna, McCoid, McCormack, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Teale, and Wilson—17.

So the bill passed and the title was agreed to.

Senate File No. 317, a bill for an act to legalize a library tax voted in Wall Lake township, Wright county, Iowa, was taken up and considered.

Senator Chase moved that the eleventh rule be suspended, and the bill 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 Bestow, Chase, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Harmon, Harned, Hartshorn, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, Nichols of Guthrie, Rumble, Russell, Shelley, Stoneman, Woolson, Wright, and Young—27.

The nays were:

Senators Hebard, and Patterson—2.

Absent or not voting:

Senators Arnold, Blackman, Bronson, Carr, Clark, Dashiell, Haines, Ham, Hanna, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Teale, Webb, Wilson, and Wonn—21.

So the bill passed and the title was agreed to.

Senator Webb was excused for the evening.

House File No. 576, a bill for an to legalize the official acts of Jas. D. Carson, as justice of the peace, was taken up and considered.

Senator Wright moved that the eleventh rule, be suspended, and the bill be read a third time, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bestow, Bronson, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Wonn, Woolson, Wright, and Young—32.

The nays were—None.

Absent or not voting:

Senators Arnold, Blackman, Carr, Clark, Haines, Hanna, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Stoneman, Teale, Webb, and Wilson—18.

So the bill passed and the title was agreed to.

House File No. 262, a bill for an act to enable school districts to issue bonds for the purpose of funding indebtedness now existing, was taken up and considered.

Senator Russell moved that the eleventh rule be suspended, and the bill 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 Bestow, Bronson, Chase, Dwelle, Ford, Foster, Graham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, Madson, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Woolson, Wright, and Young—27.

The nays were:

Senators Dashiell, Dows, Gallup, Gilmore, Ham, and Miller—6.

Absent or not voting:

Senators Arnold, Blackman, Carr, Clark, Haines, Hanna, McCoid, McCormack, Maginnis, Merrell, Meyer, Nichols of Benton, Stoneman, Teale, Webb, Wilson, and Wonn—17.

So the bill passed and the title was agreed to.

Senator Ham moved that Senator Teale be excused. Lost.

Senate File No. 96, a bill for an act to legalize the official acts of W. E. Harkens, a notary public in and for Howard county, was taken up and considered.

Senator Kimball moved that the eleventh rule be suspended, and the bill 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 Bestow, Bronson, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, Madson, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Wonn, Woolson, Wright, and Young—35.

The nays were—None.

Absent or not voting:

Senators Arnold, Blackman, Carr, Clark, Haines, Hanna, McCoid, McCormack, Maginnis, Merrell, Meyer, Nichols of Benton, Teale, Webb, and Wilson—15.

So the bill passed and the title was agreed to.

House File No. 520, a bill for an act to legalize the revised acts and ordinances of the city of Vinton, Iowa, was taken up and considered.

Senator Rumble moved that the eleventh rule be suspended, and the bill 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 Bestow, Bronson, Chase, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Lewellen, Miller, Nichols of Guthrie, Patterson, Rumble, Shelley, Wonn, and Wright—28.

The nays were:

Senators Johnson, Russell, Stoneman, Woolson, and Young—5.

Absent or not voting:

Senators Arnold, Blackman, Carr, Clark, Dashiell, Haines, Hanna, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Nichols of Benton, Teale, Webb, and Wilson—17.

So the bill passed and the title was agreed to.

Senate File No. 319, a bill for an act to legalize and extend the time for the collection of the tax voted in aid of the Sheldon, Beloit & Dakota Railroad Company, was taken up and considered.

Senator Ham moved that Senator Teale be excused during the evening, which was not agreed to.

Senator Larrabee moved that the eleventh rule be suspended, and the bill 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 Chase, Dows, Dwelle, Ford, Ham, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Lawrence, Lewellen, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, and Wright—20.

The nays were:

Senators Bestow, Bronson, Dashiell, Foster, Gallup, Gilmore, Graham, Harmon, Larrabee, Madson, Miller, Woolson, and Young—13.

Absent or not voting:

Senators Arnold, Blackman, Carr, Clark, Haines, Hanna, McCoid, McCormack, Maginnis, Meyer, Nichols of Benton, Stoneman, Teale, Webb, Wilson, Wonn, and Merrell—17.

So the bill not having received a constitutional majority did not pass.

Senate File No. 316, a bill for an act to legalize the official acts of Wm. R. Daniels, a notary public in and for Hamilton county, was taken up and considered.

Senator Chase moved that the eleventh rule be suspended, and that 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 Bestow, Bronson, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gilmore, Graham, Ham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen,

On the question, shall the bill pass?

The yeas were:

Senators Bestow, Bronson, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Wonn, Woolson, Wright, and Young—32.

The nays were—None.

Absent or not voting:

Senators Arnold, Blackman, Carr, Clark, Haines, Hanna, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Stoneman, Teale, Webb, and Wilson—18.

So the bill passed and the title was agreed to.

House File No. 262, a bill for an act to enable school districts to issue bonds for the purpose of funding indebtedness now existing, was taken up and considered.

Senator Russell moved that the eleventh rule be suspended, and the bill 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 Bestow, Bronson, Chase, Dwelle, Ford, Foster, Graham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, Madson, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Woolson, Wright, and Young—27.

The nays were:

Senators Dashiell, Dows, Gallup, Gilmore, Ham, and Miller—6.

Absent or not voting:

Senators Arnold, Blackman, Carr, Clark, Haines, Hanna, McCoid, McCormack, Maginnis, Merrell, Meyer, Nichols of Benton, Stoneman, Teale, Webb, Wilson, and Wonn—17.

So the bill passed and the title was agreed to.

Senator Ham moved that Senator Teale be excused. Lost.

Senate File No. 96, a bill for an act to legalize the official acts of W. E. Harkens, a notary public in and for Howard county, was taken up and considered.

Senator Kimball moved that the eleventh rule be suspended, and the bill 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 Bestow, Bronson, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, Madson, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Wonn, Woolson, Wright, and Young—35.

The nays were—None.

Absent or not voting:

Senators Arnold, Blackman, Carr, Clark, Haines, Hanna, McCoid, McCormack, Maginnis, Merrell, Meyer, Nichols of Benton, Teale, Webb, and Wilson—15.

So the bill passed and the title was agreed to.

House File No. 520, a bill for an act to legalize the revised acts and ordinances of the city of Vinton, Iowa, was taken up and considered.

Senator Rumble moved that the eleventh rule be suspended, and the bill 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 Bestow, Bronson, Chase, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Lewellen, Miller, Nichols of Guthrie, Patterson, Rumble, Shelley, Wonn, and Wright—28.

The nays were:

Senators Johnson, Russell, Stoneman, Woolson, and Young—5.

Absent or not voting:

Senators Arnold, Blackman, Carr, Clark, Dashiell, Haines, Hanna, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Nichols of Benton, Teale, Webb, and Wilson—17.

So the bill passed and the title was agreed to.

Senate File No. 319, a bill for an act to legalize and extend the time for the collection of the tax voted in aid of the Sheldon, Beloit & Dakota Railroad Company, was taken up and considered.

Senator Ham moved that Senator Teale be excused during the evening, which was not agreed to.

Senator Larrabee moved that the eleventh rule be suspended, and the bill 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 Chase, Dows, Dwelle, Ford, Ham, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Lawrence, Lewellen, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, and Wright—20.

The nays were:

Senators Bestow, Bronson, Dashiell, Foster, Gallup, Gilmore, Graham, Harmon, Larrabee, Madson, Miller, Woolson, and Young—13.

Absent or not voting:

Senators Arnold, Blackman, Carr, Clark, Haines, Hanna, McCoid, McCormack, Maginnis, Meyer, Nichols of Benton, Stoneman, Teale, Webb, Wilson, Wonn, and Merrell—17.

So the bill not having received a constitutional majority did not pass.

Senate File No. 318, a bill for an act to legalize the official acts of Wm. R. Daniels, a notary public in and for Hamilton county, was taken up and considered.

Senator Chase moved that the eleventh rule be suspended, and that 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 Bestow, Bronson, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gilmore, Graham, Ham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen,

Madson, Nichols of Guthrie, Patterson, Rumple, Russell, Shelley, Wonn, Woolson, Wright, and Young—32.

The nays were—None.

Absent or not voting:

Senators Arnold, Blackman, Carr, Clark, Gallup, Haines, Hanna, McCoid, McCormack, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Stoneman, Teale, Webb, and Wilson—18.

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

Substitute for House File No. 353, a bill for an act to promote fish culture in the State of Iowa, was taken up and considered.

Senator Dashiell moved to place the bill on class four. Agreed to.

House File No. 450, a bill for an act to legalize certain corporate acts of the city of Charles City, Floyd county, Iowa, was taken up and considered.

Senator Kimball moved that the eleventh rule be suspended, and the bill 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 Bestow, Bronson, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, Madson, Nichols of Guthrie, Patterson, Rumple, Russell, Shelley, Wonn, Woolson, Wright, and Young—33.

The nays were:

Senator Stoneman—1.

Absent or not voting:

Senators Arnold, Blackman, Carr, Clark, Haines, Hanna, McCoid, McCormack, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Teale, Webb, and Wilson—18.

So the bill passed and the title was agreed to.

Senate File No. 289, a bill for an act furnishing a set of Iowa supreme court reports to the counties of Buena Vista, Ida and Lee, was taken up and considered.

Senator Larrabee moved to insert the word "Fayette," after the word "Lee."

On the adoption of the motion the yeas and nays were demanded, and

The yeas were:

Senators Bestow, Foster, Graham, Harmon, Hebard, Kinne, Larrabee, Lewellen, Madson, Russell, Shelley, Wonn, Woolson, Wright, and Young—15.

The nays were:

Senators Chase, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Ham, Harned, Hartshorn, Johnson, Kimball, Miller, Nichols of Guthrie, Patterson, Rumple, and Stoneman—17.

Absent or not voting:

Senators Arnold, Blackman, Bronson, Carr, Clark, Haines, Hanna, Hemenway, Lawrence, McCoid, McCormack, Maginnis, Merrell, Meyer, Nichols of Benton, Teale, Webb, and Wilson—18.

So the motion did not prevail.

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

Senator Lewellen moved to strike out the word "Lee," wherever it appears.

On the adoption of the amendment, the yeas and nays were demanded, and

The yeas were:

Senators Dwelle, Gallup, Harmon, Harned, Hebard, Lawrence, Lewellen, and Young—8.

The nays were:

Senators Bestow, Chase, Dows, Ford, Foster, Gilmore, Graham, Ham, Hartshorn, Hemenway, Johnson, Kimball, Kinne, Larrabee, Madson, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Wonn, Woolson, and Wright—24.

Absent or not voting:

Senators Arnold, Blackman, Bronson, Carr, Clark, Dashiell, Haines, Hanna, McCoid, McCormack, Maginnis, Merrell, Meyer, Miller, Nichols of Benton, Teale, Webb, and Wilson—18.

So the motion did not prevail.

Senator Hebard moved to amend by inserting the words, "Des Moines" after the word "Lee." Adopted.

Senator Wright moved to amend by inserting the word "Pottawatamie" after the words, "Des Moines."

Senator Young moved to amend the amendment by giving Pottawatamie county two sets. Lost.

Senator Wright's motion was then disagreed to.

Senator Wright moved to reconsider the vote by which the words "Des Moines" were inserted in the bill.

Senator Hartshorn moved that the bill pass on file, which motion prevailed.

Senate File No. 290, a bill for an act to amend chapter 81, of the laws of the Sixteenth General Assembly, relating to grace on bills of exchange, was taken up and considered.

Senator Rumble moved that the eleventh rule be suspended, and the bill 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 Bestow, Bronson, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Harmon, Hartshorn, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, Madson, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Wonn, Woolson, Wright, and Young—32.

The nays were—None.

Absent or not voting:

Senators Arnold, Blackman, Carr, Clark, Haines, Hanna, Harned, Hebard, McCoid, McCormack, Maginnis, Merrell, Meyer, Nichols of Benton, Stoneman, Teale, Webb, and Wilson—18.

So the bill passed and the title was agreed to.

Senate File No. 216, a bill for an act to prevent the wanton destruction of birds, was taken up and considered.

Senator Dashiell, moved to amend by striking out "black birds and crows." Lost.

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

On the question, shall the pass?

The yeas were:

Senators Bestow, Bronson, Dows, Dwelle, Ford, Ham, Harmon, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Lewellen, Madson, Miller, Patterson, Rumble, Russell, Shelley, Wonn, Wright, and Young—22.

The nays were:

Senators Chase, Dashiell, Foster, Gallup, Gilmore, Graham, Hartshorn, Johnson, Nichols of Guthrie, Stoneman, and Woolson—11.

Absent or not voting:

Senators Arnold, Blackman, Carr, Clark, Haines, Hanna, Harned, Hebard, McCoid, McCormack, Maginnis, Merrell, Meyer, Nichols of Benton, Teale, Webb, and Wilson—17.

So the bill not having received a constitutional majority, did not pass.

Senator Stoneman moved to reconsider the vote by which the bill was lost, and that consideration of the motion be postponed until Monday. Agreed to.

Senate File No. 288, a bill for an act to amend section 197 of the Code, relating to the books to be kept by the clerk of the court, was taken up and considered.

On motion of Senator Foster, the eleventh rule was suspended, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bestow, Bronson, Chase, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Harmon, Hartshorn, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, Madson, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Stoneman, Woolson, Wright, and Young—30.

The nays were—None.

Absent or not voting:

Senators Arnold, Blackman, Carr, Clark, Dashiell, Haines, Hanna, Harned, Hebard, McCoid, McCormack, Maginnis, Merrell, Meyer, Nichols of Benton, Shelley, Teale, Webb, Wilson, and Wonn—20.

So the bill passed and the title was agreed to.

House File No. 570, a bill for an act to authorize the Treasurer of State to pay to the several counties the amount of the swamp land indemnity fund, was taken up and considered.

Senator Nichols of Guthrie moved that the eleventh rule be suspended, and the bill 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 Bestow, Bronson, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Harmon, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, Madson, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Stoneman, Woolson, Wright, and Young—29.

The nays were—None.

Absent or not voting:

Senators Arnold, Blackman, Carr, Clark, Haines, Ham, Hanna, Harned, Hartshorn, Hebard, McCoid, McCormack, Maginnis, Merrell, Meyer, Nichols of Benton, Shelley, Teale, Webb, Wilson, and Wonn—21.

So the bill passed and the title was agreed to.

Substitute for House File No. 314, a bill for an act to provide for the subdivision of Independent school districts, with report of committee recommending amendments, was taken up, considered, and the report of the committee not adopted.

Senator Dwelle moved that when we adjourn it be until 8:30 o'clock Monday morning. Agreed to.

Senator Dwelle moved to adjourn. Lost.

Senator Dows moved that the eleventh rule be suspended, and the bill 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 Bestow, Bronson, Chase, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Harmon, Hartshorn, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Lewellen, Madson, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Stoneman, Wright, and Young—27.

The nays were:

Senators Dashiell and Woolson—2.

Absent or not voting:

Senators Arnold, Blackman, Carr, Clark, Haines, Ham, Hanna, Harned, Hebard, Johnson, McCoid, McCormack, Maginnis, Merrell, Meyer, Nichols of Benton, Shelley, Teale, Webb, Wilson, and Wonn—21.

So the bill passed and the title was agreed to.

House File No. 420, a bill for an act to amend section 435, chapter 10, title 4 of the Code, was taken up and considered.

Senator Foster moved that the eleventh rule be suspended and the bill 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 Bestow, Bronson, Chase, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Harmon, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, Miller, Nichols of Guthrie, Patterson, Rumble, Stoneman, Woolson, and Young—24.

The nays were:

Senators Foster, Hartshorn, Madson, and Wright—4.

Absent or not voting:

Senators Arnold, Blackman, Carr, Clark, Dashiell, Haines, Ham, Hanna, Harned, Hebard, McCoid, McCormack, Maginnis, Merrell, Meyer, Nichols of Benton, Russell, Shelley, Teale, Webb, Wilson, and Wonn—22.

So the bill not having received a constitutional majority, did not pass.

Senator Foster moved to reconsider the vote by which the bill was lost and that the motion be postponed until Monday, which motion prevailed.

At 10:20, P. M., the President, *pro tem*, declared the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 25, 1878. }

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

Pending the reading of Saturday's Journal, Senator Hartshorn moved that the further reading be dispensed with.

The motion prevailed.

HOUSE MESSAGES.

On motion of Senator Carr, House File No. 174, was taken up, read first and second time, and referred to Committee on Penitentiaries.

House File No. 579, a bill for an act to legalize the independent school district of Plainfield, Bremer county, Iowa.

Read first and second time.

On motion of Senator Larrabee, the eleventh rule was suspended and the bill read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Dashiell, Ford, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Hebard, Hemenway, Johnson, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Maginnis, Meyer, Nichols of Guthrie, Patterson, Rumples, Russell, Shelley, Stoneman, Webb, Wilson, Woolson, Wright, and Young—31.

The nays were—None.

Absent or not voting:

Senators Blackman, Bronson, Carr, Chase, Clark, Dows, Dwelle, Foster, Haines, Harned, Hartshorn, Kimball, Kinne, Madson, Merrell, Miller, Nichols of Benton, Teale, and Wonn—19.

So the bill passed and the title was agreed to.

House File No. 580, was taken up, read first and second time, and referred to Committee on Judiciary.

House File No. 307, was taken up, read first and second time, and referred to Committee on Schools.

House File No. 266, was taken up, read first and second time, and referred to Committee on Ways and Means.

House File No. 568, was taken up, read first and second time, and referred to Committee on Judiciary.

House File No. 214, was taken up, read first and second time, and referred to Committee on Banks, with instructions to report this afternoon.

House Concurrent Resolution relative to tools, derricks, &c., was taken up and concurred in.

Senator Foster withdrew motion to reconsider vote on House File No. 368.

By leave, Senator Stoneman introduced Senate File No. 332, a bill for an act to provide for fishways in dams across the streams of the State.

Read first and second time.

Senator Stoneman moved to suspend the eleventh rule and read the bill a third time now.

Senator Nichols of Guthrie moved to amend by inserting the words "when the water of said streams is running over the said dam." Agreed to.

The motion to suspend the eleventh rule prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Bronson, Carr, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Hartshorn, Hebard, Johnson, Larrabee, Lawrence, Lewellen, McCormack, Madson, Merrell, Meyer, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, and Wright—35.

The nays were:

Senators Chase, Harmon, and McCoid—3.

Absent or not voting:

Senators Blackman, Clark, Dows, Haines, Harned, Hemenway, Kimball, Kinne, Maginnis, Miller, Nichols of Benton, and Young—12.

So the bill passed and the title was agreed to.

Senator Foster moved to call up motion to reconsider vote by which House File No. 20, was lost. Adopted.

The motion to reconsider prevailed.

Senator Foster moved to reconsider vote by which the eleventh rule was suspended. Agreed to.

The question being on the motion to suspend the eleventh rule, it prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Bronson, Chase, Dows, Dwelle, Ford, Foster, Gallup, Ham, Hartshorn, Hebard, Hemenway, Kinne, Lawrence, McCormack, Madson, Miller, Patterson, Rumble, Shelley, Webb, Wilson, Wonn, and Woolson—25.

The nays were:

Senators Bestow, Carr, Dashiell, Gilmore, Graham, Hanna, Johnson, Kimball, Maginnis, Merrell, Stoneman, Teale, Wright, and Young—14.

Absent or not voting:

Senators Clark, Haines, Harmon, Harned, Larrabee, Lewellen, McCoid, Meyer, Nichols of Benton, Nichols of Guthrie, and Russell—11.

So the bill not having received a constitutional majority did not pass.

The members of the Committee on Enrolled Bills were excused during the day.

The Committee on Appropriations were excused for ten minutes.

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 passed the following bills in which the concurrence of the Senate is asked :

House File No. 282, a bill for an act to repeal section 3058, of chapter 9, title 18, of the Code, and to enact a substitute therefor.

House File No. 529, a bill for an act to define what shall be a lawful fence in relation to fencing of railroads.

House File No. 584, a bill for an act to cede to the United States exclusive jurisdiction over the Rock Island Arsenal Bridge across the Mississippi river at Davenport, Iowa.

Substitute for House File No. 279, a bill for an act to regulate mines and mining, and to repeal an act therein named.

Substitute for House File No. 169, a bill for an act to authorize cities of the first class to provide for the construction of sewers: Additional to Code, chapter 10, title 4, concerning cities and incorporated towns.

Senate File No. 70, a bill for an act to repeal section 1766 of the Code, relating to examination of teachers and issuing of certificates, and enacting a substitute therefor.

Senate File No. 323, a bill for an act making a special appropriation for the Asylum for Feeble Minded Children at Glenwood, Iowa.

Also passed a substitute for Senate File No. 278, a bill for an act making certain appropriations in aid of the Asylum for Feeble Minded Children.

Also amended Senate File No. 53, a bill for an act to amend section 1241 of the Code, title 10, chapter 4, relating to taking private property for works of internal improvement. Amended by inserting after the word "Iowa," in the third line of section 2, the words, "or of any State or Territory."

Also concurred in joint resolution relative to authorizing the Governor to receive grants or appropriations from the United States for the benefit of settlers in Iowa.

W. V. LUCAS, *Chief Clerk.*

Also the following:

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

House File No. 215, a bill for an act to reduce the limits of certain cities incorporated under special charters.

House File No. 73, a bill for an act to amend section 2590, chapter 5, title 17, of the Code, limiting the number of changes of the place of trial in certain cases.

Senate File No. 195, a bill for an act for the protection of cemeteries in the State of Iowa.

Senate File No. 320, a bill for an act to repeal chapter 35 of the private, local and temporary acts of the Fifteenth General Assembly, and chapter 97 of the acts of the Sixteenth General Assembly, and to provide for the leasing of the convict labor of the State.

Senate File No. 137, a bill for an act amendatory of section 1802, of the Code of Iowa.

Senate File No. 315, a bill for an act amendatory to chapter 162, laws of the Sixteenth General Assembly, relating to the publication and distribution of the laws.

Senate File No. 269, a bill for an act to amend chapter 101, laws of the Sixteenth General Assembly, in relation to fences.

Senate File No. 309, a bill for an act to amend section 914, and repeal section 915, of chapter 3, title 6, of the Code, also to amend subdivision 5, of section 3793, of chapter 2, title 23, of the Code, relating to the payment of money into the State Treasury.

Senate File No. 256, a bill for an act to provide for opening drains to be constructed through two or more adjoining counties, amendatory of chapter 2, title 10, of the Code.

Senate File No. 80, a bill for an act to legalize the acts of Mason Fish, a justice of the peace, in Clay township, Shelby county.

Senate File No. 318, a bill for an act to tax sleeping and dining cars.
W. V. LUCAS, *Clerk*.

REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined the following bills, and find the same correctly enrolled.

Substitute for House File No. 299, a bill for an act making appropriations for the construction of the New Capitol Building, for the purchase of a lot, and the construction of a sewer therefor.

M. N. JOHNSON, *Chairman*.

BILLS ON THIRD READING.

Senate File No. 136, a bill for an act making appropriations for the Iowa Hospital for the insane, at Mt. Pleasant, with House amendments, was taken up.

On the question, shall the Senate concur in House amendments?

The yeas were:

Senators Carr, Gallup, Gilmore, Graham, Johnson, Madson, Merrell, Miller, and Patterson—9.

The nays were:

Senators Bestow, Bronson, Chase, Dashiell, Dwelle, Foster, Ham, Hanna, Hartshorn, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, Maginnis, Meyer, Nichols of Guthrie, Rumble, Shelley, Stoneman, Webb, Wilson, Wonn, Woolson, Wright, and Young—29.

Absent or not voting:

Senators Arnold, Blackman, Clark, Dows, Ford, Haines, Harmon, Harned, McCormack, Nichols of Benton, Russell, and Teale—12.

So the Senate refused to concur in House amendments.

By leave, Senator Hebard introduced Joint Resolution in relation to the International Prison Congress.

Read first and second time.

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

On the question, shall the joint resolution pass?

The yeas were:

Senators Bestow, Bronson, Carr, Chase, Dashiell, Gilmore, Graham, Ham, Hanna, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Webb, Wilson, Wonn, Woolson, and Wright—34.

The nays were—None.

Absent or not voting:

Senators Arnold, Blackman, Clark, Dows, Dwelle, Ford, Foster, Gallup, Haines, Harmon, Harned, Hartshorn, McCormack, Nichols of Benton, Teale, and Young—16.

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

Senator Wright moved the appointment of a Committee on Conference, on disagreeing vote on Senate File No. 136.

The motion prevailed.

Senate File No. 22, a bill for an act to authorize cities and towns to regulate the sale of coal oil, with report of committee recommending amendments was taken up, considered, and the report of the committee was adopted.

Senator Larrabee moved that the eleventh rule be suspended, and the bill 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 Bestow, Bronson, Carr, Chase, Dashiell, Dwelle, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Wilson, Wonn, Woolson, Wright, and Young—37.

The nays were:

Senator McCoid—1.

Absent or not voting:

Senators Arnold, Blackman, Clark, Dows, Ford, Haines, Harmon, Harned, McCormack, Nichols of Benton, Teale, and Webb—12.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Senate File No. 293, a bill for an act making appropriations for the Additional Penitentiary at Anamosa. Amend title by adding after the word "Penitentiary," the words, "and State Quarry"; also, by adding the section noted at the end of section 1; also the amendment noted at the end of section 4.

Also, House File No. 536, a bill for an act to repeal section 370 chapter 8, title 4, of the Code of 1873, relating to duties and compensation of county surveyors, and to enact a substitute therefor.

W. V. LUCAS, *Clerk.*

Substitute for House Files Nos. 271 and 301, a bill for an act apportioning the State into representative districts, and establishing the ratio of representation, was taken up and considered.

Senator Larrabee moved that the eleventh rule be suspended, and the bill 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 Bestow, Bronson, Carr, Chase, Clark, Dashiell, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Wilson, Wonn, and Woolson—38.

The nays were:

Senators Wright and Young—2.

Absent or not voting:

Senators Arnold, Blackman, Dows, Dwelle, Ford, Haines, Harned, Hartshorn, Nichols of Benton, and Webb—10.

So the bill passed and the title was agreed to.

The President announced Senators McCoid, Wright and Stoneman, as committee of conference on disagreeing vote on Senate File No. 136.

House File No. 471, a bill for an act to create a board of control of certain State institutions, and to define the duties of the same, was taken up and considered.

The question being on the amendment to strike out the words "executive council," and insert "Senate," it was adopted.

Senator Merrell moved that the bill be laid on the table.

On the adoption of the motion, the yeas and nays were demanded and

The yeas were:

Senators Clark, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Harned, Hemenway, Larrabee, McCoid, Maginnis, Merrell, Meyer, Miller, Rumble, Shelley, Teale, Wilson, Woolson, and Young—21.

The nays were:

Senators Arnold, Bestow, Blackman, Carr, Chase, Dashiell, Dows, Dwelle, Harmon, Hartshorn, Hebard, Johnson, Kinne, Lawrence, Lewellen, McCormack, Madson, Patterson, Russell, Stoneman, and Webb,—21.

Absent or not voting:

Senators Bronson, Ford, Haines, Kimball, Nichols of Benton, Nichols of Guthrie, Wonn, and Wright—8.

So the motion to table did not prevail.

Senator Ham moved to amend by striking out the words, "twelve hundred" and insert the words, "one thousand." Lost.

Senator Chase moved to strike out the words "Agricultural College." Agreed to.

Senator Hemenway moved to strike out "Normal School," which motion prevailed.

On motion of Senator Hartshorn, the word "educational" was stricken out.

Senator Merrell moved to strike out the words "Blind, Deaf and Dumb, Orphans' Home, Asylum for Feeble Minded Children." Not agreed to.

Senator Hebard moved to amend by striking out the figures "1,500" and inserting "2,000." Agreed to.

Senator Hebard moved to strike out the words, "to be elected," in section 18, which motion prevailed.

Senator Young moved to reconsider the vote by which the words "executive council" were stricken out, and the word "Senate" inserted in third line of section 1. Agreed to.

The question being on the motion to strike out and insert, the yeas and nays were demanded, and

The yeas were:

Senators Bronson, Clark, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Harned, Hartshorn, Johnson, Kimball, Larrabee, Lawrence, McCoid, Maginnis, Merrell, Meyer, Rumble, Shelley, Wilson, Wonn, and Woolson—23.

The nays were:

Senators Arnold, Bestow, Blackman, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Harmon, Hebard, Kinne, Lewellen, McCormack, Madson, Miller, Nichols of Guthrie, Patterson, Russell, Stoneman, Teale, Webb, Wright, and Young—24.

Absent or not voting:

Senators Haines, Hemenway, and Nichols of Benton—3.

So the motion did not prevail.

Senator Bestow moved a suspension of the eleventh rule, and that the bill be read a third time now.

On the adoption of the motion the yeas and nays were demanded and

The yeas were:

Senators Arnold, Bestow, Blackman, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Gallup, Graham, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kinne, Lawrence, Lewellen, McCormack, Madson, Miller, Nichols of Guthrie, Patterson, Russell, Stoneman, Teale, Webb, Wright, and Young—30.

The nays were:

Senators Bronson, Clark, Foster, Gilmore, Ham, Hanna, Harned, Kimball, Larrabee, McCoid, Maginnis, Merrell, Meyer, Rumble, Shelley, Wilson, Wonn, and Woolson—18.

Absent or not voting:

Senators Haines, and Nichols of Benton—2.

So the motion not having received a two-third majority did not prevail.

On the question, shall the bill be read a third time to-morrow? the yeas and nays were demanded, and

The yeas were:

Senators Arnold, Bestow, Blackman, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Hartshorn, Hebard, Johnson, Kinne, Lawrence, Lewellen, McCormack, Madson, Nichols of Guthrie, Patterson, Russell, Stoneman, Teale, Webb, Wright, and Young—25.

The nays were:

Senators Clark, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Harned, Kimball, Larrabee, McCoid, Maginnis, Merrell, Meyer, Miller, Rumble, Shelley, Wilson, Wonn, and Woolson—21.

Absent or not voting:

Senators Bronson, Hemenway, Haines, and Nichols of Benton,—4.

So the bill was ordered to a third reading to-morrow.

Senate File No. 194, a bill for an act to establish and maintain a normal school at Le Mars, in Plymouth county, Iowa, 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 has passed the following bills without amendment:

Senate File No. 1, a bill for an act entitled an act relating to the trial of equitable actions.

Senate File No. 119, a bill for an act to enable the trustees of the protestant Methodist church of Iowa City, to transfer certain property.

Senate File No. 138, a bill for an act to provide for the re-building of the institution for the deaf and dumb, and to provide for the government of the same, and repeal a portion of section 1685 of the Code.

Also, the following bill with amendment, in which the concurrence of the Senate is asked:

Senate File No. 281, a bill for an act making further appropriations for the college for the blind, amended by striking out the figures "600," in the last line of the 1st section, and inserting "800."

Also, without amendment:

Senate File No. 283, a bill for an act making appropriations for indebtedness incurred in putting in heating apparatus in the Deaf and Dumb Institution at Council Bluffs, and for other deficiencies.

Senate File No. 184, a bill for an act to prevent trustees and other officers of State institutions from furnishing supplies to, or being interested in contracts with such institutions, and to punish the violation of the same.

Senate File No. 47, a bill for an act in relation to liens on real estate, of judgments in the District and Circuit Courts of the United States.

House File No. 526, a bill for an act to authorize counties to procure certified transcripts of judgments and decrees of Federal Courts for the district of Iowa.

Have also concurred in Senate amendments to House File No. 458, a bill for an act making appropriations for the improvement of the penitentiary of the State, at Fort Madison.

Also, have passed Joint Resolution relative to judgments of Federal Courts.

Substitute for House File No. 492, a bill for an act making appropriations for the payment of McHenry & Hale, for work done on the Iowa penitentiary, at Fort Madison.

Without amendments:

Senate File No. 152, a bill for an act to legalize the levy of certain bridge taxes, by the board of supervisors of Greene county.

Senate File No. 321, a bill for an act for the payment of the State Militia for services in preventing anticipated riots in 1877.

House File No. 448, a bill for an act appropriating money to pay Dr. Wilber for services rendered the State at the Asylum at Glenwood.

Also, that the House has refused to concur in Senate amendments to substitute for House File No. 296, a bill for an act making appropriations for the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, and has appointed as Committee of Conference, on the part of the House, Messrs. Mueller, McCartney and Paul.

W. V. LUCAS, *Clerk.*

Consideration of Senate File No. 194, was resumed.

Senator Larrabee moved a suspension of the eleventh rule, 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 Arnold, Blackman, Bronson, Carr, Chase, Clark, Dows, Dwelle, Ford, Foster, Gallup, Ham, Hanna, Hartshorn, Hemenway, Johnson, Kimball, Larrabee, Lawrence, McCoid, Nichols of Guthrie, Ruple, Russell, Shelley, Stoneman, Webb, Woolson, and Wright—28.

The nays were:

Senators Dashiell, Gilmore, Graham, Harned, Hebard, McCormack, Madson, Maginnis, Merrell, Meyer, Patterson, Teale, and Young—13.

Absent or not voting:

Senators Bestow, Haines, Harmon, Kinne, Lewellen, Miller, Nichols of Benton, Wilson, and Wonn—9.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined the following bills and find the same correctly enrolled.

Senate File No. 278, a bill for an act to provide for the maintenance of the Asylum for Feeble-Minded Children at Glenwood, Iowa, and to direct the sale of certain property.

Senate File No. 70, a bill for an act to repeal section 1766 of the Code, relating to examination of teachers and issuing certificates, and enacting a substitute therefor.

Joint Resolution authorizing the Governor to accept and receive grants or appropriations from the United States for the purpose of indemnifying settlers on lands in Iowa.

Senate File No. 53, a bill for an act to amend section 1241 of the Code, title 10, chapter 4, relating to taking private property for works of internal improvement.

Senate File No. 323, a bill for an act making special appropriation for the Asylum for Feeble-Minded Children at Glenwood, Iowa.

Senate File No. 1, a bill for an act entitled an act relating to the trial of equitable actions.

Substitute for Senate File No. 54, an act to provide for the organization of the State militia, and entitled the "Military Code of Iowa," and fixing the salaries of certain officers.

Also, that they have this day presented to the Governor for his approval the following bills, to-wit:

House File No. 524, a bill for an act to legalize the organization of the independent school district of Sioux Rapids, in the county of Buena Vista, State of Iowa.

House File No. 73, a bill for an act to amend section 2590, chapter 5, title 17, of the Code, limiting the number of changes of the place of trial in civil cases.

House File No. 215, a bill for an act to reduce the limits of certain cities incorporated under special charter.

Senate File No. 315, an act amendatory of chapter 132 laws of the Sixteenth General Assembly, relating to the publication and distribution of the laws.

Senate File No. 269, an act to amend chapter 101, laws of the Sixteenth General Assembly, in relation to fences.

Senate File No. 309, an act to amend section 914, and repeal section 915, of chapter 3, title 6, of the Code; also to amend subdivision 5, of section 3793, of chapter 2, title 23, of the Code, relating to the payment of money into the State treasury.

Senate File No. 256, an act to provide for opening drains to be constructed through two or more adjoining counties. Amendatory of chapter 2, title 10, of the Code.

Senate File No. 318, an act to tax sleeping and dining cars.

Senate File No. 195, an act for the protection of cemeteries in the State of Iowa.

Senate File No. 320, an act to repeal chapter 35 of the private, local, and temporary acts of the Fifteenth General Assembly, and chapter 97 of the acts of the Sixteenth General Assembly, and to provide for the leasing of the convict labor of the State.

Senate File No. 137, an act amendatory of section 1802 of the Code of Iowa.

Senate File No. 80, an act to legalize the acts of Mason Fish, a justice of the peace in Clay township, Shelby county.

M. N. JOHNSON, *Chairman*.

On motion of Senator Carr, Senate File No 293, a bill for an act making appropriations for the Additional Penitentiary at Anamosa, with amendments reported by the House, was taken up.

On the question, shall the Senate concur in the House amendments:

The yeas were:

Senators Arnold, Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Foster, Gallup, Hanna, Harmon, Harned, Hemenway, Johnson, Larrabee, Lawrence, Maginnis, Meyer, Nichols of Guthrie, Patterson, Rumple, Russell, Stoneman, Webb, Wilson, Wonn, Woolson, and Wright—29.

The nays were:

Senators Bronson, Gilmore, Graham, Ham, Madson, Merrell, Shelley, Teale, and Young—9.

Absent or not voting:

Senators Bestow, Ford, Haines, Hartshorn, Hebard, Kimball, Kinne, Lewellen, McCoid, McCormack, Nichols of Benton, and Miller—12.

So the House amendments were concurred in.

RESOLUTION.

Senator Johnson offered the following resolution:

Resolved by the Senate, That the Committee on Enrolled Bills is authorized to employ such number of clerks as may be necessary to assist the Enrolling Clerk in the discharge of his duties during the last two days of this session. The compensation of such clerks shall not

exceed five dollars per day, each, to be paid on the certificate of the Secretary of the Senate, that the work for which such compensation is claimed, has been performed.

The motion was adopted.

At 12, m., the President declared the Senate adjourned.

AFTERNOON SESSION.

2 O'CLOCK, P. M.

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

On motion of Senator Larrabee, special orders were taken up.

Senate File No. 310, a bill for an act to repeal section 3769 of the Code, and enact a substitute therefor relating to salaries, was taken up and considered.

On motion of Senator Russell, the eleventh rule was suspended, and the bill was read a third time.

On the question, shall the bill pass ?

The yeas were:

Senators Arnold, Bestow, Blackman, Dashiell, Dwelle, Gallup, Gilmore, Hartshorn, Hebard, Hemenway, Larrabee, McCormack, Maginnis, Meyer, Patterson, Russell, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, and Young—23.

The nays were:

Senators Bronson, Carr, Chase, Clark, Foster, Graham, Ham, Harmon, Johnson, Kimball, Merrell, Miller, Nichols of Guthrie, Rumble, and Shelley—15.

Absent or not voting:

Senators Dows, Ford, Haines, Hanna, Harned, Kinne, Lawrence, Lewellen, McCoid, Madson, Nichols of Benton, and Wright—12.

So the bill, not having received a constitutional majority, did not pass.

By leave, the Committee on Appropriations introduced Senate File No. 333, a bill for an act making appropriations for State and Judicial officers, and certain expenses of the Seventeenth General Assembly.

Read first and second time.

Senator Arnold moved a suspension of the eleventh rule, and that 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 Arnold, Bestow, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Harned, Hartshorn, Hemenway, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Webb, Wilson, Wonn, Wright, and Young—42.

The nays were—None.

Absent or not voting:

Senators Dows, Haines, Harmon, Hebard, Johnson, Nichols of Benton, Teale, and Woolson—8.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE OF CONFERENCE.

Your Committee of Conference on the disagreement between the two houses on Senate File No. 136 beg leave to report that they have met, and after a full and frank conference beg leave to report the following:

That the House amendments be amended as follows: Strike out lines five and nine of section 1, and insert in lieu thereof:

Line five—"For water pipes, one thousand dollars (\$1,000)";

Line nine—"For reconstruction of rear center and mangles, ten thousand dollars, (\$10,000)";

And that when so amended the Senate concur.

M. A. McCoid,

JOHN T. STONEMAN,

GEO. F. WRIGHT,

Committee on part of the Senate.

W. M. STONE,

JOHN CALVIN,

N. B. HOLBROOK,

Committee on part of the House.

On the adoption of the report

The yeas were:

Senators Arnold, Bestow, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Hanna, Harned, Hemenway, Kimball, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Wright, and Young—41.

The nays were—None.

Absent or not voting:

Senators Haines, Ham, Harmon, Hartshorn, Hebard, Johnson, Kinne, Nichols of Benton, and Woolson—9.

So the report was adopted.

Senate File No. 224, a bill for an act in relation to the time which pupils may be entitled to the privilege of the Deaf and Dumb Asylum, with report of committee recommending that it do pass, was taken up and considered.

Senator ——— moved that the eleventh rule be suspended, and the bill 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 Arnold, Bestow, Blackman, Bronson, Chase, Clark, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Harned, Hemenway, Kimball, Larrabee, Lawrence, Lewellen,

McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumple, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, and Woolson—40.

The nays were:

Senators Johnson, Wright, and Young—3.

Absent or not voting:

Senators Carr, Dows, Haines, Hartshorn, Hebard, Kinne, and Nichols of Benton—7.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

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

MR. PRESIDENT—The Committee on Enrolled bills respectfully report that they have examined:

Senate File No. 138, a bill for an act to provide for the rebuilding of the Institution for the Deaf and Dumb, and to provide for the government of the same;

Senate File No. 119, a bill for an act to enable the trustees of the Protestant Methodist Church, of Iowa City, to transfer certain property; And find the same correctly enrolled.

M. N. JOHNSON, *Chairman*.

Senator McCoid called up Senate File No. 201, and asked its reference to the Committee on Judiciary.

So referred.

Senate File No. 285, a bill for an act amendatory of section 4773 of the Code, relating to supplies for the penitentiaries, was taken up and considered.

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

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Blackman, Bronson, Carr, Chase, Clark, Dwelle, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Harned, Hartshorn, Hebard, Hemenway, Johnson, Larrabee, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumple, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—41.

The nays were—None.

Absent or not voting:

Senators Dashiell, Dows, Ford, Haines, Harmon, Kimball, Kinne, Lawrence, and Nichols of Benton—9.

So the bill passed and the title was agreed to.

Senate File No. 264, a bill for an act to repeal section 4783 of the Code, and to enact a substitute therefor, was taken up and considered.

Senator Russell moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—44.

The nays were—None.

Absent or not voting:

Senators Bestow, Ford, Haines, Johnson, Kimball, and Nichols of Benton—6.

So the bill passed and the title was agreed to.

House File No. 286, a bill for an act amendatory to section 2, chapter 123 of the acts of the Sixteenth General Assembly, relating to townships, and incorporated towns and cities, to aid in the construction of railroads, was taken up and considered.

Senator Dashiell moved to amend by adding to section 1, the words, "of the resident freehold tax-payers of said incorporated town, city or township."

On the adoption of the motion the yeas and nays were demanded, and

The yeas were:

Senator Bestow, Bronson, Dashiell, Foster, Gilmore, Ham, Hemenway, Kimball, McCormack, Madson, Merrell, Shelley, Stoneman, Teale, and Wilson—15.

The nays were:

Senators Arnold, Carr, Chase, Clark, Dows, Dwelle, Ford, Gallup, Graham, Hanna, Harmon, Harned, Hartshorn, Hebard, Johnson, Kinne, Lawrence, Lewellen, McCoid, Maginnis, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Webb, Wonn, Woolson, Wright, and Young—30.

Absent or not voting:

Senators Blackman, Haines, Larrabee, Meyer, and Nichols of Benton—5.

So the motion did not prevail.

Senator Nichols of Guthrie moved a suspension of the eleventh rule, and that the bill be read a third time now.

On the adoption of the motion the nays and yeas were demanded, and

The yeas were:

Senators Arnold, Blackman, Carr, Chase, Clark, Dows, Dwelle, Ford, Gallup, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Maginnis, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Stoneman, Webb, Wonn, Woolson, Wright, and Young—34.

The nays were:

Senators Bestow, Bronson, Dashiell, Foster, Gilmore, Graham, Ham, Hanna, Madson, Merrell, Shelley, Teale, and Wilson—13.

Absent or not voting:

Senators Haines, Meyer, and Nichols of Benton—3.

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

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Blackman, Carr, Chase, Clark, Dows, Dwelle, Ford, Gallup, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Lawrence, Lewellen, McCoid, Maginnis, Miller, Nichols of Guthrie, Patterson, Russell, Webb, Wonn, Wright, and Young—29.

The nays were:

Senators Bestow, Bronson, Dashiell, Foster, Gilmore, Graham, Ham, Hanna, McCormack, Madson, Merrell, Meyer, Rumple, Shelley, Stone-man, Teale, Wilson, and Woolson—18.

Absent or not voting:

Senators Haines, Larrabee, and Nichols of Benton—3.

So the bill passed and the title was agreed to.

Senator Kimball moved that a Committee of Conference be appointed on the disagreeing vote of the two Houses on Senate File No. 34. Agreed to.

Senator Kimball moved to reconsider the vote by which Senate File No. 310 was lost.

The motion did not prevail.

REPORTS OF COMMITTEES.

By leave, Senator McCoid, from the Committee on Judiciary, submitted the following report.

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 581, a bill for an act to amend section 4372, of the 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 Substitute for House File No. 395, a bill for an act authorizing the copying of the indexes and records of counties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Ordered passed on file.

Also the following.

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 280, a bill for an act to legalize the incorporation of the incorporated town of Davis City, Decatur county, Iowa, and the acts of the Mayor and Council thereof, and the ordinances passed by 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.

M. A. McCoid, *Chairman.*

Ordered passed on file.

Senator Dows moved to reconsider vote by which House File No. 286 was lost. Not agreed to.

House File No. 530, a bill for an act entitled an act for the better security of the revenue, regulating the duties of county treasurers and boards of supervisors in relation to the same, and amending section 912 of the Code, was taken up and considered.

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

On the adoption of the motion the yeas and nays were demanded, and The yeas were:

Senators Arnold, Blackman, Chase, Clark, Dwelle, Ford, Gallup, Gilmore, Haines, Harmon, Harned, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, McCoid, Maginnis, Meyer, Nichols of Guthrie, Patterson, Russell, Stoneman, Teale, Webb, Wonn, Wright, and Young—29.

The nays were:

Senators Bestow, Carr, Dashiell, Dows, Graham, Hanna, McCormack, Miller, Rumble, Shelley, and Wilson—11.

Absent or not voting:

Senators Bronson, Foster, Ham, Hartshorn, Hebard, Lewellen, Madson, Merrell, Nichols of Benton, and Woolson—10.

So the motion to suspend the eleventh rule prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Chase, Clark, Dwelle, Ford, Gallup, Gilmore, Haines, Harmon, Harned, Hartshorn, Hemenway, Johnson, Kimball, Larrabee, Lawrence, McCoid, Maginnis, Meyer, Nichols of Guthrie, Patterson, Russell, Stoneman, Teale, Webb, Wonn, Woolson, Wright, and Young—29.

The nays were:

Senators Bestow, Carr, Dashiell, Dows, Graham, Ham, Kinne, McCormack, Merrell, Miller, Rumble, Shelley, and Wilson—13.

Absent or not voting:

Senators Blackman, Bronson, Foster, Hanna, Hebard, Lewellen, Madson, and Nichols of Benton—8.

So the bill passed and the title was agreed to.

The President appointed Senators Kimball, Foster, and Hanna, a Committee of Conference on the disagreeing vote of the two Houses on Senate File No. 34.

Substitute for House File No. 296, a bill for an act making appropriations for the Soldiers' Orphans' Home, and Home for Indigent Children, at Davenport, Iowa, was taken up.

The question being, shall the Senate recede from its amendments?

The yeas were:

Senators Arnold, Blackman, Chase, Clark, Foster, Hanna, Harmon, Hebard, Johnson, Kinne, Lawrence, Lewellen, Maginnis, Meyer, Nichols of Guthrie, Rumble, Webb, Woolson, and Wright—19.

The nays were:

Senators Bestow, Dashiell, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Haines, Ham, Harned, Hebard, Johnson, Larrabee, McCormack, Madson, Merrell, Miller, Patterson, Russell, Shelley, Teale, Wilson, Wonn, and Young—25.

Absent or not voting:

Senators Bronson, Carr, Kimball, McCoid, Nichols of Benton, and Stoneman—6.

So the Senate refused to recede from its amendments.

Senator Teale moved that a Committee of Conference be appointed on the disagreeing vote of the two Houses on Senate File No. 296. Agreed to.

By leave, Senator Ham introduced Senate File No. 334, a bill for an act to confer certain powers upon any home for the friendless, incorporated under the laws of Iowa, in relation to the control and disposition of minor children.

Read first and second time, and referred to Judiciary Committee, with instructions to report at 7:30 o'clock, this evening.

The President announced Senators Teale, Rumple, and Haines, a Committee of Conference on the disagreeing vote of the two Houses on House File, No. 296.

House File No. 572 was taken up, and on motion of Senator Rumple the bill was laid on the table.

Senate File No. 271, a bill for an act to protect the Capitol and Governor's Square, with report of committee recommending it do pass, was taken up and considered.

Senator Rumple moved that the eleventh rule be suspended, and the bill 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 Arnold, Bestow, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Patterson, Rumple, Shelley, Stoneman, Webb, Wilson, Wonn, Woolson, Wright, and Young—43.

The nays were—None.

Absent or not voting:

Senators Harmon, Meyer, Miller, Nichols of Benton, Nichols of Guthrie, Russell, and Teale—7.

So the bill passed and the title was agreed to.

Senate File No. 324, a bill for an act making appropriations to meet the deficiencies of the State Reform School at Eldora, was taken up and considered.

Senator Chase moved that the eleventh rule be suspended, and the bill 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 Arnold, Bestow, Blackman, Bronson, Chase, Clark, Dwelle, Ford, Foster, Gilmore, Graham, Haines, Hanna, Harned, Hartshorn, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, Maginnis, Merrell, Miller, Patterson, Rumple, Russell, Stoneman, Webb, Wilson, Woolson, Wright, and Young—34.

The nays were:

Senators Dashiell, Dows, Hebard, Kinne, McCormack, Madson, Meyer, and Shelley—8.

Absent or not voting :

Senators Carr, Gallup, Ham, Harmon, Nichols of Benton, Nichols of Guthrie, Teale, and Wonn—8.

So the bill passed and the title was agreed to.

Senate File No. 328, a bill for an act to provide for the payment of the Fort Madison Investigating Committee, was taken up and considered.

Senator Bestow moved that the eleventh rule be suspended, and the bill 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 Arnold, Bestow, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Webb, Wilson, Wonn, Woolson, Wright, and Young—46.

The nays were—None.

Absent or not voting:

Senators Harmon, Miller, Nichols of Benton, and Teale—4.

So the bill passed and the title was agreed to.

House File No. 546, a bill for an act making an appropriation to Mills & Company for supplies furnished to the State, was taken up and considered.

Senator Hemenway moved that the eleventh rule be suspended, and the bill 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 Arnold, Bestow, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Kimball, Kinne, Lawrence, Lewellen, McCoid, McCormack, Madson, Merrell, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Webb, Wilson, Wonn, Woolson, Wright, and Young—44.

The nays were:

Senators Larrabee and Teale—2.

Absent or not voting:

Senators Johnson, Maginnis, Meyer, and Nichols of Benton—4.

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

House File No. 538, a bill for an act appropriating money for paying the salaries of the Commissioners of the Anamosa Penitentiary in 1875, was taken up and considered.

Senator Clark moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Bronson, Carr, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna,

Harmon, Harned, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Miller, Nichols of Guthrie, Patterson, Rumple, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, and Wright—44.

The nays were:

Senator Young—1.

Absent or not voting:

Senators Bestow, Chase, Hartshorn, Meyer, and Nichols of Benton—5.

So the bill passed and the title was agreed to.

House File No. 506, a bill for an act for the relief of James Admire, was taken up and considered.

Senator Webb moved that the eleventh rule be suspended, and the bill 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 Arnold, Bronson, Dows, Dwelle, Foster, Gallup, Gilmore, Graham, Hartshorn, Hebard, Hemenway, Kimball, Lawrence, Lewellen, McCormack, Madson, Meyer, Miller, Nichols of Guthrie, Patterson, Rumple, Shelley, Webb, Wonn, and Young—25.

The nays were:

Senators Bestow, Carr, Dashiell, Ford, Haines, Ham, Hanna, Harmon, Harned, Larrabee, McCoid, Maginnis, Russell, Stoneman, Wilson, and Woolson—16.

Absent or not voting:

Senators Blackman, Chase, Clark, Johnson, Kinne, Merrell, Nichols of Benton, Teale, and Wright—9.

So the bill, having failed to receive a constitutional majority, did not pass.

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 passed the following bills, without amendment:

Senate File No. 282, a bill for an act making appropriations for the Boys' Reform School at Eldora.

Substitute for Senate File No. 140, a bill for an act making appropriations for the maintenance of the Normal School at Cedar Falls, and amending chapter 129 of the acts of the Sixteenth General Assembly.

Senate File No. 240, a bill for an act for the relief of James and O. P. Wickham, contractors for the erection of the west lateral wing of the Deaf and Dumb Asylum at Council Bluffs, and making appropriations therefor.

Also, House File No. 411, a bill for an act to legalize the acknowledgment of deeds by deputy clerks of court, county auditors, and deputy county auditors.

House File No. 527, a bill for an act to amend section 895, and to repeal section 894 of the Code, and to enact a substitute therefor.

Joint Resolution relative to appointment of delegate to the National Prison Congress.

W. V. LUCAS, *Clerk.*

Senate File No. 322, a bill for an act making certain appropriations to compensate the Trustees of the State Reform School for services during an investigation of the management of said institution as authorized by the Governor of the State, with report of committee without recommendation, was taken up and considered.

Senator Graham moved to amend by striking out the words "W. L. Vestal, for services, as above set forth, \$210."

The motion prevailed.

Senator Graham moved that the eleventh rule be suspended, and the bill 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 Chase, Gilmore, Graham, Haines, Hanna, Hartshorn, Larabee, Lawrence, Madson, Nichols of Guthrie, Rumple, Shelley, Wilson, and Woolson—14.

The nays were:

Senators Arnold, Bestow, Blackman, Bronson, Carr, Dashiell, Dows, Ford, Foster, Harmon, Harned, Hebard, Hemenway, Johnson, Kimball, Lewellen, McCoid, McCormack, Maginnis, Merrell, Meyer, Patterson, Russell, Teale, and Webb—25.

Absent or not voting:

Senators Clark, Dwelle, Gallup, Ham, Kinne, Miller, Nichols of Benton, Stoneman, Wonn, Wright, and Young—11.

So the bill, not having received a constitutional majority, did not pass.

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 passed the following joint resolution in which the concurrence of the Senate is asked:

Be it resolved by the House of Representatives, the Senate concurring, That the Senate and House meet in joint convention at 1 o'clock, A. M., March 26th, for the purpose of electing the Trustees of the different State institutions.

Also, the House has refused to recede from its amendments on Senate File No. 34.

T. J. REIGART, *Second Asst. Clerk.*

ENROLLED BILLS.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 47, a bill for an act in relation to liens on real estate of judgments, in the district and circuit courts of the United States;

Senate File No. 283, an act making appropriations for indebtedness incurred in putting in heating apparatus in the Deaf and Dumb Institution at Council Bluffs, and for other deficiencies;

House File No. 262, a bill for an act to enable school districts to issue bonds for the purpose of bonding judgment indebtedness now existing;

House File No. 579, a bill for an act to legalize the independent school district of Plainsfield, Bremer county, Iowa;

Substitute for House File No. 314, a bill for an act to provide for the sub-divisions of independent school districts;

House File No. 252, a bill for an act to legalize the official acts of F. D. Lindsley, a justice of the peace in and for Benton county;

Senate File No. 152, an act to legalize the levy of certain bridge taxes by the board of supervisors of Greene county, Iowa;

Senate File No. 282, an act making appropriations for the Boys' Reform School, at Eldora;

Senate File No. 184, an act to prevent trustees and other officers of State institutions from furnishing supplies to, or being interested in contracts with such institutions, and to punish violation of the same;

Senate File No. 321, an act for the payment of the State militia for the service in preventing anticipated riots in the year 1877;

Senate File No. 293, an act making appropriations for the additional penitentiary and stone quarry at Anamosa, Iowa;

Substitute for Senate File No. 140, an act making appropriation for the maintenance of the Normal School at Cedar Falls, and amending chapter 129, of acts of the Sixteenth General Assembly;

Joint Resolution, in relation to the International Prison Congress at Stockholm, Sweden;

Senate File No. 240, a bill for an act for the relief of James & O. P. Wickham, contractors for the erection of the west lateral wing of the Deaf and Dumb Asylum at Council Bluffs, and making appropriations therefor;

Senate File No. 136, an act making appropriations for the Iowa Hospital for the Insane at Mount Pleasant;

And find the same correctly enrolled.

M. N. JOHNSON, *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 passed the following bills in which the concurrence of the Senate is asked:

House File No. 585, a bill for an act to legalize the incorporation of the Boone and Marshall Coal Company, of Boone, Iowa.

House File No 193, a bill for an act to repeal section 3849, chapter 2, title 24, of the Code, and to enact a substitute therefor, and to restore capital punishment.

W. V. LUCAS, *Clerk*.

Senator Nichols, of Benton, was excused for the balance of the session.

On motion of Senator Russell, House Concurrent Resolution, relative to the election of trustees for the various institutions, was taken up.

Senator Harmon moved to amend by striking out the words "1, A. M.," and inserting "8, P. M." Not agreed to.

The resolution was concurred in.

House File No. 547, a bill for an act providing for payment of the claim of William R. Craig, was taken up and considered.

Senator Bestow moved to suspend the eleventh rule, and read the bill a third time now.

Pending the question,

On motion, House messages were taken up.

House File No. 492 was taken up, read first and second time, and referred to Committee on Claims.

House File No. 584, 529, 482, 282, substitute for House File No. 279, also 169, each read first and second time, and referred to Sifting Committee.

Joint Resolution, relative to judgments in Federal Courts, was taken up, read first and second time, and referred to Sifting Committee.

House File No. 536, 526, 448, 411 and 527, each read a first and second time, and referred to Sifting Committee.

House File No. 585 and 193, each read first and second time, and referred to Sifting Committee.

REPORT OF COMMITTEE.

By leave, Senator Chase, from the Committee on Penitentiaries, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries, to whom was referred House File No. 174, a bill for an act to amend chapter 40, of the acts of the Sixteenth General Assembly, relating to the Additional Penitentiary at Anamosa, beg leave to report that they 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. D. CHASE, *Chairman*.

Ordered passed on file.

Senator Lewellen moved that the Senate adjourn until 8 o'clock, this evening.

Senator Bestow moved to amend by making it 7:30 o'clock.

The amendment was adopted.

The motion, as amended, then prevailed, and at 6:35, the Senate adjourned.

EVENING SESSION.

7:30 O'CLOCK, P. M.

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

Senator Bestow moved that the Senate take a recess of fifteen minutes. Agreed to.

Called to order by the President.

Senator Young moved a call of the Senate, which was seconded, and Senators Blackman, Bronson, Carr, Chase, Dows, Dwelle, Ford, Foster, Gallup, Harned, Hartshorn, Kimball, Kinne, Larrabee, McCormack, Merrell, Meyer, Miller, Russell, Shelley, Stoneman, Wilson, and Wonn, were found absent without leave.

On motion of Senator Clark, further proceedings under the call were dispensed with.

Senator Arnold moved to take up House File No. 564, a bill for an act appropriating money for the use of rooms occupied by committees.

The motion prevailed, and the bill was taken up and considered.

On motion of Senator Arnold, the eleventh rule was suspended, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Blackman, Bronson, Chase, Clark, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Harned, Hartshorn, Hemenway, Johnson, Kimball, Lawrence, Lewellen, McCormack, Madson, Maginnis, Miller, Nichols of Guthrie, Patterson, Shelley, Stoneman, Teale, Webb, Wilson, Woolson, Wright, and Young—35.

The nays were:

Senator McCoid—1.

Absent or not voting:

Senators Carr, Dashiell, Haines, Hanna, Harmon, Hebard, Kinne, Larrabee, Merrell, Meyer, Nichols of Benton, Rumple, Russell, and Wonn—14.

So the bill passed and the title was agreed to.

Consideration of House File No. 547 was resumed.

Senator Larrabee moved to strike out "\$19,000," and insert "\$15,000."

The motion was lost.

The question recurring upon the motion of Senator Bestow to suspend the eleventh rule, it was adopted, and the bill read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Carr, Clark, Dows, Ford, Foster, Gilmore, Graham, Ham, Harmon, Hartshorn, Hebard, Hemenway, Kimball, Lawrence, Lewellen, Madson, Nichols of Guthrie, Russell, Shelley, Webb, Wonn, Woolson, and Wright—25.

The nays were:

Senators Blackman, Chase, Dashiell, Dwelle, Gallup, Hanna, Harned, Johnson, Larrabee, McCoid, Maginnis, Merrell, Meyer, Miller, Patterson, Stoneman, Wilson, and Young—18.

Absent or not voting:

Senators Bronson, Haines, Kinne, Nichols of Benton, Rumble, and Teale—6.

So the bill, having failed to receive a constitutional majority, was lost. Senate File No. 253, a bill for an act in relation to revenue, with House amendments, was taken up and considered.

On the adoption of the amendments to the sections of the original bill?

The yeas were:

Senators Arnold, Blackman, Carr, Clark, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Harned, Hartshorn, Hemenway, Johnson, Larrabee, Lawrence, McCoid, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Webb, Wilson, Woolson, Wright, and Young—34.

The nays were:

Senators Bestow, Bronson, Chase, Dashiell, Hebard, Kinne, Lewellen, McCormack, Madson, Maginnis, and Wonn—11.

Absent or not voting:

Senators Haines, Kimball, Nichols of Benton, Rumble, and Teale—5.

So the Senate concurred in House amendments to sections of original bill.

On the question, shall the Senate concur in amendments added to the bill,

The yeas were:

Senators Hartshorn, Maginnis, and Wonn—3.

The nays were:

Senators Arnold, Bestow, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Harned, Hebard, Hemenway, Johnson, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Webb, Wilson, Woolson, Wright, and Young—42.

Absent or not voting:

Senators Haines, Kimball, Nichols of Benton, Rumble, and Teale—5.

So the Senate refused to concur in the additional sections reported by the House.

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:

Senate File No. 47, an act in relation to liens on real estate of judgments in the district and circuit courts of the United States.

Senate File No. 282, an act making appropriations for the Boys' Reform School at Eldora.

Senate File No. 286, an act making appropriations for indebtedness incurred in putting in heating apparatus in the Deaf and Dumb Institution at Council Bluffs, and for other deficiencies.

Senate File No. 321, an act for the payment of the State militia for services in preventing anticipated riots in the year 1877.

Senate File No. 184, an act to prevent trustees and other officers of State institutions from furnishing supplies to or being interested in contracts with such institutions, and to punish the violation of the same.

House File No. 458, an act making appropriations for the improvement of the Penitentiary of the State at Ft. Madison.

Senate File No. 136, an act making appropriation for the Iowa Hospital for the Insane at Mt. Pleasant.

Substitute for Senate File No. 140, an act making appropriation for the maintenance of the Normal School at Cedar Falls, and amending chapter 129 of the acts of the Sixteenth General Assembly.

Senate File No. 240, an act for the relief of James and O. P. Wickham, contractors for the erection of the west lateral wing of the Deaf and Dumb Asylum at Council Bluffs.

Senate File No. 152, an act to legalize the levy of certain bridge taxes by the board of supervisors of Greene county, Iowa.

House File No. 262, an act to enable school districts to issue bonds for the purpose of funding judgment indebtedness now existing.

House File No. 314, an act to provide for the sub-division of independent school districts.

House File No. 570, an act to authorize the Treasurer of State to pay to the several counties the amount of the swamp land indemnity fund that has been withheld by him, and his predecessors in office, under the provision of section 12, chapter 160, of the acts of the Ninth General Assembly.

Senate File No. 293, an act making appropriations for the Additional Penitentiary and stone quarry at Anamosa.

House File No. 450, an act to legalize certain corporate acts of the city of Charles City, Iowa.

House File No. 579, an act to legalize the independent school district of Plainfield, Bremer County, Iowa.

House File No. 252, an act to legalize the official acts of F. D. Lindsley, a justice of the peace in and for Benton county.

Also, a Joint Resolution in relation to the International Prison Congress at Stockholm, Sweden.

Senate File No. 138, an act to provide for the re-building of the Institution for the Deaf and Dumb and to provide for the government of the same, and to repeal a portion of section 1685 of the Code.

Senate File No. 119, an act to enable the Trustees of the Protestant Methodist Church of Iowa City to transfer certain property.

Also, Joint Resolution authorizing the Governor to accept and receive grants or appropriations from the United States for the purpose of indemnifying settlers on lands in Iowa.

Substitute for Senate File No. 54, an act to provide for the organization of the State Militia, and entitled the "Military Code of Iowa," and fixing the salaries of certain officers.

Senate File No. 323, an act making a special appropriation for the Asylum for Feeble-Minded Children at Glenwood, Iowa.

Senate File No. 1, an act entitled an act, relating to the trial of equitable actions.

Senate File No. 70, an act to repeal section 1766 of the Code, relating to the examination of teachers and issuing certificates, and enacting a substitute therefor.

Senate File No. 53, an act to amend section 1241 of the Code, title 10, chapter 4, relating to taking private property for works of internal improvement.

House File No. 299, an act making appropriations for the construction of the new capitol building, for the purchase of a lot, and the construction of a sewer therefor.

W. V. LUCAS, *Clerk.*

Senate File No. 314, a bill for an act to create a commission to investigate the affairs of the Fort Madison Penitentiary, during the administration of Seth H. Craig, as warden, and to provide for the payment of the same, with report of committee recommending amendments, was taken up, considered, and the report of the committee was adopted.

Senator Stoneman moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Carr, Chase, Clark, Dows, Dwelle, Ford, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Kimball, Kinne, Larrabee, Lawrence, McCoid, Madson, Maginnis, Merrell, Meyer, Nichols of Guthrie, Russell, Stoneman, Wilson, Woolson, Wright, and Young—33.

The nays were:

Senators Dashiell, Foster, Harned, Johnson, Lewellen, McCormack, Miller, Patterson, Shelley, and Webb—10.

Absent or not voting:

Senators Bestow, Bronson, Haines, Nichols of Benton, Rumble, Teale, and Wonn—8.

So the bill passed and the title was agreed to.

ENROLLED BILLS.

Senator Johnson, from the Committee on Enrolled Bills, submitted the following report.

MR. PRESIDENT—Your Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled:

House File No. 520, a bill for an act to legalize the revised ordinances of the city of Vinton.

House File No. 576, a bill for an act to legalize the official acts of James D. Carson, as Justice of the Peace.

House File No. 588, a bill for an act to exempt certain railroads from the operation of section 7 of chapter 118 of the laws of the Sixteenth General Assembly.

House File No. 588, a bill for an act appropriating money for paying the salary of the Commission of the Anamosa Penitentiary.

House File No. 530, a bill for an act entitled an act for the better security of the revenue, regulating the duties of county treasurers and boards of supervisors in relation to the same, and amending section 912 of the Code.

House File No. 286, a bill for an act amendatory to section 2 chap-

ter 123, of the acts of the Sixteenth General Assembly, relating to townships and incorporated towns and cities, to aid in the construction of railroads.

Substitute for House File Nos. 271 and 301, a bill for an act apportioning the State into Representative Districts and declaring the ratio of representation.

House File No. 546, a bill for an act making appropriation to Mills & Co., for supplies furnished to the State.

M. N. JOHNSON, *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 passed the following bills, in which the concurrence of the Senate is asked:

House File No. 586, a bill for an act to provide for the exemption of certain railroads from the operation of section 7, of chapter 118 of the acts of the Sixteenth General Assembly.

Also, without amendment:

Senate File No. 333, a bill for an act making appropriations for the payment of State and Judicial officers, and certain expenses of the General Assembly.

Senate File No. 325, a bill for an act appropriating \$5,000 as a Military Fund.

Also, Joint Resolution relative to using stone in the quarries at Anamosa.

W. V. LUCAS, *Clerk*.

RESOLUTION.

Senator Meyer offered the following resolution which was adopted:

Resolved by the Senate, the House concurring, that the Attorney-General be instructed at the earliest practical day, to institute suit against Martin Heisey, late Warden of the Additional Penitentiary at Anamosa, and collect from him or his bondsmen whatever may be due from them to the State.

Resolved, further, that the Attorney-General be instructed at the earliest practical day, to institute suit against Seth H. Craig, late Warden of the Fort Madison Penitentiary, and collect from him and his bondsmen whatever may be due from them to the State.

House File No. 483, a bill for an act to prescribe a delinquent tax book to remove liens, and for the payment of taxes in certain cases, with report of committee recommending amendments was taken up, considered, and the report of the committee was disagreed to.

Senators Haines and Miller were excused from voting on the bill under consideration.

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

On the adoption of the motion the yeas and nays were demanded, and

The yeas were:

Senators Arnold, Bestow, Blackman, Carr, Clark, Ford, Gallup

Gilmore, Harmon, Hebard, Kimball, Kinne, Larrabee, Lewellen, McCoid, Merrell, Meyer, Nichols of Guthrie, Patterson, Shelley, Stoneman, Teale, Webb, Wonn, and Wright—25.

The nays were:

Senators Bronson, Chase, Dashiell, Dows, Dwelle, Foster, Graham, Ham, Hanna, Harned, Hartshorn, Hemenway, Johnson, Lawrence, McCormack, Madson, Maginnis, Rumble, Russell, Woolson, and Young—21.

Absent or not voting:

Senators Haines, Miller, Nichols of Benton, and Wilson—4.

So the Senate refused to suspend the eleventh rule.

The bill was then ordered engrossed.

House File No. 577, a bill for an act to provide for the employment of one guard for every eight prisoners at the Anamosa Penitentiary, was taken up and considered.

Senator Woolson moved that the eleventh rule be suspended, and the bill 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 Arnold, Bestow, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—47.

The nays were:

Senator Dows—1.

Absent or not voting—

Senators Haines, and Nichols of Benton—2.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

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

MR. PRESIDENT—The Committee on Enrolled Bills ask leave to report that they have examined the following bills, and find the same correctly enrolled:

House File No. 458, an act making appropriations for the improvement of the Penitentiary of the State, at Fort Madison.

House File No. 368, an act to repeal sections 4048, 4049, 4050 and 4051 of the Code, chapter 69, of the laws of the Fifteenth General Assembly, and chapter 122 of the laws of the Sixteenth General Assembly, in relation to the protection of game, &c.

House File No. 576, an act to legalize the official acts of James D. Carson, as justice of the peace.

Also, that they have this day presented to the Governor for his approval, the following bills, to-wit:

House File No. 450, an act to legalize certain corporate acts of the city of Vinton.

House File No. 570, an act to authorize the Treasurer of State to pay to the several counties the amount of the swamp land indemnity fund, that has been withheld by him and his predecessors in office, under the provisions of section 12, chapter 160, of the acts of the Ninth General Assembly.

House File No. 458, an act making appropriations for the improvement of the Penitentiary of the State, at Fort Madison.

House File No. 262, an act to enable school districts to issue bonds for the purpose of funding judgment indebtedness now existing.

House File No. 579, an act to legalize the independent school district of Plainfield, Bremer county, Iowa.

Substitute for House File No. 314, an act to provide for the subdivision of independent school districts.

House File No. 252, an act to legalize the official acts of F. D. Lindale, a justice of the peace in and for Benton county.

House File No. 388, an act to repeal sections 4048, 4049, 4050, and 4051 of the Code, chapter 69 of the laws of the Fifteenth General Assembly, and chapter 122 of the laws of the Sixteenth General Assembly, in relation to the protection of game, etc.

House File No. 576, an act to legalize the official acts of James D. Carson, as justice of the peace.

Substitute for Senate File No. 54, an act to provide for the organization of the State militia, and entitled the Military Code of Iowa, and fixing the salaries of certain officers.

Substitute for House File No. 299, an act making appropriations for the construction of the new capitol building, for the purchase of a lot, and the construction of a sewer therefor.

M. N. JOHNSON, *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:

Senate File No. 152, an act to legalize the levy of certain bridge taxes, by the board of supervisors of Greene county, Iowa.

Senate File No. 119, an act to enable the Trustees of the Protestant Methodist church "of Iowa City," to transfer certain property.

Substitute for Senate File No. 140, an act making appropriations for the maintenance of the Normal School at Cedar Falls, and amending chapter 129, of acts of the Sixteenth General Assembly.

Senate File No. 136, an act making appropriations for the Iowa Hospital for the Insane, at Mt. Pleasant.

W. V. LUCAS, *Clerk.*

REPORT OF COMMITTEE.

By leave Senator McCoid, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 88, a bill for an act to repeal section 902 of the Code, and 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 without recommendation.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 334, a bill for an act to confer certain powers upon any Home for the Friendless, incorporated under the laws of Iowa, in relation to the control and disposition of minor children who become inmates thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 52, a bill for an act making it necessary for county recorders to attest the acknowledgement of satisfaction of any mortgage not satisfied by instruments duly acknowledged and 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 without recommendation.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 76, a bill for an act to amend section 3327 of the Code of 1873, in relation to the satisfaction of mortgages, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

Ordered passed on file.

Also the following:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 201, a bill for an act to legalize certain tax levies and assessments made by the counties of Boone and Crawford, 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.

M. A. McCoid, *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 has passed the following bill in which the concurrence of the Senate is asked:

House File No. 379, a bill for an act to provide for taking the census of the State.

Also have passed without amendment,

Senate File No. 22, a bill for an act to authorize cities, towns, and townships to regulate the sale of coal oil.

Senate File No. 284, a bill for an act to repeal chapter 156 of the laws of the Sixteenth General Assembly, and to enact a substitute therefor.

Also, that the House has refused to recede from amendments to

Senate File No. 253, a bill for an act in relation to revenue, and have appointed as a committee of conference, on the part of the House, Messrs. Hiatt, Rickle, and Crooks.

Also, without amendment:

Senate File No. 285, a bill for an act amendatory to section 4773 of the Code, relating to the furnishing of supplies for the penitentiaries.

The House has also appointed as a further committee of conference on House File No. 296, a bill making appropriations for the support of the Soldiers' Orphans' Home, Messrs. Tremain, Gray, and Wilson of Polk.

W. V. LUCAS, *Clerk*.

On motion of Senator Ham, Senate File No. 334, a bill for an act to confer certain powers upon any home for the friendless incorporated under the laws of Iowa, in relation to the control and disposition of minor children to become inmates thereof, with report of committee recommending that it do pass, was taken up and considered.

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

On the adoption of the motion, the yeas and nays were demanded, and The yeas were:

Senators Bestow, Blackman, Bronson, Carr, Chase, Clark, Dows, Dwelle, Ford, Foster, Gilmore, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, Madson, Maginnis, Merrell, Miller, Nichols of Guthrie, Patterson, Rumble, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—42.

The nays were:

Senators Dashiell, and Graham—2.

Absent or not voting:

Senators Arnold, Gallup, McCormack, Meyer, Nichols of Benton, and Russell—6.

So the motion to suspend the eleventh rule prevailed, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bestow, Bronson, Carr, Chase, Clark, Dows, Dwelle, Ford,

Foster, Gilmore, Ham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Lawrence, Lewellen, McCoid, Madson, Maginnis, Merrell, Meyer, Nichols of Guthrie, Patterson, Rumble, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Wright, and Young—37.

The nays were:

Senators Dashiell, Graham, Haines, Hanna, Larrabee, and Miller—6.

Absent or not voting:

Senators Arnold, Blackman, Gallup, McCormack, Nichols of Benton, Russell, and Woolson—7.

So the bill passed and title was agreed to.

REPORT OF COMMITTEE OF CONFERENCE.

Your Committee of Conference, on the disagreement between the two Houses on House File No. 296, beg leave to report that they have met, and after a full and frank conference, agreed to report the following:

That the majority of the Senate Committee insist on the amendments adopted by the Senate, and the House Committee adhere to the original bill.

FRED. TEALE,
R. M. HAINES,
J. N. W. RUMPLE.

REPORT OF COMMITTEE.

By leave, Senator Hebard, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Substitute for House File No. 492, a bill for an act making appropriation for the relief of McHenry & Hale, beg leave to report that 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 by striking out the word "six" and inserting "four," and when so amended, that it do pass.

A. HEBARD, *Chairman.*

Ordered passed on file.

House File No. 207, a bill for an act to amend chapter 125, acts of the Sixteenth General Assembly, relating to the bonding of county indebtedness, with report of committee recommending it do pass, was taken up and considered.

Senator Hartshorn moved that the eleventh rule be suspended, and the bill 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 Bestow, Blackman, Bronson, Carr, Chase, Clark, Dwelle, Ford, Foster, Graham, Haines, Harmon, Harned, Hartshorn, Hebard, Kimball, Kinne, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Meyer, Miller, Nichols of Guthrie, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Wright, and Young—36.

The nays were:

Senators Dashiell, Dows, Gilmore, Hanna, Larrabee, Merrell, Patterson, and Woolson—8.

Absent or not voting:

Senators Arnold, Gallup, Ham, Hemenway, Johnson, and Nichols of Benton—6.

So the bill passed and the title was agreed to.

Senator Arnold was excused for the evening.

Substitute for House File No. 26, a bill for an act to repeal section 2272, chapter 5, title 15 of the Code, in relation to the guardianship of drunkards, spendthrifts and lunatics, and to enact a substitute therefor, with report of committee recommending amendments, was taken up, considered, and the report of committee adopted.

Senator Gilmore moved that the eleventh rule be suspended, and the bill 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 Bestow, Blackman, Bronson, Carr, Chase, Dashiell, Dows, Dwelle, Ford, Foster, Gilmore, Graham, Haines, Ham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Larrabee, Lawrence, Lewellen, McCoid, Madson, Magiunis, Merrell, Meyer, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Teale, Webb, Wilson, Wonn, Woolson, Wright, and Young—39.

The nays were:

Senators Kinne, and Miller—2.

Absent or not voting:

Senators Arnold, Clark, Gallup, Hanna, Johnson, Kimball, McCormack, Nichols of Benton, and Stoneman—9.

So the bill passed and the title was agreed to.

ENROLLED BILLS.

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

MR. PRESIDENT—The Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

Senate File No. 152, a bill for an act to legalize the levy of certain bridge taxes by the board of supervisors of Greene county, Iowa.

Senate File No. 184, a bill for an act to prevent trustees and other officers of State institutions from furnishing supplies to or being interested in contracts with such institutions, and to punish the violation of the same.

Senate File No. 240, a bill for an act for the relief of James and O. P. Wickham, contractors for the erection of the west lateral wing of the Deaf and Dumb Asylum at Council Bluffs, and making appropriation therefor.

Senate File No. 119, a bill for an act to enable the trustees of the Protestant Methodist Church, of Iowa City, to transfer certain property.

Senate File No. 282, a bill for an act making appropriations for the Boys' Reform School at Eldora.

Joint Resolution, authorizing the Governor to accept and receive grants or appropriations from the United States for the purpose of indemnifying settlers on lands in Iowa.

Senate File No. 47, an act in relation to liens on real estate of judgments in the District and Circuit Courts of the United States.

Senate File No. 283, an act making appropriations for indebtedness incurred in putting in heating apparatus in the Deaf and Dumb Institution at Council Bluffs, and for other deficiencies.

Senate File No. 138, an act to provide for the rebuilding of the Institution for the Deaf and Dumb, and to provide for the government of the same, and repeal a portion of section 1685 of the Code.

A Joint Resolution in relation to the International Prison Congress at Stockholm, Sweden.

Senate File No. 323, a bill for an act making a special appropriation for the Asylum for Feeble-Minded Children at Glenwood, Iowa.

Senate File No. 70, a bill for an act to repeal section 1766 of the Code, relating to examination of teachers and issuing certificates, and enacting a substitute therefor.

Senate File No. 1, a bill for an act entitled an act relating to the trial of equitable actions.

Senate File No. 140, a bill for an act making appropriations for the maintenance of the Normal School at Cedar Falls, and amending chapter 129, of acts of Sixteenth General Assembly.

Senate File No. 136, a bill for an act making appropriations for the Iowa Hospital for the Insane at Mt. Pleasant.

Senate File No. 321, a bill for an act for the payment of the State militia, for service in preventing anticipated riots in the year 1877.

Senate File No. 293, a bill for an act making appropriations for the additional penitentiary and stone quarry at Anamosa.

Senate File No. 53, a bill for an act to amend section 1241 of the Code, title 10, chapter 4, relating to taking private property for works of internal improvement.

M. N. JOHNSON, *Chairman.*

Senate File No. 326, a bill for an act reserving claims, actions, and judgments for overcharges, penalties for overcharges, or other claims or actions against any railroad company, as provided by chapter 68, of the acts of the Fifteenth General Assembly, from the operation of chapter 77, of the acts of the Seventeenth General Assembly, repealing chapter 68, of the acts of the Fifteenth General Assembly, and providing for the establishment of a board of railroad commissioners, and defining their duties and term of office, was taken up and considered.

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

Senator Russell moved to refer the bill to the Committee on Judiciary, with instructions to report to-morrow morning, at 9 o'clock.

On the adoption of the motion the yeas and nays were demanded, and

The yeas were:

Senators Bestow, Clark, Dows, Harmon, Hebard, Johnson, Kimball, Kinne, Larrabee, Lewellen, McCoid, McCormack, Madson, Russell, Shelley, Stoneman, Wonn, and Wright—18.

The nays were:

Senators Bronson, Carr, Chase, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harned, Hartshorn, Hemenway, Lawrence, Maginnis, Merrell, Meyer, Miller, Patterson, Rumple, Teale, Webb, Woolson, and Young—26.

Absent or not voting:

Senators Arnold, Blackman, Ham, Nichols of Benton, Nichols of Guthrie, and Wilson—6.

So the motion to refer did not prevail.

On the adoption of the motion to suspend the eleventh rule, the yeas and nays were demanded, and

The yeas were:

Senators Bronson, Carr, Chase, Dashiell, Foster, Gallup, Graham, Haines, Hanna, Harned, Hemenway, Kimball, Lawrence, Maginnis, Merrell, Meyer, Rumple, Shelley, Teale, Wilson, Woolson, and Young—22.

The nays were:

Senators Bestow, Dows, Dwelle, Ford, Gilmore, Harmon, Hebard, Johnson, Kinne, Larrabee, Lewellen, McCoid, McCormack, Madson, Miller, Patterson, Russell, Stoneman, Webb, Wonn, and Wright—21.

Absent or not voting:

Senators Arnold, Blackman, Clark, Ham, Hartshorn, Nichols of Benton, and Nichols of Guthrie—7.

So the motion not having received a two-thirds vote, did not prevail.

The bill was then ordered engrossed.

Senator Larrabee moved that a Committee of Conference be appointed on the disagreeing vote between the two Houses on Senate File No. 253.

The motion prevailed, and the President appointed Senators Larrabee, Hemenway, and Stoneman, as such committee on the part of the Senate.

Senator Foster moved that a Committee of Conference on the disagreeing vote of the two Houses on House File No. 296, be appointed.

The motion prevailed.

Senator Miller moved to reconsider the vote by which House File No. 547 was lost.

Senator Stoneman moved to lay the motion on the table:

On the adoption of the motion, the yeas and nays were demanded, and

The yeas were:

Senators Bronson, Chase, Dwelle, Gallup, Graham, Hanna, Harned, Larrabee, Maginnis, Merrell, Meyer, Stoneman, Teale, Webb, Wilson, and Young—16.

The nays were:

Senators Carr, Dashiell, Dows, Foster, Gilmore, Haines, Ham, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Lawrence, Lewellen, McCoid, McCormack, Madson, Miller, Nichols of Guthrie, Patterson, Rumple, Russell, Shelley, Wonn, Woolson, and Wright—28.

Absent or not voting:

Senators Arnold, Bestow, Blackman, Clark, Ford, and Nichols of Benton—6.

So the motion to table did not prevail.

The motion to reconsider then prevailed.

Senator Hemenway moved that a teller be appointed on the part of the Senate for Joint Convention. Agreed to, and the President appointed Senator Hemenway.

House File No. 584, a bill for an act to cede to the United States exclusive jurisdiction over the Rock Island Arsenal bridge, across the Mississippi river, at Davenport, Iowa, was taken up and considered.

Senator Foster moved that the eleventh rule be suspended, and the bill 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 Blackman, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumple, Russell, Shelley, Stoneman, Webb, Wilson, Wonn, Woolson, Wright, and Young—44.

The nays were—None.

Absent or not voting:

Senators Arnold, Bestow, Bronson, Kinne, Nichols of Benton, and Teale—6.

So the bill passed and the title was agreed to.

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

MR. PRESIDENT—The Committee on Enrolled Bills, ask leave to report that they have examined the following bill, and find the same correctly enrolled:

House File No. 584, a bill for an act appropriating money for the use of rooms occupied by committees.

M. N. JOHNSON, *Chairman*.

Substitute for Senate File No. 169, a bill for an act to authorize cities of the first class to provide for the construction of sewers, additional to Code, chapter 10, title 4, concerning cities and incorporated towns, was taken up and considered.

Senator Webb moved that the eleventh rule be suspended, and the bill 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 Blackman, Carr, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Harmon, Hartshorn, Hemenway, Kimball, Larrabee, McCoid, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumple, Russell, Shelley, Stoneman, Webb, Wilson, Wonn, Woolson, Wright, and Young—33.

The nays were—None.

Absent or not voting:

Senators Arnold, Bestow, Bronson, Chase, Clark, Dashiell, Dows, Hanna, Harned, Hebard, Johnson, Kinne, Lawrence, Lewellen, McCormack, Nichols of Benton, and Teale—17.

So the bill passed and the title was agreed to.

By leave, Senator Kimball introduced Senate File No. 335, a bill for an act to amend chapter 125, of the laws of the Seventeenth General Assembly, and provide for the publication of an act entitled "The Military Code of Iowa."

Read first and second time.

On motion of Senator Kimball, the eleventh rule was suspended, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bestow, Blackman, Bronson, Carr, Chase, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Kinne, Larrabee, Lewellen, McCoid, Madson, Maginnis, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Stoneman, Wilson, Wonn, Wright, and Young—36.

The nays were—None.

Absent or not voting:

Senators Arnold, Clark, Dashiell, Dows, Ham, Harned, Lawrence, McCormack, Merrell, Nichols of Benton, Shelley, Teale, Webb, and Woolson—14.

So the bill passed and the title was agreed to.

House File No. 411, a bill for an act to legalize the acknowledgment of deeds by deputy clerks of courts, county auditors, and deputy county auditors, was taken up and considered.

Senator Hartshorn moved that the eleventh rule be suspended, and the bill 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 Bestow, Blackman, Carr, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Hartshorn, Hemenway, Johnson, Kinne, Larrabee, Lewellen, McCoid, Madson, Meyer, Nichols of Guthrie, Patterson, Rumble, Russell, Stoneman, Wonn, Woolson, and Wright—28.

The nays were—None.

Absent or not voting:

Senators Arnold, Bronson, Chase, Clark, Dashiell, Dows, Dwelle, Harmon, Harned, Hebard, Kimball, Lawrence, McCormack, Maginnis, Merrell, Miller, Nichols of Benton, Shelley, Teale, Webb, Wilson, and Young—22.

So the bill passed and the title was agreed to.

The President appointed Senators Young, Graham, and Ham, a Committee of Conference, on disagreeing vote of the two houses on House File No. 296.

Senate File No. 113, a bill for an act to provide for the appointment of a State Entomologist, and define his duties, with amendments pending was taken up, considered, and the amendments were adopted.

On motion of Senator Larrabee, the eleventh rule was suspended, and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bestow, Chase, Dwelle, Ford, Gallup, Haines, Ham, Harmon, Hartshorn, Hemenway, Johnson, Kimball, Kinne, Larrabee, Miller,

Nichols of Guthrie, Russell, Stoneman, Wonn, Woolson, Wright, and Young—22.

The nays were:

Senators Carr, Clark, Dashiell, Foster, Gilmore, Graham, Hanna, Harned, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Patterson, Rumble, and Wilson—17.

Absent or not voting:

Senators Arnold, Blackman, Bronson, Dows, Hebard, Lawrence, Lewellen, Nichols of Benton, Shelley, Teale, and Webb—11.

So the bill, not having received a constitutional majority, did not pass.

REPORT OF COMMITTEE OF CONFERENCE.

Your Committee of Conference on the disagreement between the two Houses, on Senate File No. 34, beg leave to report that they have met, and after a full and frank conference beg leave to report the following:

We recommend that the Senate concur in the House amendment, changing the word "twenty" in section 4 of the act to "ten," and retaining section 4 of the bill, and that with this amendment the original bill do pass; and that the Senate do not concur in the further amendments suggested to the bill, but that the House recede therefrom.

ADAM KIMBALL,

THOS. HAINES,

W. A. FOSTER,

Committee on part of the Senate.

J. M. PARKER,

WM. URE,

FRED. O'DONNELL.

Committee on part of the House.

On the question, shall the Senate concur in the report of the committee?

The yeas were:

Senators Bestow, Bronson, Chase, Clark, Dows, Dwelle, Foster, Gilmore, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, McCormack, Merrell, Meyer, Patterson, Russell, Teale, Webb, Woolson, Wright, and Young—27.

The nays were:

Senators Carr, Gallup, Graham, Haines, McCoid, Maginnis, Miller, Stoneman, and Wilson—9.

Absent or not voting:

Senators Arnold, Blackman, Dashiell, Ford, Kinne, Larrabee, Lawrence, Lewellen, Madson, Nichols of Benton, Nichols of Guthrie, Rumble, Shelley, and Wonn—14.

So the report of the committee 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:

House File No. 286, an act amendatory of section 2, chapter 123, of the acts of the Sixteenth General Assembly, relating to townships and incorporated towns and cities, to aid in the construction of railroads.

House File No. 530, an act entitled an act for the better security of the revenue, regulating the duties of county treasurers and boards of supervisors in relation to the same, and amending section 912 of the Code.

House File No. 538, an act appropriating money for the payment of the salary of the commission of the Anamosa Penitentiary.

House File No. 546, an act making an appropriation to Mills & Co. for supplies furnished to the State.

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

House File No. 576, an act to legalize the official acts of James D. Carson as justice of the peace.

House File No. 568, an act to exempt certain railroads from the operation of section 7, of chapter 118, of the laws of the Sixteenth General Assembly.

House File No. 520, an act to legalize the revised ordinances of the city of Vinton.

Also passed the following bills without amendment:

Senate File No. 332, a bill for an act for the construction of fishways.

Also, that the House has appointed as Committee of Conference on Senate File No. 34, a bill for an act to amend chapter 47, laws of the Sixteenth General Assembly, in relation to empowering cities, etc., Messrs. Ure, Parker, and O'Donnell.

Senate File No. 328, a bill for an act to provide for the payment of the Fort Madison Investigating Committee.

Senate File No. 329, a bill for an act to amend section 1381 of the Code, providing for the payment of tuition of pauper children.

W. V. LUCAS, *Clerk*.

On motion of Senator Wright, substitute for Senate File No. 278, a bill for an act to provide for the maintenance of the Asylum for Feeble-Minded Children, at Glenwood, Iowa, with House amendments, was taken up and considered.

On the question, shall the Senate concur in the House amendments?

The yeas were:

Senators Hanna, Harmon, Hemenway, Lawrence, Miller, Rumble, and Wright—7.

The nays were:

Senators Bestow, Blackman, Bronson, Carr, Chase, Clark, Dows,

*NOTE.—There is a mistake about this message, as these bills have been acted on and enrolled, and this must be for signature.—SECRETARY.

Dwelle, Gallup, Haines, Ham, Harned, Hartshorn, Hebard, Johnson, Kimball, McCoid, Maginnis, Merrell, Meyer, Patterson, Teale, Webb, Wilson, Wonn, and Woolson—26.

Absent or not voting:

Senators Arnold, Dashiell, Ford, Foster, Gilmore, Graham, Kinne, Larrabee, Lewellen, McCormack, Madson, Nichols of Benton, Nichols of Guthrie, Russell, Shelley, Stoneman, and Young—17.

So the Senate refused to concur in the House amendments.

House File No. 279, a bill for an act to provide for taking the census of the State, was taken up and read first and second time.

Senator Chase moved that the eleventh 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 Bestow, Blackman, Carr, Chase, Clark, Dwelle, Ford, Gallup, Gilmore, Hartshorn, Hebard, Hemenway, Lawrence, Lewellen, Madson, Miller, Russell, Teale, Webb, Wonn, and Wright—21.

The nays were:

Senators Dashiell, Graham, Haines, Harned, Johnson, McCoid, Maginnis, Merrell, Meyer, Patterson, Rumple, Shelley, Wilson, Woolson, and Young—15.

Absent or not voting:

Senators Arnold, Bronson, Dows, Foster, Ham, Hanna, Harmon, Kimball, Kinne, Larrabee, McCormack, Nichols of Benton, Nichols of Guthrie, and Stoneman—14.

So the bill, not having received a constitutional majority, did not pass.

Senator Young moved to reconsider the vote by which the bill was lost.

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

The motion to reconsider was agreed to, and the bill passed on file.

House File No. 451, a bill for an act to legalize certain tax sales in Fremont county, with report of committee recommending it do pass, was taken up and considered.

Senator Lewellen moved that the eleventh rule be suspended, and the bill 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 Blackman, Carr, Clark, Dwelle, Ford, Gallup, Graham, Haines, Ham, Hartshorn, Lewellen, McCormack, Meyer, Rumple, Shelley, Teale, and Wonn—17.

The nays were:

Senators Gilmore, Hanna, Harned, Hebard, Hemenway, McCoid, Madson, Maginnis, Merrell, Miller, Nichols of Guthrie, Patterson, Webb, Wilson, Woolson, Wright, and Young—17.

Absent or not voting:

Senators Arnold, Bestow, Bronson, Chase, Dashiell, Dows, Foster, Harmon, Johnson, Kimball, Kinne, Larrabee, Lawrence, Nichols of Benton, Russell, and Stoneman—16.

So the bill, not having received a constitutional majority, did not pass.

House File No. 283, a bill for an act to make cities and incorporated towns road districts in certain cases, and to define their rights and liabilities, was taken up and considered.

Senator Teale moved to amend by inserting after the word "limits," in the third line of section 1, the words, "or of the highways leading to such town." Not agreed to.

Senator Hemenway moved that the eleventh rule be suspended, and the bill 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 Bestow, Blackman, Bronson, Carr, Clark, Dwelle, Ford, Foster, Gallup, Haines, Harmon, Hartshorn, Hebard, Larrabee, Lawrence, Meyer, Patterson, Russell, Shelley, Webb, Woolson, and Wright—22.

The nays were:

Senators Dashiell, Gilmore, Graham, Ham, Harned, Hemenway, Johnson, McCoid, McCormack, Madson, Maginnis, Merrell, Teale, and Wilson—14.

Absent or not voting:

Senators Arnold, Chase, Dows, Hanna, Kimball, Kinne, Lewellen, Miller, Nichols of Benton, Nichols of Guthrie, Rumble, Stoneman, Wonn, and Young—14.

So the bill, not having received a constitutional majority, was lost.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate File No. 240, a bill for an act for the relief of James and O. P. Wickham, contractors for the erection of the west lateral wing of the Deaf and Dumb Asylum at Council Bluffs, and making appropriations therefor.

Also, have examined the following bills, and find the same correctly enrolled:

House File No. 577, a bill for an act providing for the employment of one guard for every eight prisoners at the Anamosa Penitentiary.

House File No. 207, a bill for an act to amend chapter 125, acts of the Sixteenth General Assembly, relating to the bonding of county indebtedness.

M. N. JOHNSON, *Chairman.*

Senator McCoid moved a call of the Senate, which motion prevailed.

The roll was called and Senators Kimball, Teale, and Young were found absent without leave.

Senator Hemenway moved that further proceedings under the call be dispensed with.

The motion did not prevail.

The absentees were brought to the bar of the Senate, and excused.

On motion of Senator Ham, further proceedings under the call were dispensed with.

House File No. 193, a bill for an act to repeal section 3849, chapter 2, title 24 of the Code, and to enact a substitute therefor, and to restore capital punishment, was taken up and considered.

Senator Foster moved to amend section 1, by striking out all after the word "death," in 7th line.

On this motion the yeas and nays were demanded, and

The yeas were:

Senators Carr, Ford, Foster, Hanna, Harmon, Hebard, Hemenway, Johnson, Lewellen, Maginnis, Miller, Rumble, and Woolson—13.

The nays were:

Senators Bestow, Blackman, Chase, Clark, Dashiell, Dows, Dwelle, Gilmore, Graham, Haines, Hartshorn, Larrabee, McCoid, McCormack, Madson, Merrell, Meyer, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Wright, and Young—28.

Absent or not voting:

Senators Arnold, Bronson, Gallup, Ham, Harned, Kimball, Kinne, Lawrence, and Nichols of Benton—9.

The amendment was lost.

The bill was ordered to 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 has passed the following bills and resolution, without amendments

Senate File No. 334, a bill for an act to confer certain powers upon any Home for the Friendless, incorporated under the laws of Iowa, in relation to the control and disposition of minor children who become inmates thereof.

Senate File No. 271, a bill for an act to protect Capitol and Governor's Square.

Concurrence in Joint Resolution, relative to bringing suit against Martin Heisey & Seth H. Craig.

Senate File No. 316, a bill for an act to legalize the official acts of Wm. R. Daniels, a notary public of Hamilton county.

The House appoints as a Committee of Conference on the disagreeing vote on Senate File No. 278, Messrs. Parkinson, Parker and Paul.

* The House appoints as Committee of Conference on the disagreeing vote on the appropriation for the Insane Hospital, at Mt. Pleasant, Messrs. Bleidung, Hamilton and Morse.

W. V. LUCAS, *Clerk.*

Senator Wright moved to appoint a Committee of Conference upon the disagreeing vote of the two Houses on Senate File No. 278. Agreed to.

House File No. 581, a bill for an act to amend section 4374 of the Code of 1873.

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

NOTE.—As this bill has been enrolled and signed, this Committee of Conference is a mistake.—SECRETARY.

On the question, shall the bill pass?

The yeas were:

Senators Bestow, Blackman, Bronson, Carr, Clark, Dwelle, Foster, Gallup, Graham, Haines, Hanna, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, McCormack, Maginnis, Merrell, Miller, Nichols of Guthrie, Patterson, Rumble, Shelley, Stoneman, Webb, Wilson, Wonn, and Wright—32.

The nays were:

Senators Dashiell, Gilmore, Harmon, Lewellen, Madson, Russell, Teale, Woolson, and Young—9.

Absent or not voting:

Senators Arnold, Chase, Dows, Ford, Ham, Kinne, McCoid, Meyer, and Nichols of Benton—9.

So the bill passed and the title was agreed to.

ENROLLED BILLS.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval the following bills, to-wit:

House File No. 520, a bill for an act to legalize the revised ordinances of the city of Vinton.

House File No. 576, a bill for an act to legalize the official acts of James D. Carson as justice of the peace.

House File No. 568, a bill for an act to exempt certain railroads from the operation of section 7, of chapter 118, of the laws of the Sixteenth General Assembly.

House File No. 538, a bill for an act appropriating money for paying the salary of the commissioners of the Anamosa Penitentiary.

House File No. 564, a bill for an act appropriating money for the use of rooms occupied by committees.

M. N. JOHNSON, *Chairman*.

Senators Carr, Hanna, Harned, and Rumble were excused for the balance of the day.

House File 529, a bill for an act to define what shall be a lawful fence in relation to the fencing of railroads, was taken up and considered.

Senator Ham moved that the eleventh rule be suspended, and that the bill be read a third time now, which motion was lost.

The bill was lost on engrossment.

Senator Shelley was excused for the rest of the day.

On motion of Senator Stoneman, a recess of twenty minutes was taken.

AFTER RECESS.

Called to order by the President.

The President announced Senators Wright, Hebard, and Wilson, a Committee of Conference on the disagreeing vote of the two Houses on Senate File No. 136.

Senator Larrabee moved that when the Senate adjourn it be until 8:30 to-morrow morning. Agreed to.

Senator Stoneman moved to reconsider the vote by which Senate File No. 216 was lost, which motion prevailed.

Senate File No. 281, a bill for an act making appropriations for the College for the Blind, with amendments reported by the House, was taken up and considered.

On the question, shall the Senate concur in the House amendments?

The yeas were:

Senators Bestow, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dows, Foster, Gallup, Gilmore, Haines, Ham, Harmon, Hartshorn, Hebard, Hemenway, Kimball, Larrabee, Lewellen, McCoid, McCormack, Madson, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Stoneman, Teale, Webb, Wonn, Woolson, Wright and Young—37.

The nays were:

Senator Gilmore—1.

Absent or not voting:

Senators Arnold, Dwelle, Ford, Hanna, Harned, Johnson, Kinne, Lawrence, Nichols of Benton, Russell, Shelley, and Wilson—12.

So the Senate concurred in House amendments.

At 1 o'clock, A. M., the Senate proceeded to the Hall of the House.

HALL OF THE HOUSE OF REPRESENTATIVES.

JOINT CONVENTION.

President, *pro tem.*, Woolson called the Joint Convention to order, stated the purpose for which it assembled, and announced Senator Hemenway as teller on part of the Senate.

On motion of Mr. Gleason, the Joint Convention took a recess of fifteen minutes.

Joint Convention called to order by the President, *pro tem.*

Mr. King offered the following resolution:

Be it resolved by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled, that the following named persons are hereby declared duly elected Regents of the State University and Trustees of the various State Institutions, to-wit:

REGENTS OF STATE UNIVERSITY.

For full Term—H. C. Bulis and John F. Duncombe.

To fill out the Unexpired Term of Austin Adams—A. T. Reeves.

TRUSTEES FOR THE IOWA AGRICULTURAL COLLEGE.

For full Term of Four Years—H. C. Little, J. N. Dixon and Wm. McClintock.

To fill out the Unexpired Term to which Wm. Blain was Elected—George H. Wright.

TRUSTEES FOR THE IOWA HOSPITAL FOR THE INSANE AT MT. PLEASANT.

For full Term—Timothy Whiting, Mrs. S. P. Rider and L. E. Fellows.

To fill out the Unexpired Term to which C. E. Whiting was Elected—D. D. Davidson.

TRUSTEES FOR THE IOWA COLLEGE FOR THE BLIND.

Jacob Springer, George Morehouse and William H. Westbrook.

TRUSTEES FOR THE ASYLUM FOR FEEBLE-MINDED CHILDREN AT GLENWOOD.

E. R. S. Woodrow, J. M. Hiatt and D. M. Baker.

TRUSTEES FOR ASYLUM FOR DEAF AND DUMB.

Alfred Hebard, Fred. Teale and John H. Stubenrauch.

TRUSTEES FOR THE HOSPITAL FOR THE INSANE, AT INDEPENDENCE.

Lewis H. Smith, and David Hammer.

TRUSTEES FOR THE NORMAL SCHOOL AT CEDAR FALLS.

L. D. Lewellen, and N. W. Boyer.

TRUSTEES OF ORPHANS' HOME, AT DAVENPORT.

C. C. Horton, S. P. Bryant, and John P. Irish.

TRUSTEES OF REFORM SCHOOL, AT ELDORA.

Thos. E. Corkhill.

The roll was then called.

Those voting for the resolution, were:

Messrs. Alford, Allen, Ashby, Baker, Barrett, Bliedung, Bloom, Bolton, Bowdish, Brown, Calvin, Carson, Clayton, Coomes, Crooks, Curtiss, Dashiell, Deweese, Duncan, Dwelle, Flick, Foster, Gammons, Gardner, Gilmore, Gleason, Graham, Hadley, Haines, Hallock, Harmon, Harts-horn, Hemenway, Heron, Hiatt, Higgins, Holbrook, Jaqua, Kauffman, King, Knoll, Kopp, Lessenger, Lyman, Lyon, McCartney, McCoid, Macy, Mallory, Manning of Winneshiek, Maynard, Morse, Mueller, Nichol of Mahaska, O'Brien, Paul, Perrin, Ratcliff, Rhode, Scott, Sea-man, Seymour, Sherrard, Stephenson, Stone of Marion, Stone of Mills, Taylor, Terry, Updegraff, Ure, Walker, Whaley, Williams, Wood, Woolson, Wright of Pottawattamie, Wright of Warren, Wright of Wayne, Yorán, and Young of Clinton—80.

So the resolution was adopted.

The following certificates were read and signed in the presence of the Joint Convention:

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, March 25, 1878. }

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Trustees of the Agricultural College, J. N. Dixon having received a majority of all the votes cast for said office, was declared duly elected member of such Board 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of Senate.

JOHN Y. STONE,
Speaker of House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller of Senate.

EDWARD TAYLOR,
Teller of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878. }

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Trustees of the Institution for the Deaf and Dumb, John H. Stubenrauch having received a majority of all the votes cast for said office, was declared duly elected member of said Board 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of Senate

JOHN Y. STONE,
Speaker of House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller of Senate.

EDWARD TAYLOR,
Teller of House of Representatives.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878.

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Trustees of the Asylum for the Feeble-Minded, D. M. Baker, having received a majority of all the votes cast for said office, was declared duly elected member of said board, 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of Senate.

JOHN Y. STONE,
Speaker of House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller of Senate.

EDWARD TAYLOR,
Teller of House of Representatives.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878.

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Trustees of the Iowa Reform School, Thomas E. Corkhill, having received a majority of all the votes cast for said office, was declared duly elected member of said Board, 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of Senate.

JOHN Y. STONE,
Speaker of House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller of Senate.

EDWARD TAYLOR,
Teller of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878.

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Trustees of the Asylum for the Feeble-Minded, E. R. S. Woodrow having received a majority of all the votes cast for said office, was declared duly elected member of such Board 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of Senate.

JOHN Y. STONE,
Speaker of House of Representatives.

ATTEST :

H. C. HEMENWAY,
Teller of Senate.

EDWARD TAYLOR,
Teller of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878.

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a Trustee for the Agricultural College, Wm. McClintock 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of Senate.

JOHN Y. STONE,
Speaker of House of Representatives.

ATTEST :

H. C. HEMENWAY,
Teller of Senate.

EDWARD TAYLOR,
Teller of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878. }

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Trustees of the Agricultural College, George H. Wright having received a majority of all the votes cast for said office, was declared duly elected member of such Board for the unexpired term to which William Blain was elected, and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, this 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of the Senate.

JOHN Y. STONE,
Speaker of the House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller of the Senate.

EDWARD TAYLOR,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878. }

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Regents of the Iowa State University, A. T. Reeves having received a majority of all the votes cast for said office, was declared duly elected member of such Board for the unexpired term of Austin Adams, and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, this 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of the Senate.

JOHN Y. STONE,
Speaker of the House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller of the Senate.

EDWARD TAYLOR,
Teller of the House of Representatives.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878. }

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Regents of the Iowa State University, H. C. Bulis, having received a majority of all the votes cast for said office, was declared duly elected member of such Board, 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of Senate.

JOHN Y. STONE,
Speaker of House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller of Senate.

EDWARD TAYLOR,
Teller of House of Representatives.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878. }

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Trustees of the Institution for the Deaf and Dumb, Alfred Hebard, having received a majority of all the votes cast for said office, was declared duly elected member of said Board, 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of the Senate.

JOHN Y. STONE,
Speaker of House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller of Senate.

EDWARD TAYLOR,
Teller of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878. }

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Trustees of the Independence Hospital for the Insane, Lewis H. Smith, having received a majority of all the votes cast for said office, was declared duly elected a member of such board, 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of the Senate.

JOHN Y. STONE,
Speaker of the House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller of the Senate.

EDWARD TAYLOR,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878. }

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Trustees of the Agricultural College, H. G. Little, having received a majority of all the votes cast for said office, was declared duly elected member of such board, 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of the Senate

JOHN Y. STONE,
Speaker of the House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller of the Senate.

EDWARD TAYLOR,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878. }

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Trustees of the College for the Blind, Milton H. Westbrook, having received a majority of all the votes cast for said office, was declared duly elected member of such board, 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 25th day of March, A. D. 1878.

JOHN S. WOOLSON,
President, pro tem., of the Senate
JOHN Y. STONE,

Speaker of the House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller of the Senate.

EDWARD TAYLOR,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878. }

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Trustees of the College for the Blind, Geo. Morehouse having received a majority of all the votes cast for said office, was declared duly elected member of such Board 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of the Senate.
JOHN Y. STONE,

Speaker of the House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller of the Senate.

EDWARD TAYLOR,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878. }

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Trustees for the College for the Blind, Jacob Springer having received a majority of all the votes cast for said office, was declared duly elected member of such Board 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of Senate.

JOHN Y. STONE,
Speaker of House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller of Senate.

EDWARD TAYLOR,
Teller of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878. }

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Trustees of the Soldiers' Orphans' Home, John P. Irish having received a majority of all the votes cast for said office, was declared duly elected member of said Board 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of Senate.

JOHN Y. STONE,
Speaker of House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller of Senate.

EDWARD TAYLOR,
Teller of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878. }

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Trustees of the Soldiers' Orphans' Home, S. P. Bryant having received a majority of all the votes cast for said office, was declared duly elected member of said Board 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of Senate.

JOHN Y. STONE,
Speaker of House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller of Senate.

EDWARD TAYLOR,
Teller of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878. }

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 the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Trustees for the Soldiers' Orphans' Home, C. C. Horton having received a majority of all the votes cast for said office, was declared duly elected a member of said board 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of Senate.

JOHN Y. STONE,
Speaker of House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller of the Senate.

EDWARD TAYLOR,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878. }

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Trustees for the Institution for the Deaf and Dumb, Fred. Teale having received a majority of all the votes cast for said office, was declared duly elected a member of said board 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of Senate.

JOHN Y. STONE,
Speaker House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller Senate.

EDWARD TAYLOR,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878. }

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Trustees of the Asylum for the Feeble-Minded, J. M. Hiatt having received a majority of all the votes cast for said office, was declared duly elected member of such Board 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of Senate.

JOHN Y. STONE,
Speaker House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller Senate.

EDWARD TAYLOR,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878. }

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Trustees of the Hospital for the Insane at Mount Pleasant, Timothy Whiting having received a majority of all the votes cast for said office, was declared duly elected member of said Board 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of Senate.

JOHN Y. STONE,
Speaker House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller Senate.

EDWARD TAYLOR,
Teller House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878. }

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Trustees of the Hospital for the Insane at Mount Pleasant, D. D. Davidson having received a majority of all the votes cast for said office, was declared duly elected member of said Board, for the unexpired term to which C. E. Whiting was elected, and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, this 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of the Senate.

JOHN Y. STONE,
Speaker of House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller of Senate.

EDWARD TAYLOR,
Teller of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878.

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Regents of the Iowa State University, John F. Duncombe having received a majority of all the votes cast for said office, was declared duly elected member of such Board, 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of Senate.

JOHN Y. STONE,
Speaker House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller of Senate.

EDWARD TAYLOR,
Teller House of Representatives.

HALL OF HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878.

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Trustees of the Hospital for the Insane at Mt. Pleasant, Mrs. S. P. Rider, having received a majority of all the votes cast for said office, was declared duly elected member of said Board, 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of the Senate.

JOHN Y. STONE,
Speaker of the House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller of the Senate.

EDWARD TAYLOR,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March, 25, 1878. }

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of the State Normal School, L. D. Lewellen, having received a majority of all the votes cast for said office, was declared duly elected member of such board 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of the Senate.

JOHN Y. STONE,
Speaker of the House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller of the Senate.

EDWARD TAYLOR,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES }
DES MOINES, IOWA, March 25, 1878. }

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Directors of the State Normal School, N. W. Boyes having received a majority of all the votes cast for said office, was declared duly elected a member of such board 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of the Senate

JOHN Y. STONE,
Speaker of the House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller of the Senate.

EDWARD TAYLOR,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878.

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Trustees of the Independence Hospital for the Insane, David Hammer having received a majority of all the votes cast for said office, was declared duly elected member of such Board, 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of Senate.

JOHN Y. STONE,
Speaker of House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller of Senate.

EDWARD TAYLOR,
Teller of House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, March 25, 1878.

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 Monday, the 25th day of March, A. D., 1878, for the purpose of electing a member of the Board of Trustees of the Hospital for the Insane at Mt. Pleasant, L. E. Fellows having received a majority of all the votes cast for said office, was declared duly elected member of said Board 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 25th day of March, A. D., 1878.

JOHN S. WOOLSON,
President, pro tem., of Senate.

JOHN Y. STONE,
Speaker of House of Representatives.

ATTEST:

H. C. HEMENWAY,
Teller of the Senate.

EDWARD TAYLOR,
Teller of the House of Representatives.

On motion of Mr. Stone, the joint convention dissolved.

At 3:20 A. M., the Senate returned to its chamber, and, on motion, adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 26, 1878. }

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

Pending reading of the journal of yesterday, Senator Harmon moved that further reading be dispensed with.

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 has passed the following bills without amendment :

Senate File No. 93, a bill for an act to amend chapter 123, of the laws of the Sixteenth General Assembly, relating to taxes in aid of railroads, which is entitled an act to enable townships and incorporated towns and cities to aid in the construction of railroads.

Substitute for Senate File No. 115, a bill for an act to amend section 6, of chapter 116, laws of the Sixteenth General Assembly, &c., &c.

Also, passed House File No. 587, a bill for an act in relation to abolishing supervisor districts in certain cases by a vote of the people.

I am directed to inform your honorable body that the House has concurred in the report of the Conference Committee on Senate File No. 34.

Also, has passed the following Joint Resolution in which the concurrence of the Senate is asked:

Joint Resolution, relative to furnishing Emmet, Buena Vista and Ida counties with copies of supreme court reports.

Has passed without amendment, Senate File No. 314, a bill for an act to create a commission to investigate the affairs of the Penitentiary at Ft. Madison, Iowa, during the administration of S. H. Craig, as Warden, and to continue the investigation already commenced by the Joint Committee of the Seventeenth General Assembly, and to provide for the compensation of said commission.

W. V. LUCAS, *Clerk.*

Senator Larrabee submitted a verbal report from the Sifting Committee, of the order in which bills shall be taken up.

On the adoption of the report the yeas and nays were demanded, and

The yeas were:

Senators Dashiell, Dows, Dwelle, Gallup, Gilmore, Graham, Haines, Ham, Harned, Kimball, Larrabee, McCoid, Madson, Merrell, Meyer, Nichols of Guthrie, Patterson, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Wright, and Young—25.

The nays were:

Senators Arnold, Blackman, Bronson, Chase, Clark, Ford, Foster, Hanna, Harmon, Hartshorn, Hebard, Hemenway, Johnson, Lewellen, McCormack, Maginnis, Miller, Rumple, Russell, and Woolson—20.

Absent or not voting:

Senators Bestow, Carr, Kinne, Lawrence, and Nichols of Benton—5.
So the report of the committee 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:

House File No 411, an act to legalize the acknowledgments of deeds by deputy clerks of court, county auditors, and deputy county auditors.

House File No. 169, an act to authorize cities of the first class to provide for the construction of sewers, additional to Code, chapter 10, title 4, concerning cities and incorporated towns.

House File No. 584, an act to cede to the United States, exclusive jurisdiction over the Rock Island Arsenal Bridge across the Mississippi river at Davenport, Iowa.

Substitute for House Files Nos. 271 and 301, an act apportioning the State into Representative Districts, and declaring the ratio of representation.

W. V. LUCAS, *Chief Clerk.*

REPORT OF COMMITTEE OF CONFERENCE.

Your Committee of Conference on the disagreement between the two houses on substitute for House File No. 296, beg leave to report that they have met, and after full and frank conference beg leave to report the following:

Strike out of the title of the bill, the words and figures “and to repeal sections 1, 2 and 3, of chapter 94, acts of the Sixteenth General Assembly, and provide a substitute therefor,” and strike out section 2 of the bill, and we recommend that when the bill is so amended that it be agreed to.

L. YOUNG,

M. M. HAM,

WM. GRAHAM,

Committee on part of the Senate.

F. A. J. GRAY,

I. H. TREMAIN,

Committee on part of the House.

On the adoption of the report,

The yeas were:

Senators Arnold, Blackman, Bronson, Carr, Chase, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Ham, Hanna, Harmon, Harts-horn, Kimball, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Maginnis, Meyer, Nichols of Guthrie, Patterson, Rumple, Russell, Shelley, Webb, Woolson, Wright, and Young—33.

The nays were:

Senators Dashiell, Haines, Harned, Madson, Merrell, Miller, Stone-man, Teale, Wilson, and Wonn—10.

Absent or not voting:

Senators Bestow, Clark, Hebard, Hemenway, Johnson, Kinne, and Nichols of Benton—7.

So the report was adopted.

REPORT OF COMMITTEE OF CONFERENCE.

Your Committee of Conference on the disagreement between the two Houses on Senate File No. 253, beg leave to report that they have met, and after a full and frank conference agreed to report the following:

That they cannot agree, and ask to be discharged from further service.

W. LARRABEE,
JOHN T. STONEMAN,
H. C. HEMENWAY,

Committee on part of the Senate.

J. C. HIATT,
H. RICKEL,
G. W. CROOKS,

Committee on part of the House.

The report was adopted.

REPORT OF COMMITTEE OF CONFERENCE.

Your Committee of Conference on the disagreement between the two Houses on substitute for Senate File No. 278, beg leave to report that they have met, and after a full and frank conference agreed to report the following:

Strike out of line 5 in section 1, \$5,000, and insert \$2,500; strike out of section 1, line 6, \$3,200, and insert \$2,000; strike out of section 1, line 9, \$1,000 and insert \$500; and when so amended we recommend the same be agreed to.

GEORGE T. WRIGHT,
ALFRED HEBARD,
WM. WILSON,

Committee on part of the Senate.

J. M. PARKER,
GEORGE PAUL,
B. PARKINSON,

Committee on part of the House.

On the question, shall the Senate concur in the report?

The yeas were:

Senators Arnold, Bestow, Carr, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Hartshorn, Hebard, Kimball, Larrabee, Lawrence, McCoid, McCormack, Madison, Maginnis, Meyer, Miller, Nichols of Guthrie, Patterson, Russell, Wilson, Wonn, Wright, and Young—31.

The nays were:

Senators Dows, Ham, Harned, Merrell, Shelley, Stoneman, and Webb—7.

Absent or not voting:

Senators Blackman, Bronson, Chase, Clark, Hemenway, Johnson, Kinne, Lewellen, Nichols of Benton, Rumble, Teale, and Woolson—12.

So the Senate concurred in the report.

House File No. 483, a bill for an act to prescribe a delinquent tax book, to remove liens, and for the payment of taxes in certain cases, was taken up and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Blackman, Carr, Dwelle, Gallup, Gilmore, Hebard, Kimball, Larrabee, McCoid, McCormack, Nichols of Guthrie, Patterson, Shelley, Stoneman, Webb, Wilson, Wonn, Wright, and Young—21.

The nays were:

Senators Chase, Dashiell, Dows, Ford, Graham, Haines, Ham, Hanna, Harned, Hartshorn, Lawrence, Madson, Maginnis, Merrell, Meyer, Miller, and Russell—17.

Absent or not voting:

Senators Bronson, Clark, Foster, Harmon, Hemenway, Johnson, Kinne, Lewellen, Nichols of Benton, Rumble, Teale, and Woolson—12.

So the bill, not having received a constitutional majority, did not pass.

Senate File No. 300, a bill for an act authorizing and directing the Governor to patent to the Sioux City & St. Paul Railroad Co. certain lands, and repealing chapter 34 of the private, local, and temporary acts of the Fifteenth General Assembly, with report of committee recommending a substitute, was taken up, considered, and the report of the committee was adopted.

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

On the adoption of the motion the yeas and nays were demanded, and

The yeas were:

Senators Arnold, Clark, Dows, Dwelle, Gallup, Gilmore, Haines, Hanna, Hartshorn, Hemenway, Kimball, Larrabee, Lawrence, Lewellen, Maginnis, Meyer, Miller, Patterson, Stoneman, Teale, Webb, Wilson, Wonn, and Young—24.

The nays were:

Senators Bestow, Bronson, Carr, Chase, Dashiell, Ford, Foster, Graham, Ham, Kinne, McCoid, McCormack, Merrell, Russell, Shelley, and Wright—16.

Absent or not voting:

Senators Blackman, Harmon, Harned, Hebard, Johnson, Madson, Nichols of Benton, Nichols of Guthrie, Rumble, and Woolson—10.

So the motion to suspend the eleventh rule did not prevail.

The bill was then ordered engrossed.

The President appointed as a new Committee of Conference on the disagreeing vote of the two Houses on Senate File No. 253, Senators Larrabee, Kimball, and Maginnis.

RESOLUTIONS.

Senator McCormack offered the following resolutions :

Resolved, That the thanks of the members of this Senate are hereby tendered to Hon. F. T. Campbell, for the honest, intelligent, and impartial manner in which he has performed his duty as our presiding officer.

Resolved, That Lieutenant-Governor Campbell is entitled to and carries with him, as the result of his manliness, worth, and uniform consideration for the members of this Senate, without regard to party, our warmest feelings of respect, and the hope that every act of his life may receive the consideration which his most excellent characteristics of head and heart have won for him in the past.

The resolutions were unanimously adopted by a rising vote.

REPORT OF COMMITTEE OF CONFERENCE.

Your Committee of Conference on the disagreement between the two houses on Senate File No. 136, beg leave to report that they have met, and after a full and frank conference agreed to report the following: Recommending

That the House recede from its amendment of \$750 for water pipes.

That the Senate agree to House amendment striking out appropriation for addition to heating apparatus of \$1,200. Also, to House amendment striking out \$500 for improvement of grounds and new fences.

The Committee recommend for new kitchen furniture the sum of \$1,000, instead of \$1,200, and recommend that the Senate agree to House amendment for contingencies of \$1,500, instead of \$2,000, and that House amendment of \$1,500 for fitting up laboratory be agreed to by the Senate.

Respectfully submitted,

J. N. W. RUMPLE,
P. W. LEWELLEN,
CHAS. E. BRONSON,

Committee on part of the Senate.

J. DON HAMILTON,
A. BLEIDUNG,
G. A. MORSE,

Committee on part of the House.

On the question, shall the Senate adopt the report of the Committee:
The yeas were:

Senators Arnold, Bestow, Blackman, Bronson, Carr, Dashiell, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Hanna, Harmon, Harned, Hartshorn, Hebard, Kimball, Kinne, Larrabee, Lawrence, Lewellen, McCoid, McCormack, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Webb, Wilson, Woolson, Wright, and Young—40.

The nays were—None.

Absent or not voting:

Senators Chase, Clark, Dows, Ham, Hemenway, Johnson, Madson, Nichols of Benton, Teale, and Wonn—10.

So the report of the Committee was adopted.

REPORT OF COMMITTEE OF CONFERENCE.

Your third Committee of Conference on the disagreement between the two houses on Senate File No. 253, beg leave to report that they have met, and after a full and frank conference agreed to report the following:

That after a full and free conference they have agreed to report the accompanying substitute.

W. LARRABEE,
AARON KIMBALL,
W. A. MAGINNIS,
On part of Senate.
E. B. HOAG,
FRED. O'DONNELL,
On part of House.

On the adoption of the report

The yeas were:

Senators Arnold, Blackman, Bronson, Carr, Chase, Clark, Dashiell, Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Harmon, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Lewellen, Madson, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Webb, Wright, and Young—34.

The nays were:

Senators Bestow, Hanna, Harned, Hartshorn, Kinne, McCoid, McCormack, Shelley, Stoneman, Teale, Wilson, and Woolson—12.

Absent or not voting:

Senators Maginnis, Merrell, Nichols of Benton, and Wonn—4.

So the report was adopted.

ENROLLED BILLS.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 332, an act to provide for the construction and maintenance of fish ways to enable fish to pass over dams across the rivers and streams of the State of Iowa;

Senate File No. 329, an act to amend section 1381 of the Code, providing for the payment of the tuition of pauper children;

Senate File No. 264, an act to repeal chapter 158 of the laws of the Sixteenth General Assembly, and to enact a substitute therefor;

Senate File No. 325, an act to meet the requirements of an act entitled the "Military Code of Iowa," which are not otherwise provided for, and to provide for the payments of transportation of arms, ammunition, and ordnance stores used by the Iowa National Guard, from the State Arsenal to the various regimental and company headquarters;

Senate File No. 333, an act making appropriations for the payment of State and Judicial officers, and certain expenses of the General Assembly;

Senate File No. 316, an act to legalize the act of Wm. R. Daniels, a notary public of Hamilton county;

Senate File No. 53, an act to amend section 1241 of the Code, title 10, chapter 4, relating to taking private property for works of internal improvement;

Senate File No. 271, an act to protect the State property known as Capitol Square and Governor's Square, in Des Moines, Iowa;

Senate File No. 34, an act to amend chapter 47, laws of the Sixteenth General Assembly, in relation to empowering cities to extend their corporate limits;

Senate File No. 281, an act making further appropriations for the College for the Blind;

Senate File No. 334, an act to confer certain powers upon any Home for the Friendless, incorporated under the laws of Iowa, in relation to the control and disposition of minor children who become inmates thereof;

Senate File No. 285, an act amendatory to section 4773 of the Code, relating to the furnishing of supplies for the Penitentiaries;

Senate File No. 328, an act making an appropriation for the payment of the expenses of the commission appointed by the Seventeenth General Assembly, for the investigation of the affairs of the Penitentiary at Fort Madison, as managed by the late warden, Seth H. Craig;

Senate File No. 22, an act to authorize cities, towns, and townships to regulate the sale of coal oil;

And find the same correctly enrolled.

Also, that they have this day presented to the Governor for his approval the following bills, to-wit:

House File No. 530, a bill for an act entitled an act for the better security of the revenue, regulating the duties of county treasurers and boards of supervisors in relation to the same, and amending section 912 of the Code.

House File No. 286, a bill for an act amendatory to section 2, chapter 123, of the acts of the Sixteenth General Assembly, relating to townships and incorporated towns and cities, to aid in the construction of railroads.

Substitute for House Files Nos. 271 and 301, a bill for an act apportioning the State into representative districts and declaring the ratio of representation.

House File No. 546, a bill for an act making appropriations to Mills & Co., for supplies furnished to the State.

M. N. JOHNSON, *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 agreed to and adopted the report of the Committee of Conference, on House File No. 296.

Also, have agreed to the report of Conference Committee on Senate File No. 278.

Also, have passed House File No. 589, a bill for an act to legalize the acts of the Mayor of the city of Council Bluffs, Iowa.

The House insists upon the House amendments to Senate File No. 253, and appoints as a new Committee of Conference on the part of the House, Messrs. Hoag, O'Donnell, and Nichol.

Also, substitute for Senate File No. 19, a bill for an act in relation to evidence in criminal actions, amending sections 3636 and 4421, and repealing section 4237, and part of section 4556 of the Code.

Senate File No. 63, a bill for an act to amend section 240, of chapter 10, title 3 of the Code.

The House has concurred in the report of the Conference Committee on Senate File No. 278, a bill providing for the support of the Institution for Feeble-Minded Children, at Glenwood.

Senate File No. 213, a bill for an act to amend section 1428 of the Code, relating to Insane expenses.

W. V. LUCAS, *Clerk.*

House File No. 193, a bill for an act to repeal section 3849, chapter 2, title 24, of the Code, and to enact a substitute therefor, and to restore capital punishment, was taken up.

Senator McCoid moved a call of the Senate. Agreed to.

The roll was called, and those found absent without leave were Senators Larrabee and Teale.

On motion of Senator Kinne, further proceedings under the call were dispensed with.

The bill was then read a third time.

Senator Foster was excused from voting.

On the question, shall the bill pass?

The yeas were:

Senators Bestow, Chase, Clark, Dashiell, Dows, Gallup, Gilmore, Graham, Haines, Ham, Harned, Hartshorn, Kimball, Kinne, Larrabee, McCoid, Madson, Merrell, Meyer, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Wright, and Young—30.

The nays were:

Senators Arnold, Blackman, Bronson, Carr, Dwelle, Ford, Hanna, Harmon, Hebard, Hemenway, Lawrence, Lewellen, McCormack, Maginnis, Miller, and Rumble—16.

Absent or not voting:

Senators Foster, Johnson, Nichols of Benton, and Woolson—4.

So the bill passed and the title was agreed to.

House File No. 174, a bill for an act to amend chapter 40 of the acts of the Sixteenth General Assembly, relating to the Additional Penitentiary at Anamosa, was taken up and considered.

Senator Carr moved that the eleventh rule be suspended, and the bill 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 Arnold, Bestow, Blackman, Bronson, Carr, Chase, Clark,

Dows, Dwelle, Ford, Foster, Gallup, Gilmore, Graham, Haines, Ham, Hanna, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, McCoid, Maginnis, Merrell, Meyer, Miller, Nichols of Guthrie, Patterson, Rumble, Russell, Shelley, Stoneman, Teale, Webb, Wilson, Wonn, Wright and Young—43.

The nays were:

Senators Dashiell, McCormack, and Madson—3.

Absent or not voting:

Senators Kinne, Lewellen, Nichols of Benton, and Woolson—4.

So the bill passed and the title was agreed to.

Senator Rumble moved to reconsider the vote by which substitute for Senate File No. 113, a bill for an act provide for the appointment of a State Entomologist, and to define his duties, was lost. Agreed to.

On the question, shall the bill pass?

The yeas were:

Senators Arnold, Bestow, Chase, Clark, Dows, Dwelle, Ford, Haines, Ham, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Larrabee, Lawrence, Merrell, Meyer, Miller, Nichols of Guthrie, Rumble, Russell, Shelley, Stoneman, Wonn, Woolson, Wright, and Young—28.

The nays were:

Senators Blackman, Bronson, Carr, Dashiell, Foster, Gilmore, Graham, Hanna, Harned, Lewellen, McCormack, Maginnis, Patterson, Teale, and Wilson—15.

Absent or not voting:

Senators Gallup, Harmon, Kinne, McCoid, Madson, Nichols of Benton, and Webb—7.

So the bill passed and the title was agreed to.

ENROLLED BILLS.

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

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined:

Senate File No. 278, an act making certain appropriations in aid of the Asylum for Feeble-Minded children;

Senate File No. 93, an act to amend chapter 123 of the laws of the Sixteenth General Assembly, relating to taxes in aid of railroads, which is entitled, "An act to enable townships and incorporated towns and cities to aid in the construction of railroads";

Senate File No. 115, an act to amend section 6, of chapter 116, laws of the Sixteenth General Assembly, the same being "An act relating to cities organized and existing under special charters," conferring additional powers, and amending the charters of such cities; additional to Code, chapter 10, title 4, "of cities and incorporated towns";

House File No. 584, a bill for an act to cede to the United States exclusive jurisdiction over the Rock Island Arsenal bridge across the Mississippi river at Davenport, Iowa;

House File No. 169, a bill for an act to authorize cities of the first class to provide for the construction of sewers; additional to Code, chapter 10, title 4, concerning cities and incorporated towns;

House File No. 411, a bill for an act to legalize the acknowledg-

ments of deeds by deputy clerks of court, county auditors, and deputy county auditors;

House File No. 581, a bill for an act to amend section 4374 of the Code of 1873;

Senate File No. 63, an act to amend section 240, of chapter 10, title 3, of the Code;

Senate File No. 314, an act to create a commission to investigate the affairs of the penitentiary at Ft. Madison, Iowa, during the administration of S. H. Craig as warden, and to continue the investigation already commenced by the Joint Committee of the Seventeenth General Assembly, and to provide for the compensation of said commission;

And find the same correctly enrolled.

M. N. JOHNSON, *Chairman.*

House File No. 490, a bill for an act to further protect the rights of holders of warehouse receipts, or vouchers, for grain, beef, pork, lard, and beef and pork products, was taken up and considered.

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

On the adoption of the motion, the yeas and nays were demanded, and

The yeas were:

Senators Arnold, Bestow, Bronson, Clark, Dows, Dwelle, Ford, Ham, Hartshorn, Hebard, Hemenway, Johnson, Kimball, Lawrence, Madson, Maginnis, Meyer, Nichols of Guthrie, Patterson, Rumble, Teale, Webb, Woolson, Wright, and Young—25.

The nays were:

Senators Carr, Chase, Dashiell, Gilmore, Graham, Haines, Lewellen, McCormack, Miller, Russell, Shelley, Stoneman, Wilson, and Wonn—14.

Absent or not voting:

Senators Blackman, Foster, Gallup, Hanna, Harmon, Harned, Kinne, Larrabee, McCoid, Merrell, and Nichols of Benton—11.

So the Senate refused to suspend the eleventh rule.

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 passed the following Concurrent Resolution, in which the concurrence of the Senate is asked.

Relative to publishing the School Laws.

Also, have concurred in report of Conference Committee on Senate File No. 136.

W. V. LUCAS, *Clerk.*

House Joint Resolution relative to publication of School Laws, was taken up, read first and second time.

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

On the question, shall the joint resolution pass?

The yeas were:

Senators Arnold, Bestow, Blackman, Bronson, Clark, Dows, Ford, Gilmore, Graham, Haines, Ham, Harmon, Harned, Hartshorn, Hebard, Hemenway, Johnson, Lawrence, Lewellen, Maginnis, Miller, Nichols of Guthrie, Patterson, Rumble, Shelley, Stoneman, Webb, Wonn, Woolson, Wright, and Young—31.

The nays were:

Senators Chase, and Russell—2

Absent or not voting:

Senators Carr, Dashiell, Dwelle, Foster, Gallup, Hanna, Kimball, Kinne, Larrabee, McCoid, McCormack, Madson, Merrell, Meyer, Nichols of Benton, Teale, and Wilson—17.

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:

Senate File No. 281, an act making further appropriations for the College for the Blind.

Senate File No. 334, an act to confer certain powers upon any home for the friendless incorporated under the laws of Iowa, &c.

Senate File No. 316, an act to legalize the official acts of Wm. R. Daniels, a notary public of Hamilton county.

House File No. 581, an act to amend section 4374 of the Code of 1873.

Senate File No. 329, an act to amend section 1381 of the Code, providing for the payment of the tuition of pauper children.

Senate File No. 264, an act to repeal chapter 156 of the laws of the Sixteenth General Assembly, and to enact a substitute therefor.

Senate File No. 328, an act making appropriation for the payment of the expenses of the Commission appointed by the Seventeenth General Assembly for the investigation of the affairs of the Penitentiary at Fort Madison, as managed by the late warden, Seth H. Craig.

Senate File No. 332, an act to provide for the construction and maintenance of fish-ways to enable fish to pass over dams across the rivers and streams of the State of Iowa.

Senate File No. 285, an act amendatory to section 4773 of the Code, relating to the furnishing of supplies to the penitentiaries.

Senate File No. 325, an act to meet the requirements of an act entitled the "Military Code of Iowa," which are not otherwise provided for, &c.

Senate File No. 271, an act to protect the State property known as Capitol Square and Governor's Square, in Des Moines, Iowa.

Senate File No. 53, a bill for an act to amend section 1241 of the Code, title 10, chapter 4, relating to taking private property for work of internal improvements.

Senate File No. 34, an act to amend chapter 47, laws of the Sixteenth General Assembly, in relation to empowering cities to extend their corporate limits, &c.

Senate File No. 22, an act to authorize cities, towns, and townships to regulate the sale of coal oil.

Senate File No. 333, an act making appropriations for the payment of State and Judicial officers, and certain expenses of the General Assembly.

W. V. LUCAS, *Clerk*.

By leave, Senator Arnold introduced Senate File No. 336, a bill for an act to appropriate \$355 to pay the Chaplains of the Seventeenth General Assembly.

Read first and second time.

Senator Arnold moved that the eleventh rule be suspended, and the bill 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 Arnold, Blackman, Bronson, Carr, Chase, Dows, Ford, Gilmore, Haines, Ham, Harned, Hartshorn, Hebard, Hemenway, Kimball, Lawrence, Lewellen, McCoid, McCormack, Maginnis, Merrell, Meyer, Nichols of Guthrie, Patterson, Rumble, Shelley, Stoneman, Webb, Wonn, Wright, and Young—31.

The nays were—None.

Absent or not voting :

Senators Bestow, Clark, Dashiell, Dwelle, Foster, Gallup, Graham, Hanna, Harmon, Johnson, Kinne, Larrabee, Madson, Miller, Nichols of Benton, Russell, Teale, Wilson, and Woolson—19.

So the bill passed and the title was agreed to.

RESOLUTIONS.

Senator Merrell offered the following resolution, which was adopted: "Resolved, That no more bills be taken up or passed by the Senate this session."

Senator Young offered the following resolution, which was adopted:

Resolved, That the thanks of the Senate are hereby tendered to Senator Woolson, President, *pro tem.*, for the able, courteous and impartial manner in which he has discharged the duties of presiding officer when called upon to do so. Senator Woolson will ever be held in high esteem by his associates in the Senate of the Seventeenth General Assembly.

Senator Young moved to donate the Chair and Gavel to the Lieutenant-Governor as a mark of esteem.

The motion prevailed.

Senator Ham offered the following resolution, which was adopted:

Resolved, The acknowledgments of the Senate are due and are hereby tendered to the Secretary of this body, Hon. J. A. T. Hull, for the marked ability, strict impartiality, efficient manner, and uniform courtesy in which he has discharged the onerous duties of his position, and we desire in this public manner to bear testimony to the fact.

Senator Stoneman offered the following resolution, which was adopted:

Resolved, That the thanks of this Senate are due and are hereby

tendered to Assistant Secretaries and Clerks of the Senate, for their faithful and zealous attention to duty during the present session.

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 House File No. 296, an act to make appropriations for the Soldiers' Orphans' Home, and Home for Indigent Children, at Davenport, Iowa.

Senate File No. 93, an act to amend chapter 123 of the laws of the Sixteenth General Assembly, relating to taxes in aid of railroads, etc.

Senate File No. 314, an act to create a commission to investigate the affairs of the penitentiary at Fort Madison, Iowa, during the administration of S. H. Craig, as warden, etc.

Senate File No. 63, an act to amend section 240 of chapter 10, title 3, of the Code.

Senate File No. 115, an act to amend section 6, of chapter 116, laws of the Sixteenth General Assembly, the same being "An act relating to cities organized and existing under special charters," etc.

W. V. LUCAS, *Clerk.*

ENROLLED BILLS.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Substitute for Senate File No. 19, an act in relation to evidence in criminal actions, amending section 3836 and 442, and repealing section 4237 and part of section 4556 of the Code;

Senate File No. 213, an act to amend section 1428 of the Code, relating to insane expenses;

And find the same correctly enrolled.

Also, that they have this day presented to the Governor for his approval:

Senate Files Nos. 334, 316, 329, 264, 328, 332, 53, 34, 22, 333, 285, 325, 271, and 281.

M. N. JOHNSON, *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 passed the following bills without amendment:

Senate File No. 335, a bill to amend chapter 125, laws of the Seventeenth General Assembly.

Senate File No. 336, a bill for an act to appropriate three hundred and fifty-five dollars to pay the chaplains of the Seventeenth General Assembly.

W. V. LUCAS, *Clerk.*

On motion of Senator Dows, substitute for House File No. 492, a bill for an act making appropriation for payment of McHenry & Hale for work done on the Iowa Penitentiary at Fort Madison, was taken up and considered.

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

On the question, shall the bill pass?

The yeas were :

Senators Bestow, Bronson, Carr, Clark, Dashiell, Dows, Ford, Foster, Gallup, Gilmore, Graham, Ham, Harmon, Hartshorn, Hebard, Lawrence, Lewellen, McCormack, Madson, Meyer, Miller, Nichols of Guthrie, Patterson, Russell, Shelley, Stoneman, Webb, Woolson, Wright, and Young—30.

The nays were:

Senators Chase, Johnson, McCoid, Maginnis, and Rumble—5.

Absent or not voting:

Senators Arnold, Blackman, Dwelle, Haines, Hanna, Harned, Hemmeway, Kimball, Kinne, Larrabee, Merrell, Nichols of Benton, Teale, Wilson, and Wonn—15.

So the bill, having failed to receive a two-thirds majority, did not pass.

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:

Senate File No. 278, an act making certain appropriations in aid of the Asylum for Feeble-Minded Children.

Senate File No. 136, an act making appropriations for the Hospital for the Insane at Mt. Pleasant.

House File No. 581, an act to amend section 4374 of the Code of 1873.

Substitute for Senate File No. 19, an act in relation to evidence in criminal actions, amending section 3636 and repealing section 4237, and part of section 4556, of the Code.

Senate File No. 213, an act to amend section 1428 of the Code, relating to insane expenses.

BEN. VAN STEINBURG, *Assistant Clerk.*

ENROLLED BILLS.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval: Senate Files Nos. 328, 264, 329, 333, 63, 115, 314, and 93.

M. N. JOHNSON, *Chairman.*

Also, your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 136, an act making appropriations for the Hospital for the Insane at Mt. Pleasant, and find the same correctly enrolled.

M. N. JOHNSON, *Chairman.*

RESOLUTIONS.

Senator Clark offered the following resolution, which was adopted:

Resolved by the Senate, the House concurring, That a Committee of Conference, consisting of five members from the Senate and five members from the House, instructed to reconcile, if possible, the present embarrassment in regard to revenue, and draft some plan of agreement that will be satisfactory to the General Assembly, that we may have done our full duty, and return to our constituents feeling the assurance that they will say you have done well.

Senator Stoneman offered the following resolution, which was adopted.

Resolved, That the thanks of the Senate are hereby extended to the Postmasters, the Sergeant at Arms, Janitor, Door-keeper, and Messengers of the Senate, for their courtesy and faithfulness with which they have discharged their respective duties during the present session.

ENROLLED BILLS.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 335, an act to amend chapter 125, of the laws of the Seventeenth General Assembly, and provide for the publication of an act entitled the "Military Code of Iowa;"

Substitute for House File No. 296, a bill for an act making appropriations for the Soldiers' Orphans' Home, and Home for Indigent Children at Davenport, Iowa;

Substitute for House File No. 193, a bill for an act to repeal section 3849, chapter 2, title 24 of the Code, and to enact a substitute therefor, and to restore capital punishment;

Senate File No. 336, an act to appropriate \$355 to pay the Chaplains of the Seventeenth General Assembly;

And find the same correctly enrolled.

M. N. JOHNSON, *Chairman.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 174, a bill for an act to amend chapter 40, of the acts of the Sixteenth General Assembly, relating to the Additional Penitentiary, at Anamosa.

House File No. 193, an act to repeal section 3049, chapter 2, title 24, of the Code, and to enact a substitute therefor, and to restore capital punishment.

Senate File No. 336, an act to appropriate three hundred and fifty-five dollars to pay the chaplains of the Seventeenth General Assembly.

Senate File No. 335, an act to amend chapter 125, of the laws of the Seventeenth General Assembly, and provide for the publication of an act entitled "The Military Code of Iowa."

W. V. LUCAS, *Clerk*.

ENROLLED BILLS.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval Senate Files Nos. 335 and 336.

Substitute for House File No. 296, a bill for an act making appropriations for the Soldiers' Orphans' Home and Home for Indigent Children, at Davenport, Iowa.

Substitute for House File No. 193, a bill for an act to repeal section 3849, chapter 2, title 24, of the Code, and to enact a substitute therefor, and to restore capital punishment.

And your Committee on Enrolled Bills further report that all bills are now enrolled and presented to the Governor.

M. N. JOHNSON, *Chairman*.

At 11 o'clock, A. M., the President declared the Senate adjourned without date.

ATTEST :

J. A. T. HULL, *Secretary*.

APPENDIX.

As the Executive Council requested the publication of the following report, it is here inserted. It is not given as part of the Journal, but an Appendix.

SECRETARY.



REPORT.

To the Seventeenth General Assembly of the State of Iowa:

As required by the provisions of chapter Seventeen (17), acts of the Sixteenth General Assembly of the State of Iowa, the Executive Council has instructed me to submit the following report of its doings in the preparation and conduct of the State's exhibit at the Exposition of the world's industry, with which the Centennial of American Independence was so happily observed.

To make such a display of the resources of our young and vigorous State, with its 35,000,000 acres of tillable land of almost unequalled fertility, with but little to guide us as a precedent, and a limited fund from which to make it, would necessarily require sound judgment, guided by mature consideration. The great distance from the place of exhibition and the necessary attendant expenses of shipment, made it imperative that the strictest economy be exercised in collecting and collating such material and matter as would fully and faithfully represent the material wealth, and show the rapid growth of a State less than thirty years of age.

It was found that much had been done to awaken an interest in the International Exposition by the old Centennial Board, and that our people exhibited such an interest, and a willingness to aid in forwarding any means that could be employed to make the fullest exhibit possible, and thus secure the very best results.

The State being peculiarly agricultural in its resources, we believed that this department should be made a prominent feature; while its horticultural interests, mineral resources, propagation of fine stock, manufacturing interests, and grand school system should not be neglected.

AGRICULTURE.

We found it possible to secure a very complete display of seeds and grains from a practical agriculturist of the State, who had collected an unusually large and complete variety. This collection contained sixty-five (65) varieties of corn, twenty eight (28) of wheat, seventeen (17) of oats, twenty-three (23) of beans, twelve (12) of beets, twenty (20) of peas, and one hundred and twenty-nine (129) other varieties of seeds and grains, making a total of two hundred and six (206) kinds. While a part of this collection was not above ordinary quality, much of it was very fine, and we believe excelled in variety any other collection of a similar kind on exhibition. To this collection was added a complete assortment of seeds, grains, and grasses for fall display of the crops of 1876, which was placed on exhibition in time for examination by the jury of awards.

HORTICULTURE.

Through the State Horticultural Society we were enabled to make a fine display of fruits. It was, of course, impossible to place a good supply of fruit on exhibition in the early part of the exposition, but a very nice display of wax casts of apples, grown in Iowa orchards the previous year, was secured and exhibited at the opening. Although this was quite an expense to the State, we believe that it was one of the most profitable investments made, as it was a means of early convincing people of all parts of the world that Iowa produced apples of a superior quality.

In the autumn a large supply of fruit was procured in time for examination by the jury of awards. This display was very large in quantity and variety, but suffered some disadvantage from so early an exhibition, as fruit from a State so far north was not as mature as it should have been in order to compare favorably with fruit from States further south. In connection with this display a very excellent collection of Iowa woods was made, showing not only the quality and variety, but the rapidity of growth.

MACHINERY.

The exhibit in this department was not very large, but quite creditable as to merit, and in part was as follows:

ARTICLES.	BY WHOM EXHIBITED.
Plows	Morrison Brothers.
Plows	Orchard City Agricultural Works.
Plows	Skinner Brothers.
Wagon.....	Funck, Hertz & Co.
Rake	Orchard City Agricultural Works.
Rake	Eagle Manufacturing Company.
Cultivator	Eagle Manufacturing Company.
Brick Machine.....	J. H. Garretson.
Wind-mill	T. Kellogg.
Seeder	Wm. Pumphrey.
Straw-cutter.....	Sol. Kirk.
Engine.....	S. S. Vail.
Engine model.....	Richard Witty.
Scales	Sylvester Hitchcock.

Much other valuable machinery was on exhibition, but we think it unnecessary to enumerate further.

MINERALS AND SOILS.

One of the prominent features of our exhibition was the display of soils, and the geological collections. Glass tubes six (6) inches in diameter, and six (6) feet in length, were filled with soil, placed in them as it had lain in the earth. There were nearly forty (40) of these tubes, with soil from as many counties of the State.

Geological strata of the earth's formation were also shown in columns six feet (6) in length; each foot representing one hundred (100) feet of earth, thus accurately showing its formation to the depth of six hundred (600) feet. In addition to this was displayed stone of various kinds in block, sand, coal, peat, clays, ochers, lead, etc., as well as a very fine display of archæological specimens from Elkader.

BOTANY.

This department was properly represented. A practical botanist was employed to make a collection of the flora of the State; and a very large one was secured and nicely arranged in a case made for that purpose, which was exhibited on the space with the agricultural display in Agricultural Hall.

EDUCATION.

This department was not as largely represented as was desired, yet as to kind and quality, it ranked well; quite as well as did the displays of some of the states much further east. In view of the fact that so small a sum was expended, it certainly was a creditable showing. Indiana spent on her educational department, more than we expended on our entire exhibition.

About fifty (50) prominent schools of the State were represented, and the work of several thousand pupils. The public schools furnished material for two hundred (200) volumes of pupils' work, and the colleges eight (8) volumes, which were neatly bound and otherwise prepared for exhibition.

The Department of Public Instruction furnished one hundred and eighty (180) volumes of reports pertaining to educational matters; all of which were placed in the gallery of the main building for exhibition.

FINE STOCK.

An arrangement was made with the Iowa Fine Stock Association for an exhibition of stock at Philadelphia, for which purpose we appropriated the sum of five hundred dollars (\$500); all other expenses necessarily incurred to be borne by the association. This display was not as large as desired, but the stock shown was very good, doing much credit to the State.

LADIES' HANDIWORK.

In this collection, the College for the Blind at Vinton furnished a very interesting exhibit of work wrought by the students of that institution. This included some thirty-five pieces of bead and needle work very skillfully executed. About fifty pieces of work, much of which was very fine and attractive, were prepared by various ladies of the State and students of several institutions, all combined making a very attractive collection, which was placed in the Ladies' Pavilion, in a handsome case secured for that purpose.

The following is a report to the Executive Council, made by Col. G. B. Brackett, as manager during the last three months of the Exposition:

TO THE EXECUTIVE COUNCIL, STATE OF IOWA:

Gentlemen:—I have the honor herewith to submit to you my report as Exposition Manager for the State of Iowa at the International Exposition of 1876, held at Fairmount Park, Philadelphia. About the twenty-fifth (25th) of July, I received notice through Hon. B. R. Sherman that you had appointed me to take charge of the State exhibits from that time on.

Fully appreciating the courtesy and honor thus conferred, and with

a sense of the responsibility resting upon me, it was with some reluctance that I accepted the position, and on the first (1st) of August entered upon the discharge of my duties. I had early in the season received a commission from Governor Kirkwood, to act as assistant manager in charge of the horticultural interests of the State, and in that capacity I continued to act until the close of the Exposition.

As I have already given a report upon that department to the State Horticultural Society, for which I beg leave to refer you to the forthcoming volume of the transactions of the Society.

About the fifteenth (15th) of September, a special group of judges was appointed by the Centennial Commission to examine and report upon the various collective exhibits, both of this and foreign countries; and I was called on for a detailed report upon our exhibits in all the different departments. This I made out as best I could under the circumstances. The duties of the day were so pressing just at this time, during our fruit exhibition, that no time could be spared for this work, and my only chance was to take it from my sleeping hours. This report will be published by the commission, and a copy will be sent to you in due time. I therefore do not deem it necessary for me to rewrite it. If I could have had the catalogue of our exhibits compiled by your clerk, Mr. Davis, it would have afforded me more correct data as to number and variety of our exhibits, and facilitate matters in making out that report. I regret that that catalogue was not printed, as it was constantly sought after and called for in exchange for others. There was constant demand for printed matter concerning our State, and the two hundred thousand (200,000) statistical tables or circulars, (to use a homely phrase) went off like hot cakes. The two boxes of Judge Nourse's Centennial Address were soon exhausted. Of them we took special pains to furnish to all Foreign and State Commissioners, and to all the chiefs of departments of the Exposition.

Several hundred Census, Horticultural and Agricultural Reports were exchanged and given to those who would be likely to make a proper use of them. We found it difficult to effect exchanges without giving an equivalent in kind, and as we had not much else but seeds and grains, of course we could not obtain much else in return.

Exchanges were effected with the following countries:

From Russia—Seeds and grains.

Egypt—Seeds, grains, nuts, wool and woods.

Brazil—Woods, textiles, seeds, grains, rubber, &c.

Tasmania—Seeds, grains, &c.

Japan—Models of fruit, fifty-two (52) varieties.

Canada—Seeds and grains.

Spain—Seeds, grains, &c.

I do not deem it necessary to report upon the comparative merits of our exhibition, as that will be given by an impartial and disinterested party appointed especially for that purpose; but will say that the exhibition of Iowa soils and fruits was among the most attractive objects in the Agricultural Hall; and judging from the interest manifested by the thousands who were constantly seeking information concerning our State, we feel confident that the amount expended by the State will be returned, with heavy interest, in less than a year. Yes, we honestly believe that tenfold the amount will be invested the present

season in lands, the result of the exhibition of the resources of Iowa made at the Centennial. It was the best advertisement the State ever made. As an instance, I will state that a Mr. J. Y. Brown, of New York, who was attracted to our State by that display, has just informed me that he has purchased six hundred and forty (640) acres of land here, and has already commenced operations on it to make a stock farm. He is but one out of hundreds who expressed their determination to make their home in Iowa. I regret that I am not able, at this time, to give you a complete list of awards which have been decreed to our State. I made application for it some time ago, but have not received it. I can state, however, that to the State awards have been given on cereals, coal, geological collections, potatoes, farm products, fruits, and herd of cattle.

On the eleventh (11th) of November, we commenced the work of repacking and shipping our goods and making exchanges. The latter was pursued under many difficulties, owing to the restrictions of the Custom House regulations. On the second of December, all goods in Agricultural Hall had been shipped excepting the soil collection, and all goods packed and ready for shipment in the Educational Department, Mineral Annex, and Machinery Hall, excepting Mr. Kellogg's windmill (which had been left for sale) and two other small exhibits. With this condition of things, I concluded to leave all with Mr. Vail to finish up; since which time I suppose you have been in communication with him and are familiar with his operations.

I herewith transmit my account of receipts and expenditures from September first (1st), 1876.

I have endeavored to use the strictest economy in all my operations, and in some instances perhaps I have been too saving, but not knowing how the means would hold out, I could not do otherwise.

Errors have been committed which experience alone would have enabled me to avoid, and which I hope will not occur should I be appointed to attend the next Centennial.

I am under many obligations to your honorable body for the many courtesies received, and I hope and trust that the part you have taken in this matter, and the services you have rendered the State, in addition to the many duties devolving upon you in your several offices, will be fully appreciated by a generous public.

Yours respectfully,

(Signed)

G. B. BRACKETT.

AWARDS GRANTED THE STATE OF IOWA AND PRIVATE PARTIES.

GROUP 1.

State of Iowa, Geological Collection.

GROUP 4.

No. 1227. State of Iowa, Cereals.

GROUP 31.

- No. 32. Eli Elliott, Short-Horn Bull.
- No. 37. State of Iowa, Herd—one Bull and four Cows.
- No. 40. S. W. Jacobs, Short-Horn Cows.

GROUP 36.

- No. 20. State of Iowa, Potatoes and Farm Products.
- No. 21. W. M. Witerbotham, Timothy Grass Seed.
- No. 22. Wm. Jordan.
- No. 88. Iowa Horticultural Society, Early Apples.
- No. 106. Iowa Horticultural Society, Apples.
- No. 120. L. Hollingsworth, 75 varieties of Apples.
- No. 132. E. H. Calkins, 26 varieties of Apples.
- No. 137. Polk County, Iowa, 165 varieties of Apples.
- No. 144. State of Iowa, 342 varieties of Apples.
- No. 144. W. W. Gearhart, 22 varieties of Apples.
- No. 149. David Leonard, 12 varieties of Apples.
- No. 156. State of Iowa, Wax Models of Fruit.
- No. 184. John Given, Pears.
- No. 185. L. T. Barney, Pears.
- No. 186. G. O. Hilton, Pears.
- No. 187. W. T. Smith, Pears.
- No. 203. G. B. Brackett, Pears.
- No. 227. Henry Avery, Apples.

GROUP 28.

- No. 25. State of Iowa, Exhibit of Education.
- No. 25. School Board of Burlington, Display of Pupils' Work.
- No. 25. School Board of Des Moines, Display of Pupils' Work.

CENTENNIAL ADDRESS.

Hon. Charles C. Nourse was selected to make this address at Philadelphia, which duty he performed in a manner highly satisfactory to us; as it was prepared with great pains, and much hard labor, containing a vast amount of history of the State from its territorial days down to the present, showing its natural resources of wealth, and the rapid upward march it has made among its sister States.

As this address has already been published, it is deemed unnecessary to embody it in this report.

FINANCIAL.

The following shows the expenditure of money for arranging and carrying out the purposes for which the appropriation of twenty thousand (\$20,000) dollars was made by the State:

EXPENDITURE

For State Building, Pavillions, Cases, Tables, and Fitting up the same at Philadelphia.

Date.	TO WHOM PAID.	ON WHAT ACCOUNT.	Amount.
1876.			
March 29	Wm. Christy.....	For payment on State building at Philadelphia.....	\$3,000 00
April 6	G. B. Brackett.....	For glass shade and tables at Philadelphia.....	200.00
April 11	S. D. Button.....	For drawing plans for State building at Philadelphia.....	50.00
April 11	Mills & Co.....	For twelve specimen cases and mounting drawings.....	73.50
May 18	J. C. Arthur.....	For case for botanical exhibit.....	100.00
May 22	Wm. Halzer.....	For glass tubes, plates, grain bottles, and globes.....	572.46
May 22	Thomas Wilson.....	For material, building pavillion, tables, cases.....	1,057.82
May 29	Rabenau & Winneberger.....	For two tables, two desks, and two book cases.....	74.00
May 29	O. S. Miller.....	For twelve day's carpenter work in Agricultural Hall, Philadelphia.....	30.00
June 1	G. B. Brackett.....	For cloth for canopy and counters.....	21.41
June 5	E. R. Parks.....	For labor and sod for State building at Philadelphia.....	131.00
June 5	M. H. Lienelzin.....	For labor cleaning State building at Philadelphia.....	16.00
June 15	J. W. Fulton.....	For cash paid O. S. Miller, carpenter work.....	8.75
June 15	James Leeming.....	For balance on contract for State building.....	700.00
June 15	James Leeming.....	For extra on outbuilding at Philadelphia.....	15.00
June 15	James Leeming.....	For counter for office in State building.....	12.00
June 15	James Leeming.....	For letter-box in State building.....	5.00
June 15	James Leeming.....	For water rent six months at State building.....	24.00
June 15	S. D. Button.....	For superintending erection of State building.....	50.00
June 15	R. Levie, Son & Co.....	For hose and coupling for State building.....	9.50
June 15	A. H. Francisus & Co.....	For furnishing goods for State building.....	64.15
June 15	Gould & Co.....	For furniture for State building.....	241.25
June 15	Hood, Bonbright & Co.....	For mattress, quilts and crash.....	7.83
June 15	D. D. Perkins.....	For cash paid for sign, shading and sundries.....	18.25
June 24	Thomas L. Hicks.....	For gas-fitting, labor and material.....	6.20
June 28	Gould & Co.....	For carpets, matting and making.....	296.15
June 29	J. W. Fulton.....	For cash paid for lumber, painting, and carpenter work.....	92.37
July 26	G. B. Brackett.....	For cash paid for glass.....	1.25
July 29	Chas. H. Stiles.....	For making lock.....	10.00
Aug. 2	E. S. Moore.....	For material and lumber for repairing State building.....	33.32
Aug. 10	G. B. Brackett.....	For cash paid for show cards.....	3.25
Aug. 14	Eastburn & Co.....	For labor at Philadelphia.....	1.25
Aug. 19	A. H. Francisus & Co.....	For window curtains for State building.....	25.50
Aug. 26	G. B. Brackett.....	For cash paid for cards and circulars for C. C. Nourse's address.....	7.50
Sept. 20	Thomas Needham.....	For evergreens for decorating pavillion.....	5.00
Oct. 2	F. H. Brown.....	For two stoves and zincs for State building.....	22.50

EXPENDITURES.

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EXPENDITURES—CONTINUED.

Date.	TO WHOM PAID.	ON WHAT ACCOUNT.	Amount.
1876			
Oct. 2	E. Whipple.....	For mattings and fastenings for State building	\$ 11.85
Oct. 3	H. F. Watson	For material, and fitting up table at Philadelphia.....	4.00
Oct. 7	Alex. Shaw.....	For cash paid for painting desk at State building.....	1.50
Oct. 7	Alex. Shaw.....	For cash paid O. S. Miller, for carpenter work	2.38
Oct. 16	G. B. Brackett.....	For cash paid for frames and cloth for covering.....	8.43
Oct. 16	G. B. Brackett.....	For cash paid for paper for covering tables	3.90
Oct. 20	Jno. Gillard.....	For grading about State building	2.00
Oct. 20	E. R. Parks	For boxing and spouting at State building	1.92
Nov. 18	J. G. Leffingwell	For carpenter work at Philadelphia.....	3.75
Nov. 18	Wm. H. Collins.....	For carpenter work at Philadelphia.....	3.25
		Total.....	\$7,029.19

EXPENDITURES

For Freight, Cartage, and Express on Goods to and from Philadelphia.

Date.	TO WHOM PAID.	ON WHAT ACCOUNT.	Amount.
1876.			
April 5	United States Express Company.....	For charges on goods to Philadelphia	\$ 13.20
April 6	John Lynch.....	For hauling twenty-two express loads.....	5.50
April 6	John A. Conkling	For cartage on eight loads.....	3.75
April 6	George McNutt	For cartage two days.....	4.00
April 8	Chicago, Rock Island & Pacific R. R. Co.	For freight to Philadelphia, and terminal charges.....	241.77
April 12	Hyland & Hammer.....	For cartage on centennial goods.....	18.85
April 14	Chicago, Rock Island & Pacific R. R. Co.	For freight on goods to Philadelphia.....	17.58
April 14	A. D. Wadsworth	For freight charges on peat to Keokuk.....	7.15
April 15	Chicago, Rock Island & Pacific R. R. Co.	For freight charges on boxed engine	2.46
April 17	S. J. Wallace	For freight charges on Empire Line to Philadelphia.....	14.32
April 17	S. S. Vail.....	For cash paid freight on goods to Philadelphia.....	105.12
April 24	Donahue, McCosh & Co	For cash paid freight on wagon to Philadelphia.....	5.51
April 24	S. S. Vail.....	For cash paid freight on peat to Philadelphia.....	7.23
April 25	E. F. Keine	For charges shipping minerals and specimens to Philadelphia.....	45.50
April 27	Chicago, Rock Island & Pacific R. R. Co.	For charges on six boxes of Iowa wood to Philadelphia.....	15.50
May 2	United States Express Company	For charges on boxes of goods to Philadelphia.....	6.75
May 8	James Crystal.....	For cartage on one box and three packages.....	.50
May 9	Mrs. P. A. Dunham	For express charges paid on picture to Philadelphia.....	5.00
May 10	Chicago, Rock Island & Pacific R. R. Co.	For freight charges on boxes to Philadelphia	9.24
May 11	Chicago, Rock Island & Pacific R. R. Co.	For freight charges on educational exhibit	13.13
May 13	Chicago, Rock Island & Pacific R. R. Co.	For freight charges on educational exhibit.....	13.23
May 15	E. F. Keine	For freight charges on botanical collection to Philadelphia.....	49.15
May 15	Donahue, McCosh & Co	For freight charges on centennial goods.....	3.46
May 16	E. F. Keine	For freight charges on botanical case, etc., to Philadelphia	100.35
May 18	J. C. Arthur.....	For express charges on botanical collection to Philadelphia.....	3.00
May 23	H. Feenders.....	For freight charges on goods to Philadelphia.....	8.50
May 24	United States Express Company	For charges on goods to Philadelphia	66.80
June 1	H. H. McAfee	For freight charges on goods to Philadelphia	29.51
June 1	G. B. Brackett.....	For express charges and cartage on fruit.....	12.28
June 12	George O. Ray.....	For cartage on goods and loading same	8.75
June 15	J. W. Fulton	For cash paid freight and express charges.....	8.27
June 15	Mary S. Scott	For charges on goods to Philadelphia.....	3.58
June 15	G. B. Brackett	For cash paid cartage	2.73
July 5	United States Express Company	For charges on goods to Philadelphia.....	20.65
July 6	United States Express Company	For charges on goods to Philadelphia.....	26.20
July 19	American Express Company	For charges on fruit to Philadelphia.....	3.25
July 29	Chicago, Rock Island & Pacific R. R. Co.	For charges on boxes of books to Philadelphia.....	5.85

EXPENDITURES.

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EXPENDITURES—CONTINUED.

Date.	TO WHOM PAID.	ON WHAT ACCOUNT.	Amount.
1876,			
July 29	E. L. Smith.....	For express charges on oil painting.....	2.35
Aug. 2	C. R. I. & P. R. R. Co.....	For charges on five boxes of books to Philadelphia.....	44.40
Aug. 4	E. H. Calkins.....	For cash paid freight on fruit to Philadelphia.....	7.00
Aug. 10	G. B. Brackett.....	For cash paid cartage on fruit.....	1.00
Aug. 17	J. W. Fulton.....	For cash paid express charges on census reports.....	1.50
Aug. 24	Alex. Shaw.....	For cash paid express charges on table.....	.50
Aug. 24	Alex. Shaw.....	For cash paid cartage.....	1.00
Aug. 25	G. B. Brackett.....	For cash paid express charges on fruit.....	5.95
Aug. 26	G. B. Brackett.....	For cash paid cartage on census reports.....	1.00
Aug. 30	G. B. Brackett.....	For cash paid express charges on Agricultural Reports.....	11.30
Aug. 30	E. H. Calkins.....	For cash paid freight on fruit to Burlington.....	50.52
Aug. 30	E. H. Calkins.....	For cash paid freight on fruit to Philadelphia.....	80.90
Sept. 1	G. B. Brackett.....	For cash paid charges on two packages of grain.....	2.95
Sept. 2	United States Express Company.....	For express charges on fruit to Philadelphia.....	14.20
Sept. 7	G. B. Brackett.....	For cash paid cartage on fruit.....	1.00
Sept. 9	United States Express Company.....	For charges on fruit to Philadelphia.....	42.45
Sept. 13	Frank Talbot.....	For cartage on grain.....	2.00
Sept. 15	W. B. Rock.....	For cartage on four boxes and four barrels of fruit.....	2.00
Sept. 15	United States Express Company.....	For charges on two boxes of grain.....	1.85
Sept. 16	C. G. Robinson.....	For cartage on grain.....	1.50
Sept. 16	E. H. Calkins.....	For cash paid C. M. Gorman on freight.....	8.75
Sept. 16	E. H. Calkins.....	For cash paid H. Avery on cartage.....	.25
Sept. 18	Chicago, Rock Island & Pacific R. R. Co.....	For charges on three boxes of fruit.....	10.20
Sept. 18	Chicago & North Western Railroad Co.....	For charges on grain and vegetables to Philadelphia.....	12.02
Sept. 18	Burlington, Cedar Rapids & N. R. R. Co.....	For freight and cartage on grain.....	4.54
Sept. 19	Burlington, Cedar Rapids & N. R. R. Co.....	For freight on grain.....	2.07
Sept. 19	Chicago & North Western Railroad Co.....	For freight on roots and seeds.....	2.09
Sept. 21	Pennsylvania Railroad Co.....	For freight on roots and seeds to Philadelphia.....	1.26
Sept. 26	Chicago, Rock Island & Pacific R. R. Co.....	For freight charges on books to Philadelphia.....	81.77
Sept. 27	Chicago, Rock Island & Pacific R. R. Co.....	For freight charges on books to Philadelphia.....	24.78
Sept. 27	Edward Cox.....	For cartage on grain and seeds.....	5.00
Oct. 2	Chicago & North Western Railroad Co.....	For freight and cartage on grains and seeds.....	1.56
Oct. 3	Adams Express Company.....	For charges on one box to Philadelphia.....	6.40
Oct. 4	Pennsylvania Railroad Co.....	For charges paid on five boxes of books.....	2.50
Oct. 6	Chicago, Rock Island & Pacific R. R. Co.....	For freight on potatoes.....	1.10
Oct. 7	B. R. Sherman.....	For cash paid cartage on boxes of books.....	1.00
Oct. 11	Pennsylvania Railroad Co.....	For freight on potatoes to Philadelphia.....	.75

Oct.	12	C. E. Brownley.....	For express charges on fruit.....	1.25
Oct.	14	Pennsylvania Railroad Co.....	For freight on grains and seeds to Philadelphia.....	2.66
Oct.	16	G. B. Brackett.....	For cash paid cartage.....	9.00
Oct.	16	G. B. Brackett.....	For cash paid on four barrels and four boxes fruit.....	2.00
Oct.	16	G. B. Brackett.....	For cash paid A. Branson, cartage on fruit.....	1.35
Oct.	16	G. B. Brackett.....	For cash paid on one box early fruit.....	1.00
Oct.	18	Des Moines & Minnesota Railroad Co.....	For freight on seven boxes books to Philadelphia.....	39.56
Oct.	17	Pennsylvania Railroad Co.....	For cartage paid on two boxes books.....	2.00
Oct.	19	E. Collins.....	For cartage at Philadelphia.....	6.25
Oct.	21	Wm. R. Preston.....	For cartage on grains and seeds.....	50
Oct.	24	R. McDonald.....	For express charges on grains and seeds.....	75
Oct.	28	American Union Express Co.....	For charges on one box of grain to Philadelphia.....	1.65
Oct.	30	J. C. Arthur.....	For cash paid express on botanical exhibit.....	7.30
Oct.	30	Adams Express Co.....	For charges on apples to Philadelphia.....	7.00
Nov.	1	Adams Express Co.....	For charges on sample tobacco to Philadelphia.....	1.25
Nov.	2	R. McDonald.....	For express charges.....	50
Nov.	24	G. B. Brackett.....	For cash paid for cartage.....	1.50
Nov.	24	G. B. Brackett.....	For cash paid for removing herbarium.....	2.00
Nov.	30	G. B. Brackett.....	For cash paid for cartage.....	2.00
Nov.	30	G. B. Brackett.....	For cash paid for cartage.....	50
Dec.	2	S. S. Vall.....	For cash paid for freight and cartage.....	8.65
Dec.	2	G. B. Brackett.....	For cash paid for cartage on goods.....	2.25
Dec.	9	Hyland & Hammer.....	For cash paid on freight and cartage on goods.....	32.10
Dec.	17	Michael Holehan.....	For cartage on goods returned.....	3.00
Dec.	23	Chicago, Rock Island & Pacific R. R. Co.....	For charges on box and packages.....	1.10
Dec.	23	R. McNulty.....	For hauling fourteen loads from bindery to capitol.....	5.00
Dec.	26	S. S. Vall.....	For cash paid for cartage.....	2.75
1877.				
Jan.	5	S. S. Vall.....	For cash paid for cartage.....	1.50
Jan.	6	S. S. Vall.....	For cash paid for cartage.....	2.40
Jan.	17	Chicago, Rock Island & Pacific R. R. Co.....	For freight charges.....	18.20
Jan.	31	Chicago, Rock Island & Pacific R. R. Co.....	For freight charges on grains and seeds.....	15.45
Jan.	31	Cate & Graham.....	For cartage and freight paid.....	4.25
Feb.	3	Chicago, Rock Island & Pacific R. R. Co.....	For freight charges.....	1.57
Feb.	3	Keokuk & Des Moines Railroad.....	For freight on one box of pictures.....	25
Feb.	3	Des Moines & Fort Dodge Railroad.....	For freight charges.....	50
Feb.	5	United States Express Co.....	For express charges.....	7.05
Total.....				81,489.67

EXPENDITURES

For Salaries of Managers and Assistant Managers.

Date.	TO WHOM PAID.	ON WHAT ACCOUNT.	Amount.
1876.			
April 15	Alex. Shaw.....	For salary one month as manager.....	\$ 125.00
May 9	D. G. Perkins.....	For salary as assistant manager.....	100.00
May 10	Alex. Shaw.....	For salary as manager, one month.....	125.00
June 1	G. B. Brackett.....	For salary as assistant manager.....	100.00
June 15	J. W. Fulton.....	For salary as assistant manager.....	125.00
June 15	C. F. Flint.....	For salary as assistant manager.....	75.00
June 15	P. A. Dunham.....	For salary as assistant manager.....	75.00
June 15	Mary S. Scott.....	For salary as assistant manager.....	75.00
June 15	Alex. Shaw.....	For salary as manager.....	25.00
June 15	G. B. Brackett.....	For salary as assistant manager.....	100.00
July 15	D. G. Perkins.....	For salary as assistant manager.....	100.00
July 15	Mary S. Scott.....	For salary as assistant manager.....	75.00
July 27	A. F. Tipton.....	For salary as assistant manager.....	112.50
Aug. 17	G. B. Brackett.....	For salary as assistant manager.....	200.00
Aug. 19	Alex. Shaw.....	For salary as manager.....	350.00
Aug. 19	J. W. Fulton.....	For salary as assistant manager.....	325.00
Aug. 19	D. G. Perkins.....	For salary as assistant manager.....	100.00
Aug. 19	C. F. Flint.....	For salary as assistant manager.....	212.50
Aug. 19	P. A. Dunham.....	For salary as assistant manager.....	150.00
Sept. 19	D. G. Perkins.....	For salary as assistant manager.....	100.00
Oct. 2	D. G. Perkins.....	For salary as assistant manager.....	100.00
Oct. 2	P. A. Dunham.....	For salary as assistant manager.....	75.00
Oct. 2	S. S. Vail.....	For salary as assistant manager.....	75.00
Oct. 2	G. B. Brackett.....	For salary as manager.....	136.52
Oct. 8	J. W. Fulton.....	For salary as assistant manager.....	25.00
Oct. 19	S. S. Vail.....	For salary as assistant manager.....	75.00
Oct. 19	Caleb Morse.....	For salary as assistant manager.....	75.00
Oct. 19	J. W. Fulton.....	For salary as assistant manager.....	75.00
Oct. 19	P. A. Dunham.....	For salary as assistant manager.....	75.00
Oct. 20	S. S. Vail.....	For salary as assistant manager.....	75.00
Oct. 26	S. S. Vail.....	For salary as assistant manager.....	85.00
Oct. 26	G. B. Brackett.....	For salary as manager.....	358.36
Oct. 30	Caleb Morse.....	For salary as assistant manager.....	37.50
Oct. 31	P. A. Dunham.....	For salary as assistant manager.....	62.50
Nov. 20	J. W. Fulton.....	For salary as assistant manager.....	100.00
Dec. 2	S. S. Vail.....	For salary as assistant manager.....	50.00

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1877.				
Feb.	7	S. S. Vail.....	For salary as assistant manager.....	59.85
June	28	J. W. Fulton.....	For salary as assistant manager.....	180.00
1878.				
Jan.	8	Alex. Shaw.....	For salary as assistant manager.....	31.25
			Total.....	\$4,880.98

RECAPITULATION.

Alex. Shaw.....	\$ 656.25
G. B. Brackett.....	894.88
J. W. Fulton.....	810.00
D. G. Perkins.....	500.00
S. S. Vall.....	419.85
P. A. Dunham.....	437.50
C. F. Flint.....	287.50
Mary S. Scott.....	150.00
Caleb Morse.....	112.50
A. F. Tipton.....	112.50
Total.....	\$4,880.98

EXPENDITURES

For Goods, and for Collecting and Preparing the same for Exhibition at Philadelphia.

Date.	TO WHOM PAID.	ON WHAT ACCOUNT.	Amount.
1876.			
March 31	G. B. Brackett.....	For collection of fruits and woods.....	\$ 150.00
March 31	H. H. McAfee.....	For collection of fruits and woods.....	150.00
April 6	E. A. Kirby.....	For two days' work marking and shipping goods.....	5.0
April 8	Wm. Greenland.....	For preparing geological specimens.....	20.00
April 11	J. W. Fulton.....	For exhibit of grains and seeds.....	500.00
April 12	Donahue, McCosh & Co.....	For cutting specimens of stone.....	55.42
April 12	C. F. Flint.....	For making collections of exhibits.....	15.25
April 12	J. H. Macomber.....	For collections and attendant expenses.....	119.55
April 12	Mrs. A. S. Welch.....	For expenses incurred on Centennial work.....	27.42
April 12	Carver & Young.....	For making boxes for soil, and packing same.....	132.50
April 12	H. R. Heath.....	For boxes and fitting.....	46.90
April 15	Alex. Shaw.....	For fitting up articles for exhibition.....	100.00
April 17	S. J. Wallace.....	For collecting and forwarding goods to Philadelphia.....	4.00
April 17	J. W. Fulton.....	For expenses, collecting goods for Philadelphia.....	102.72
April 17	Carver & Young.....	For bases for glass tubes and boxes.....	117.40
April 19	Donahue, McCosh & Co.....	For windmill, plows, and forwarding to Philadelphia.....	93.70
April 24	J. R. Crumacker.....	For procuring samples of earth.....	18.00
April 28	Donahue, McCosh & Co.....	For placards, and boxing stone for shipment.....	15.31
May 2	Mary S. Scott.....	For collecting articles for ladies' department.....	67.75
May 2	C. R. Bales.....	For preparing charts for Ed. department.....	50.00
May 9	P. A. Dunham.....	For photographs, frames, copying and collecting same.....	105.00
May 18	J. C. Arthur.....	For collecting botanical display.....	27.75
May 22	P. R. Hitz.....	For one canvas and two glass signs.....	51.60
May 27	P. R. Hitz.....	For two canvas signs.....	3.04
June 5	Walter A. Ruhe.....	For painting and lettering sign boards.....	29.55
June 23	P. A. Dunham.....	For revolving stereoscope, and keys to groups.....	68.80
July 17	Mills & Co.....	For seventy-five slates for Ed. department, and three maps of Iowa.....	29.25
Aug. 28	Jonathan Thatcher.....	For collecting fruits for exhibition.....	2.00
Aug. 30	E. H. Calkins.....	For six hundred paper bags, boxes, barrels, and packing.....	7.35
Aug. 30	E. H. Calkins.....	For twenty-seven days' work at \$2.00 per day, collecting fruit.....	54.00
Aug. 30	E. H. Calkins.....	For cash paid tams, services.....	8.50
Sept. 13	J. W. Pancoast.....	For boxes for packing grain.....	1.38
Sept. 13	J. W. Pancoast.....	For clover seed.....	.60
Sept. 13	S. Gunnuere.....	For box for packing grain.....	.75
Sept. 14	Jennie Martin.....	For twenty-one cloth sacks.....	1.70
Sept. 14	John C. Westphal.....	For vegetables and seeds for exhibition.....	25.00

Sept. 15	C. Fordyer.....	For boxes for packing grain.....	3.70
Sept. 16	D. G. Clute.....	For vegetables and grain for exhibition.....	5.00
Sept. 16	Alex. Fulton.....	For vegetables and grain for exhibition.....	5.00
Sept. 18	Stuart & Douglass.....	For barrels for packing grains.....	2.40
Sept. 20	A. A. Knapp.....	For State appropriation and fine stock show.....	500.00
Sept. 20	G. B. Brackett.....	For cash paid for labor, unpacking fruits.....	4.50
Oct. 7	Jas. Smith.....	For collecting fruit for exhibition.....	10.00
Oct. 7	A. Bransh.....	For paper sacks, boxes, batting and ropes.....	2.50
Oct. 26	J. W. Fulton.....	For balance on sale of grains and seeds.....	500.00
Nov. 13	Semour, Scott & Co.....	For paper bags and labels.....	1.20
Nov. 18	J. C. Harman.....	For lumber and box for packing goods.....	4.25
Nov. 22	Klentshock & Co.....	For two boxes for packing ladies' goods.....	2.50
Nov. 22	F. M. Clark.....	For labor, packing goods at Agricultural Hall.....	17.00
Nov. 22	Gillander & Co.....	For hogshead and hay for packing.....	4.00
Nov. 22	Gillander & Co.....	For labor, packing goods.....	5.00
Nov. 23	J. W. Tufts.....	For five barrels for packing goods.....	5.00
Nov. 24	G. B. Brackett.....	For cash paid for boxes for ladies' goods.....	1.50
Nov. 30	Wm. G. Campbell.....	For labor, boxing woods.....	2.50
Dec. 1	Countiss & Co.....	For labor, packing goods.....	11.70
Dec. 4	Sullivan & Co.....	For boxing Metz & Wilts' exhibit.....	3.25
Dec. 5	Sullivan & Co.....	For boxing Sol. Kirk's and other exhibits.....	3.05
Dec. 26	Sullivan & Co.....	For taking down and packing Kellogg's wind mill.....	8.00
Dec. 26	S. S. Vall.....	For taking down Woodruff's pipe.....	1.50
1877.			
Jan. 5	S. S. Vall.....	For cash paid for straw for packing.....	.90
Jan. 11	S. S. Vall.....	For cash paid for moving platform and sign.....	3.00
Jan. 12	Thos. Wilson.....	For labor and material for Ed. department.....	51.30
Jan. 13	S. S. Vall.....	For cash paid for setting platform.....	7.00
Jan. 13	S. S. Vall.....	For cash paid for cutting and moving tubes.....	5.00
Feb. 10	Wesley Redhead.....	For sample of coal for exhibition.....	15.00
Sept. 3	C. Youngerman.....	For one barrel cement, and vase.....	18.00
Total.....			\$83,410.98

EXPENDITURES

For Printing, Binding, and Stationery.

Date.	TO WHOM PAID.	ON WHAT ACCOUNT.	Amount.
1876.			
April 12	John G. Blair	For printing circulars and statistics	\$ 9.00
April 12	Carter, Hussey & Curl	For stationery	59.10
April 12	George O. Ray	For stamps and printing circulars	25.50
May 9	Parrott, Gorton & Sherman	For centennial visitor's register, full Russia	40.00
May 10	Mills & Co	For binding Ed. books, making frames and portfolios	318.52
May 18	Carter, Hussey & Curl	For register of shipment, binding, paper, etc	37.00
May 18	J. C. Arthur	For stationery, and paper for mounting specimens	8.80
June 26	Mills & Co	For binding material for Ed. exhibit	28.85
July 5	Dyke Bros	For printing five hundred catalogues, three hundred labels, and stationery	180.00
Aug. 6	G. B. Brackett	For cash paid for letter heads	5.00
Aug. 11	Spangler & Co	For printing	2.25
Aug. 24	Alex. Shaw	For cash paid for five hundred letter heads	8.00
Aug. 24	Alex. Shaw	For cash paid for envelopes and paper	8.65
Aug. 30	E. H. Calkins	For cash paid for postage and stationery	4.98
Sept. 7	G. B. Brackett	For cash paid for stamps and envelopes	8.25
Sept. 26	G. B. Brackett	For cash paid for register and paper	5.65
Oct. 11	Moss & Co	For letter envelopes70
Oct. 25	Dennis & Co	For three hundred tags90
Oct. 25	Blakeborough	For paper	1.00
Dec. 26	S. S. Vail	For paper and envelopes	1.25
1877.			
Jan. 19	H. A. Perkins	For binding five hundred copies of centennial address, at Philadelphia	148.75
March 6	Iowa State Register	For five hundred labels, 500 tags, 2,100 rules of shipment	28.00
	Total		\$855.05

EXPENDITURES

For Traveling on Centennial Business.

Date.	TO WHOM PAID.	ON WHAT ACCOUNT.	Amount.
1876.			
April 6	Alex. Shaw.....	For traveling expenses.....	\$ 12.00
April 7	P. A. Dunham.....	For railroad fare.....	20.90
April 11	Wm. Christy.....	For expenses for self and C. F. Lovelace to and from Philadelphia.....	315.75
April 12	J. C. Arthur.....	For expenses securing soil.....	64.25
April 14	Alex. Shaw.....	For expenses on Centennial business.....	12.25
June 23	Wm. Christy.....	For expenses to and from Philadelphia.....	177.45
Aug. 12	E. H. Calkins.....	For expenses collecting fruit.....	16.15
Oct. 16	C. Bronson.....	For expenses collecting fruit.....	1.92
Oct. 16	J. T. Young.....	For expenses to and from Philadelphia.....	70.25
Nov. 2	J. W. Fulton.....	For expenses collecting grains and seeds.....	37.12
Dec. 13	B. R. Sherman..	For expenses to and from Philadelphia.....	147.10
		Total.....	\$875.14

EXPENDITURES.

UNCLASSIFIED EXPENDITURES.

Date	TO WHOM PAID.	ON WHAT ACCOUNT.	Amount.
1876.			
April 10	W. P. Fox	For claim against 'old' Centennial Board	\$498.32
April 12	W. H. Shaw	For tools, fuel, and labor on Centennial work	15.00
April 12	Weaver & Malsh	For glass and twine	2.15
April 17	John W. Davis	For services as clerk of Executive Council	75.00
May 9	P. A. Dunham	For incidental expenses	15.00
May 13	John W. Davis	For services as clerk of Executive Council	75.00
May 13	John W. Davis	For incidental expenditures	1.20
June 1	Alex. Shaw	For labor and sundry expenses	66.82
June 3	J. D. Ingalls	For one map of Iowa	12.00
June 5	Metz, Cromwell & Co	For lamps, chimneys, and goblets	3.88
June 5	C. P. Atwood	For two chandeliers, five gallons oil, and can	15.00
June 15	J. W. Fulton	For sundry expenditures	8.00
June 15	Alex. Shaw	For incidental expenses as manager	8.00
June 23	P. A. Dunham	For ornamenting windows, pens, ink, etc.	23.84
July 6	Atlantic & Pacific Telegraph Co	For messages	1.50
July 24	C. A. Johnson	For designing and drawing Centennial membership tickets	25.00
Aug. 6	Ice Co	For ice for State building	4.20
Aug. 23	Centennial Era Printing Co	For Centennial Era	2.00
Aug. 24	Alex. Shaw	For telegram	1.70
Aug. 31	J. W. Fulton	For four papers tacks	32
Sept. 4	James Smith	For services in arranging fruit at Philadelphia	30.00
Sept. 4	E. W. Scarlet	For three gallons coal oil	96
Sept. 7	G. B. Brackett	For cash paid on incidentals for C. C. Nourse's address	1.25
Sept. 7	Russell Bros	For livery hire	6.50
Sept. 13	G. B. Brackett	For two mosquito nets for use of Council	1.50
Sept. 16	E. H. Calkins	For services collecting and arranging fruit at Philadelphia	35.00
Sept. 25	Atlantic & Pacific Telegraph Co	For charges on telegram	1.55
Sept. 26	Entwistle & O'Dea	For nails	50
Sept. 26	E. W. Scarlet	For coal-hod, shovel, brooms, glass, and copperas	5.98
Sept. 29	Darrach & Co	For one ton of coal	6.75
Oct. 7	B. R. Sherman	For paid exchange on drafts	3.00
Oct. 7	B. R. Sherman	For telegrams at Philadelphia to Council	2.25
Oct. 7	B. R. Sherman	For 100 copies Forney's Press, containing notice of Iowa exhibits	3.00
Oct. 12	T. E. Bennett & Co	For paid for ink and tacks	62
Oct. 12	G. B. Brackett	For pair of blankets for Council-room at Philadelphia	8.25
Oct. 16	G. B. Brackett	For cash paid for two sheets and one comfort at Philadelphia	3.80
Oct. 18	E. W. Scarlet	For cash paid charges on telegram	85
Oct. 18	E. W. Scarlet	For six gallons oil, and fifty-eight pounds copperas	6.74

Oct. 30	Penn Institute for the Blind	For feather duster	1.00
Oct. 31	P. A. Dunham	For cash paid for ice	6.26
Oct. 31	P. A. Dunham	For cash paid for oil, soap and copperas	2.46
Oct. 31	P. A. Dunham	For cash paid for house cleaning	5.25
Oct. 31	G. B. Brackett	For cash paid for storage on boxes	23.89
Nov. 6	Chas. Norvell	For ice	.58
Nov. 10	Wm. Kuntzman	For care of G. O. Ray's exhibit	5.00
Nov. 23	Caroline West	For sweeping State building at Philadelphia	4.00
Nov. 23	S. S. Vail	For balance on sundry bills paid	10.21
Nov. 30	G. B. Brackett	For cash paid for nails and hoop iron	.55
Dec. 1	H. B. Snowden	For washing towels eighteen weeks at State building	14.40
Dec. 2	S. S. Vail	For cash paid for sundries	4.91
Dec. 2	C. L. Trobose	For sweeping Ed. department while D. G. Perkins was at State building	5.00
Dec. 30	P. A. Dunham	For cash paid for ice, cleaning house, and sundries	14.94
1877.			
Jan. 6	S. S. Vail	For cash paid for hardware	.95
Jan. 13	S. S. Vail	For cash paid for paint, nails and labor	8.80
Jan. 13	S. S. Vail	For cash paid for painting coat of arms	1.00
Jan. 13	S. S. Vail	For cash paid for varnish, brush and cord	1.05
Feb. 1	D. G. Perkins	For unpacking and re-shipping Centennial goods	17.00
May 10	D. G. Perkins	For services, searching for and returning goods	10.00
Oct. 13	E. W. Express Co.	For package from Philadelphia to the Governor	1.00
1878.			
Jan. 8	Alex. Shaw	For sundries, paid	22.10
Feb. 9	D. G. Perkins	For services, preparing Report and doing other Centennial work	100.00
		Total	\$1,234.16

EXECUTIVE COUNCIL IN ACCOUNT WITH THE STATE OF IOWA.

	Dr.
For State appropriation	\$20,000.00
For proceeds of sale of State building	575.00
For proceeds of sale of furniture, &c.	185.40
For terminal charges refunded	31.00
Total	\$20,791.40
	Cr.
For building, pavillions, &c.	\$7,029.19
For freight, cartage, &c.	1,489.67
For salaries	4,390.98
For goods, preparing same, &c.	3,410.98
For printing, &c.	855.05
For traveling expenses	875.14
For unclassified expenditures	1,234.16—
	19,275.15
Balance State appropriation in treasury	\$1,516.25

In closing this report the Executive Council desire to give expression to a sense of the obligation the State is under to the Board of Centennial Managers, a voluntary organization of our most patriotic people, for its great work in preparing the various exhibits of the State, which it turned over to the Council.

Without these exhibits thus prepared in time, the State's share in the great Exposition would have been meager indeed.

Prominent among these exhibits, was the collection of the soils of the State, and the showing of the geological strata. The former the work of Dr. Alex Shaw, the latter, of Wm. P. Fox. Col. G. B. Bracket and Mrs. Greenland for their wax models of fruits; Prof. H. H. McAfee for his collection of woods; and Mr. J. W. Fulton for his collection of seeds, all deserve especial mention on account of their work preliminary to that of the State.

It was indeed a happy idea that the centennial of an event, which, although happening in the midst of war and war's alarms, gave birth to a nation, which, more than all others in history, was to find its greatest triumphs in the arts of peace, should be celebrated by a commingling of all the peoples of the earth, bringing together products of their skill, industry, and taste.

From the wealth and culture of Europe, the antiquity of Africa, the "immemorial repose of Asia," the enterprise and daring of Australasia, the forests and plains of South America, and the abundance of our own Continent, came fabrics of beauty and utility, cereal, vegetable and fruit products, samples of mineral wealth; while from all lands came their people to witness the wondrous gathering.

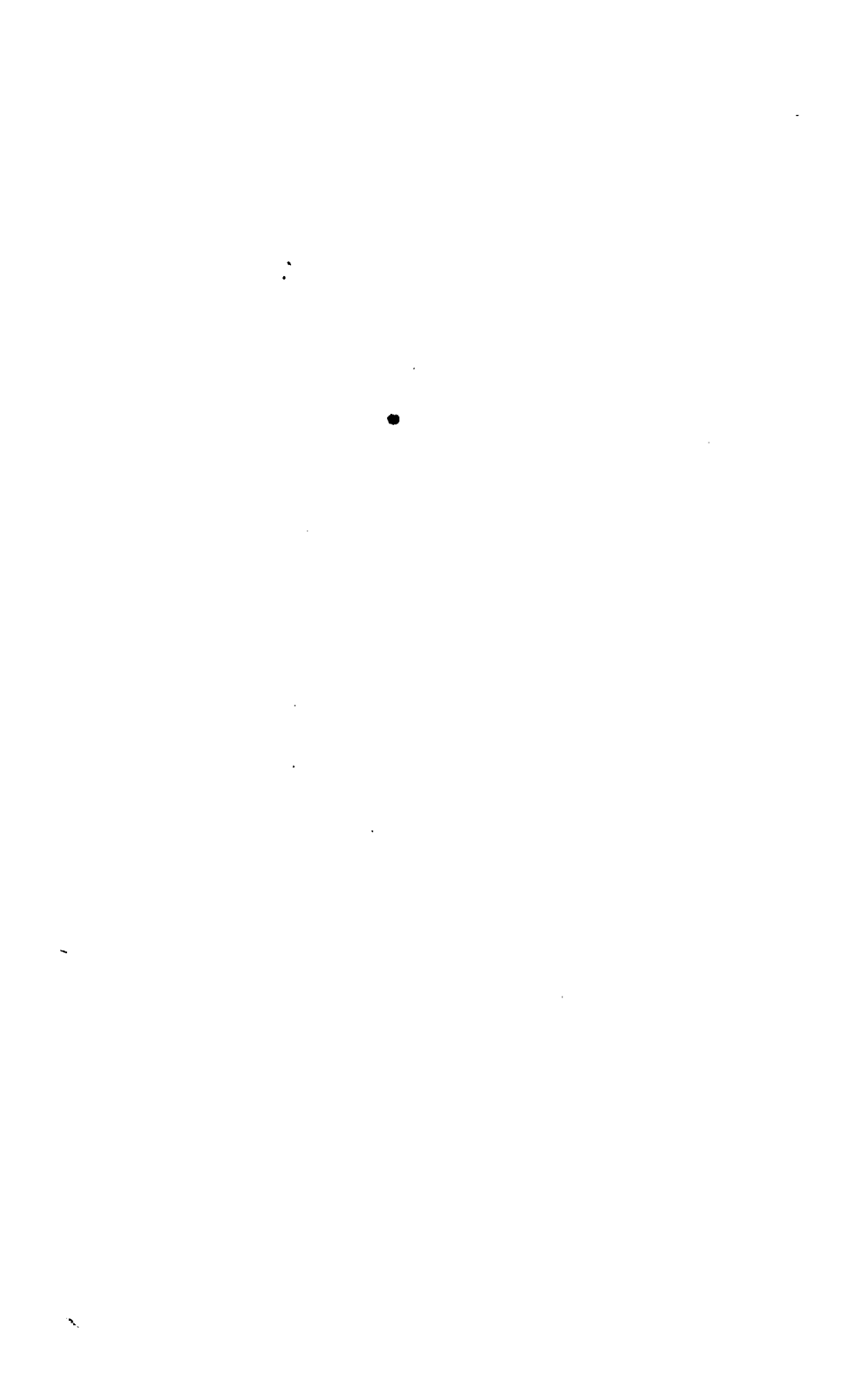
The effort to make to this mighty throng a creditable showing of the resources and capabilities of the State, was, in the opinion of the Council, attended with a large measure of success; and we cannot doubt the expenditure made, will be amply returned to the State by reason of the information it has been the means of disseminating throughout the world, of the wondrous capabilities of our commonwealth.

All of which is respectfully submitted.

JOSIAH T. YOUNG,
Secretary Executive Council.

ERRATA.

- Page 28, line 21, read "26" for "27."
Page 50, line 15, read "repose" for "repeal."
Page 59, Joint Resolution, line 2, should read "Relative to repeal of the bankrupt act."
Page 72, line 37, read "apportionment" for "appointment."
Page 89, line 10, read "H. F." for "S. F."
Page 99, line 38, read "H. F." for "S. F."
Page 101, line 19, read "84" for "89."
Page 113, line 19, read "interested" for "intrusted."
Page 130, line 47, read "97" for "99."
Page 136, line 6, read "102" for "182."
Page 184, line 41, read "81" for "181."
Page 186, line 33, read "170" for "180."
Page 215, line 35, read "S. F." for "H. F."
Page 243, line 13, read "269," for "296."
Page 261, line 6, read "417" for "419."
Page 386, line 28, read "House Sub. for S. F" for "H. F."
Page 390, line 14, read "26" for "36."
Page 411, line 3, read "S. F." for "H. F."
Page 411, line 10, read "251" for "185."
Page 442, line 32, read "S. F." for "H. F."
Page 449, line 1, read "S. F." for "H. F."
Page 475, line 33, read "H. F." for "S. F."
Page 478, strike out lines 17, 18, and 19.
Page 479, line 9, read "379" for "279."
Page 483, line 5, read "278" for "136."



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