

JOURNAL  
OF  
THE SENATE  
OF THE  
TWENTIETH GENERAL ASSEMBLY  
OF THE  
STATE OF IOWA,

WHICH CONVENEED AT THE CAPITOL AT DES MOINES, JANUARY 14, 1884.

DES MOINES:  
GEO. E. ROBERTS, STATE PRINTER.  
1884.

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18<sup>th</sup>  
20<sup>th</sup>  
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# JOURNAL OF THE SENATE.

SENATE CHAMBER,  
DES MOINES, IOWA, January 14, 1884. }

PURSUANT to law the Senate of the Twentieth General Assembly convened at 2 o'clock P. M., and was called to order by Lieutenant-Governor Orlando H. Manning, President of the Senate.

Prayer by the Rev. Wm. M. Barthalmen.

On motion of Senator Whaley, Frank D. Jackson, of Butler county, was elected temporary Secretary.

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

## HOLD-OVER SENATORS.

- 1st District—Henry W. Rothert.
- 7th District—Talton E. Clark.
- 10th District—Lot Abraham.
- 12th District—Cassius M. Brown.
- 13th District—Joseph G. Hutchison.
- 18th District—Cephas B. Hunt.
- 20th District—Pliny Nichols.
- 21st District—John C. Bills.
- 22d District—W. A. Cotton.
- 29th District—Egbert C. Sudlow.
- 30th District—Hiram Y. Smith.
- 34th District—Thomas M. C. Logan.
- 35th District—Julius K. Graves.
- 37th District—John L. Kamrar.
- 38th District—Herman C. Hemenway.
- 42d District—Henry A. Baker.
- 44th District—Chapman A. Marshall.
- 45th District—Alfred N. Poyneer.
- 48th District—John J. Russell.
- 50th District—Gifford S. Robinson.

## ABSENT.

- 9th District—Benton J. Hall.

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

- 2d District—John W. Carr.
- 3d District—Edward J. Gault.
- 4th District—Lewis Miles.
- 5th District—John McDonough.
- 6th District—A. P. Stephens.
- 8th District—James S. Hendrie.
- 11th District—Francis A. Duncan.
- 14th District—Ben Mc Coy.
- 15th District—Edward R. Cassatt.
- 16th District—Eli Wilkin.
- 17th District—Timothy J. Caldwell.
- 19th District—George Carson.
- 23d District—Gilman L. Johnson.
- 24th District—John C. Chambers.
- 26th District—John W. Henderson.
- 27th District—John Ryder.
- 28th District—Preston M. Sutton.
- 31st District—John D. Gillett.
- 32d District—Enoch W. Eastman.
- 33d District—William G. Donnan.
- 36th District—Frank D. Bayless.
- 39th District—Alvin M. Whaley.
- 40th District—William Larrabee.
- 41st District—J. Henry Sweney.
- 43d District—John D. Glass.
- 46th District—Charles E. Whiting.
- 47th District—Charles C. Chubb.
- 49th District—Orsmand M. Barrett.

Senator Moses Bloom, 25th District, requested leave to present his credentials direct to Committee on Credentials, which was granted.

On motion of Senator Hunt, John C. Mason, of Adair county, was elected temporary Sergeant at-Arms.

On motion of Senator Clark, Theodore Schriner, of Henry county, was elected temporary Door-keeper.

On motion of Senator Gillett, Fred Lucas, George Johnson, Charles K. Needham and George Hepburn were elected temporary messengers.

On motion of Senator Rothert, Henry McCraven was elected temporary Janitor.

Senator Rothert moved that the Chair appoint a committee of five on credentials, which was agreed to, and the Chair appointed Senators Rothert, Huthison, Nichols, Kamrar, and Hunt as such committee.

On motion of Senator Clark the Senate adjourned until 10 o'clock A. M. to-morrow, January 15th.

SENATE CHAMBER,  
DES MOINES, IOWA, January 15, 1884. }

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

Prayer by Rev. E. K. Young.

The journal of yesterday was read and approved.

Senator Rotherth from the Committee on Credentials submitted the following report:

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

2d District, J. W. Carr.  
3d District, E. J. Gault.  
4th District, Lewis Miles.  
5th District, John McDonough.  
6th District, A. P. Stephens.  
8th District, James S. Hendrie.  
11th District, F. A. Duncan.  
14th District, Ben McCoy.  
15th District, E. R. Cassatt.  
16th District, Eli Wilkin.  
17th District, T. J. Caldwell.  
19th District, George Carson.  
23d District, G. L. Johnson.  
24th District, J. C. Chambers.  
25th District, Moses Bloom.  
26th District, John W. Henderson.  
27th District, John Ryder.  
28th District, P. M. Sutton.  
31st District, J. D. Gillett.  
32d District, Enoch W. Eastman.  
33d District, Wm. G. Donnan.  
36th District, F. D. Bayless.  
39th District, Alvin M. Whaley.  
40th District, William Larrabee.  
41st District, J. H. Sweney.  
43d District, John D. Glass.  
46th District, C. E. Whiting.  
47th District, C. C. Chubb.  
49th District, O. M. Barrett.

HENRY W. ROTHERTH, *Chairman.*  
C. B. HUNT,  
PLINY NICHOLS,  
J. G. HUTCHISON,  
J. L. KAMRAR.

On motion of Senator Cotton the report was received and adopted.

The newly elected members of the Senate presented themselves at the bar of the Senate and President Manning administered to them the oath of office.

Senator Marshall moved that the Senate proceed to the election of permanent officers.

The motion prevailed.

Senator Clark offered the following resolution, which was adopted:

*Resolved by the Senate of Iowa,* That until otherwise ordered the printed rules of the 19th General Assembly be and the same are hereby adopted.

Senator Sudlow nominated Frank D. Jackson, of Butler county, for Secretary of the Senate.

The roll was then called.

Those voting for Frank D. Jackson were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Brown, Caldwell, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Graves, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin—41.

Absent or not voting:

Senators Bloom, Carr, Cassatt, Chambers, Gault, Hall, Hendrie, Johnson, and Whiting—9.

Frank D. Jackson having received the entire vote cast, was declared duly elected Secretary of the Senate.

Senator Wilkin nominated E. R. Zeller, of Madison county, for First Assistant Secretary of the Senate.

The roll was then called.

Those voting for E. R. Zeller were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Brown, Caldwell, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Graves, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin—41.

Absent or not voting:

Senators Bloom, Carr, Cassatt, Chambers, Gault, Hall, Hendrie, Johnson, and Whiting—9.

E. R. Zeller having received the entire vote cast was declared duly elected First Assistant Secretary of the Senate.

Senator Smith nominated E. R. Hutchins, of Polk county, for Second Assistant Secretary of the Senate.

The roll was then called.

Those voting for E. R. Hutchins were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Brown, Caldwell, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Graves, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin.—41.

Absent or not voting:

Senators Bloom, Carr, Cassatt, Chambers, Gault, Hall, Hendrie, Johnson, and Whiting—9.

E. R. Hutchins having received the entire vote cast was duly elected Second Assistant Secretary of the Senate.

Senator Sudlow nominated Miss Ida C. Little, of Jasper county, for Enrolling Clerk of the Senate.

The roll was then called:

Those voting for Miss Little were:

Senators Abraham, Baker, Barrett, Brown, Caldwell, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett Glass, Graves, Hemenway, Henderson, Hunt, Hutchinson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin—39.

Absent or not voting:

Senators Bayless, Bills, Bloom, Carr, Cassatt, Chambers, Gault, Hall, Hendrie, Johnson, and Whiting—11.

Miss Ida C. Little having received the entire vote cast was declared duly elected Enrolling Clerk of the Senate.

Senator Hemenway nominated Miss Mira E. Foote of Franklin county for Engrossing Clerk.

The roll was called.

Those voting for Miss Mira E. Foote were:

Senators Abraham, Baker, Barrett, Bloom, Brown, Caldwell, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin—41.

Absent or not voting:

Senators Bayless, Bills, Carr, Cassatt, Chambers, Gault, Hall, Johnson, and Whiting—9.

Miss Mira E. Foote having received the entire vote cast was declared duly elected Engrossing Clerk of the Senate.

Senator Hunt nominated John C. Mason of Adair county for Sergeant-at-Arms of the Senate.

The roll was called.

Those voting for John C. Mason were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Brown, Caldwell, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin—42.

Absent or not voting:

Senators Bloom, Carr, Cassatt, Chambers, Hall, Hendrie, Johnson, and Whiting—8.

John C. Mason having received the entire vote cast he was declared duly elected Sergeant at-Arms of the Senate.

Senator Abraham nominated Theodore Schreiner of Henry county for Doorkeeper of the Senate.

The roll was called.

Those voting for Theodore Schreiner were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Carr, Carson, Cassatt, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—46.

Absent or not voting:

Senators Caldwell, Chambers, Hall, and Johnson—4.

Theodore Schreiner having received the entire vote cast he was declared duly elected Doorkeeper of the Senate.

#### RESOLUTION.

Senator Whaley offered the following resolution, which was adopted:

*Resolved*, That Capt. W. T. Lyon and George W. Beall be appointed first and second Assistant Doorkeepers of the Senate.

Senator Rothert nominated Henry McCravan for Janitor of the Senate.

The roll was called.

Those voting for Henry McCravan were:

Senators Abraham, Baker, Barrett, Bills, Brown, Caldwell, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Graves, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin—39.

Absent or not voting:

Senators Bayless, Bloom, Carr, Cassatt, Chambers, Gault, Hall, Hendrie, Johnson, Ryder, and Whiting—11.

Henry McCravan having received the entire vote cast was declared duly elected Janitor of the Senate.

Senator Logan moved that the following persons be elected messengers of the Senate, which motion prevailed:

C. H. Needham, of Keokuk county.

George Hepburn, of Polk county.

Bruce McElderry, of Jefferson county.

J. E. Deoore, of Polk county.

Fred Lucas, of Story county.

#### RESOLUTIONS.

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

*Resolved by the Senate, the House concurring*, That Miss Martha H. Redfield and Miss Emma Sibley be elected to the office of Postmaster and Assistant Postmaster, respectively, of the Twentieth General Assembly.



The President then administered the oath of office to the officers of the Senate.

Senator Smith offered the following resolution, which was adopted:

*Resolved*, That Mrs. J. M. Dixon and Hattie Mitchell be appointed Paper-folders of the Senate.

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

*Resolved by the Senate, the House concurring*, That a committee of three from the Senate and three from the House be appointed to make suitable arrangements for the inauguration of Governor and Lieutenant-Governor, and for the formal opening of the new Capitol.

Senator Rothert moved that a committee of three be appointed to proceed to the House of Representatives to notify that body that the Senate is organized and ready for business, which was agreed to, and the President appointed Senators Rothert, Poyneer, and Johnson as such committee.

Senator Hutchison offered the following resolution:

*Resolved*, That the Secretary of State be and is hereby requested to furnish each member of the Senate, at the lowest price he can procure the same, the latest edition of a copy of McClain or Miller's Annotated Codes, as each Senator may prefer; also a copy of the session laws of the Fifteenth, Sixteenth, Seventeenth, Eighteenth, and Nineteenth General Assemblies.

Senator Marshall moved to amend so as not to apply to old members.

Senator McDonough moved to amend by inserting "without charge." Withdrawn.

The vote being taken on the amendment of Senator Marshall, it was lost.

Senator Smith moved to strike out all of the resolution relative to the session laws. Withdrawn.

Senator Eastman moved to amend so as to read "without cost to the members of the Senate," which amendment was accepted, and the following resolution was adopted:

*Resolved*, That the Secretary of State be and is hereby requested to procure at the lowest price the latest edition of a copy of McClain's or Miller's Annotated Code, as each Senator may prefer, and furnish the same to each Senator without charge. Also a copy of the session laws of the Fifteenth, Sixteenth, Seventeenth, Eighteenth, and Nineteenth General Assemblies.

Senator Sudlow offered the following resolution, which was adopted:

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

Senator Rothert, from the committee to wait upon the House, reported that the duty had been performed.

At 11:15 A. M. Senator Marshall moved that the Senate take a recess for fifteen minutes.

The motion prevailed.

The Senate was called to order at 11:30 A. M.

Senator Smith offered the following concurrent 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 of Governor and Lieutenant-Governor, on Wednesday, January 16, 1884, at 10:30 o'clock, A. M. Adopted.

Senator Eastman moved that the hours for the assembling of the Senate, until further orders, be at 10 A. M. and 2 P. M. Withdrawn.

Senator Cotton moved to adjourn until 2 P. M. Withdrawn.

Senator Duncan moved that the Senate take a recess until 11:45. Carried.

The Senate was called to order at 11:45, when Senator Cotton moved to adjourn until 2 P. M. Carried.

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### AFTERNOON SESSION.

2 O'CLOCK P. M.

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

#### RESOLUTION.

Senator Rothert offered the following resolution, which was adopted:

*Resolved,* That the assignment of seats in the new Senate Chamber be determined by lot, and a committee of three be appointed to make the necessary arrangements therefor.

*Resolved,* That the Secretary of the Senate have charge of seating the representatives of the Press.

The President appointed as such committee for assignment of seats for Senators, Senators Rothert, Hemenway, and Johnson.

#### CONCURRENT RESOLUTION.

Senator Caldwell offered the following concurrent resolution, which was adopted.

*Resolved by the Senate, the House concurring,* That a committee of three members be appointed to meet a like committee of the House to employ a mail carrier for the Twentieth General Assembly.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House, by Sidney A. Foster, Chief Clerk:

MR. PRESIDENT—I am directed to inform your honorable body that

the House has passed and asks the concurrence of the Senate in the following concurrent resolution:

*Resolved by the House, the Senate concurring,* That a committee of three from the House, and a committee of three from the Senate, be appointed on inauguration of Governor and Lieutenant-Governor elect, and that said committee be instructed to make such other arrangements as the committee deem necessary, and that the committee be instructed to report at two o'clock, p. m., to-morrow.

And the Speaker appointed Messrs. Hall, Ballingall and McDaid as such committee on the part of the House.

#### HOUSE MESSAGE.

On motion of Senator Hemenway House concurrent resolution relative to the appointment of a committee of three from the House and three from the Senate on inauguration of Governor and Lieutenant-Governor elect, and arrangements for the dedication of the new capitol building, was taken up, and on motion of Senator Smith concurred in.

The President appointed as such committee Senators Smith, Caldwell and Henderson.

Senator Smith moved to reconsider Senate concurrent resolution referring to inauguration ceremonies, which motion prevailed, and by leave resolution was withdrawn.

A committee from the House announced that body organized and ready for business.

#### MESSAGE FROM THE GOVERNOR.

Mr. Welker Given, Private Secretary to the Governor, presented the Governor's biennial message, which was ordered read. Pending the reading of the message, on motion of Senator Hemenway the further reading of the same was dispensed with, the message placed on file, to be referred to the appropriate committees as soon as appointed.

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

SENATE CHAMBER, }  
DES MOINES, IOWA, January 16, 1884. }

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

Prayer by Rev. F. D. Rickerson.

The journal of yesterday was ordered read.

Pending the reading of the journal, Senator Rothert moved that the reading be dispensed with.

Lost.

The journal was then read and approved.

Senator Smith offered the following report from the committee on inauguration of Governor and Lieutenant-Governor:

MR. PRESIDENT—Your committee appointed by concurrent resolution, on inauguration, make the following report:

The inaugural ceremonies will begin in the rotunda of the new capitol at 2:30 o'clock, P. M., Thursday, January 17th. The militia escort will receive the Governor, Lieutenant-Governor, with party, at the Kirkwood at 1:45 o'clock, P. M., and proceed to the north front of the old capitol where the procession will be joined by the members of the General Assembly who will convene in joint convention at 2 o'clock, P. M. The procession will then proceed east to Eleventh street, then north on Eleventh street to a front directly in front of the east entrance to the new capitol when the military will open order and the Governor, Lieutenant-Governor and party and the members of the General Assembly will pass through into the rotunda. The Governor and party taking seats on the platform. The members of the General Assembly will occupy seats directly in front. All others to remain standing.

PROGRAM.

Prayer by Bishop Hurst.

Administering the oath by Chief Justice Rothrock.

Inaugural address by the Governor.

Music.

Dedicatory address by Hon. John A. Kasson.

Music.

The joint convention will then be dissolved and the members will repair to their respective chambers in the new capitol.

The new capitol will be lighted and opened at 7:30 o'clock, P. M., and an informal public reception given by the Governor, Lieutenant-Governor and Speaker of the House.

The ceremonies of the inauguration will be under the control of Adjutant-General Alexander. The tickets will be delivered to members here Thursday at 10 o'clock, A. M.

Tickets of admission will be distributed as follows:

To members. 10 each.....	1,500
To the Governor.....	100
To the Lieutenant-Governor.....	30
To the Speaker of the House.....	10
To Hon. John A. Kasson.....	20
To 5 State officers. 20 each.....	100
To 5 Capitol Commissioners, 10 each.....	50
To 5 Judges, 3 each.....	15
To 3 Railroad Commissioners, 2 each.....	6
To architect of capitol.....	10
To ex-members and ex-State officials.....	75
To the press of the State.....	200
To the escort.....	200
To miscellaneous.....	184
Total.....	<u>2,500</u>

Members will retain one ticket for admission.

H. Y. SMITH,  
*Chairman of Senate Committee.*  
W. H. HALL,  
*Chairman of House Committee.*

Senator Donnan moved to adopt the report of the committee.

Senator Rothert moved to amend by striking out the words ten to each member and inserting fifteen to each member.

#### 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 No. 2, for the appointment of a joint select committee to inquire into the practicability of publishing the journals of the House and Senate daily.

Also the House has concurred with the Senate in Senate Joint Resolution No. 1, in relation to Postmasters of the House and Senate.

Also, Joint Resolution No. 2—S. concerning the joint convention to canvass the vote for Governor and Lieutenant-Governor.

Also, Joint Resolution No. 3—S. concerning the employment of mail carrier.

SIDNEY A. FOSTER, *Clerk.*

Pending the discussion of the report of the Committee on Inauguration the President announced that the hour fixed for the Senate to meet the House in joint convention to canvass the votes for Governor and Lieutenant Governor elect had arrived, when Senator Hemenway moved to proceed to the House to canvass the vote.

Carried.

The President appointed Senator Sweney as teller on the part of the Senate, and the Senate repaired to the hall of the House of Representatives.

## JOINT CONVENTION.

Lieut. Governor Manning, President of the Senate, called the joint convention to order at 10:30 A. M., and announced Senator Sweney of Mitchell as teller on part of the Senate.

The Speaker announced Mr. Head of Greene as teller on the part of the House.

The roll being called there were one hundred and forty-eight Senators and Representatives present.

The joint convention then commenced to canvass the votes by counties for Governor and Lieutenant Governor, and proceeded with the canvass until the county of Polk was reached, when, on motion of Mr. Clayton of Pottawattamie, the joint convention took a recess until 2 o'clock P. M.

At 2 o'clock P. M. the joint convention was called to order by Lieut. Governor Manning.

On motion of Mr. Carpenter of Webster it was ordered that the votes be counted for the person intended, where the intention of the voter is apparent.

Senator Hall moved to take a recess for one hour.

Mr. Carpenter of Webster moved to amend by striking out one hour and inserting half an hour.

Mr. Merrill moved to amend the amendment by striking out half an hour and inserting until tomorrow morning at 9 o'clock.

Lost.

A division being called for on a rising vote the motion was lost.

Motion on amendment lost.

Motion on original motion lost.

Mr. Culbertson of Des Moines moved to take a recess for fifteen minutes.

Motion lost.

Mr. Tuttle of Polk moved to take a recess until 7:30 this evening.

Motion lost.

Senator Miles moved to adjourn until 7:35 this P. M.

Motion lost.

At 5 o'clock, on motion of Mr. Clayton of Pottawattamie, the joint convention took a recess until 7:15 this P. M.

At 7:15 o'clock, P. M., the joint convention was called to order by Lieutenant Governor Manning.

The President of the joint convention announced the result of the joint canvass as follows:

The total number of votes cast for the office of Governor was . . . . .	327,290
Of which Buren K. Sherman received . . . . .	164,141
Of which L. G. Kinne received . . . . .	140,032
Of which James B. Weaver received . . . . .	23,093
Of which Fred Romiger received . . . . .	1
Of which A. F. Randolph received . . . . .	1
Of which Geo. Wells received . . . . .	1
Of which Geo. Foot received . . . . .	1
Of which Jane Beavers received . . . . .	1
Of which J. E. Foster received . . . . .	1
Of which Walter I. Hayes received . . . . .	1
Scattering . . . . .	17

Whole number of votes cast for the office of Lieut. Gov. was....	326,538
Of which Orlando H. Manning received.....	165,665
Of which Justus M. Clark received.....	138,564
Of which Sanford Kirkpatrick received.....	22,289
Of which Joseph R. Reed received.....	1
Of which P. J. Miles received.....	1
Of which C. A. Cauning received.....	1
Of which Geo. Arnold received.....	1
Of which L. G. Kinnie received.....	2
Of which Joseph H. Reed received.....	1
Scattering.....	18

Buren R. Sherman having received a majority of all the votes cast was declared the duly elected Governor of Iowa for the term of two years, and until his successor is elected and qualified.

Orlando H. Manning having received a majority of all the votes cast was declared elected Lieutenant Governor for two years, and until his successor is elected and qualified.

Mr. Haviland offered the following resolution which was adopted:

*Resolved*, That the abstracts of the votes for Governor and Lieutenant Governor from the several counties of the State be filed in the office of the Secretary of State for preservation and future reference.

Mr. Clayton moved that a committee of three be appointed to notify the Governor and Lieutenant Governor of their election.

The motion prevailed, and Mr. Clayton, Mr. Merrell and Senator Donnan were appointed as such committee.

The following certificates were then signed in the presence of the joint convention:

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 16, 1884. }

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. 1883, for the office of Governor of the State of Iowa, it appeared that Buren R. Sherman 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 sixteenth day of January, A. D. 1884.

O. H. MANNING,  
*President of the Senate, and President of the Joint Convention.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

J. HENRY SWENEY,  
*Teller of the Senate.*

ALBERT HEAD,  
*Teller of the House.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, January 16, 1884. }

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. 1883, for the office of Lieutenant Governor of the State of Iowa, it appeared that Orlando H. Manning 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 sixteenth day of January, A. D. 1884.

O. H. MANNING,

*President of the Senate, and President of the Joint Convention.*

WM. P. WOLF,

*Speaker of the House of Representatives.*

ATTEST:

J. HENRY SWENEY,

*Teller of the Senate.*

ALBERT HEAD,

*Teller of the House.*

On motion of Mr. Carpenter the joint convention dissolved.

SENATE CHAMBER.

At 7:30 the Senate was called to order by the President.

The President announced the following committee to act with a similar committee on the part of the House to select a mail carrier for this General Assembly, Senators Caldwell, Graves and Gault.

The question before the Senate being the amendment offered by Senator Rothert to strike out the word ten and insert fifteen in the report of the committee on inauguration, the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Barrett, Carr, Cassatt, Chambers, Eastman, Gault, Glass, Graves, Hemenway, Hendrie, Johnson, Miles, Poyneer, Rothert, Stephens, Whaley, and Whiting—17.

The nays were:

Senators Abraham, Baker, Bayless, Bills, Bloom, Brown, Caldwell, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Gillett, Hall, Henderson, Hunt, Hutchison, Kamrar, Logan, McCoy, McDonough, Marshall, Nichols, Robinson, Russell, Ryder, Smith, Sudlow, Sutton, Swenev, and Wilkin—32.

Absent or not voting:

Senator Larrabee.

The amendment was lost.



## MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

A resolution inviting John A. Kasson to deliver dedication address.

Also, a resolution concerning adjournment until Tuesday, the 22d inst.

SIDNEY A. FOSTER, *Clerk.*

Senator Robinson moved the adoption of report of committee on inauguration. Report adopted.

## CONCURRENT RESOLUTION.

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

*Resolved by the Senate, the House concurring,* That the committee on arrangements for Inauguration be directed to meet the Governor and accompany him in the procession to the Capitol, and that the members of this committee be excused from convention while complying with the requirements of this resolution.

Senator Rothert, from the committee on arrangements of seats in the new Capitol reported plan of drawing seats, which was adopted.

Senator Gault moved that Senator Eastman be allowed to select his seat before drawing. Carried.

Senator Eastman having selected seat No. 23, Senator Rothert moved to proceed to the drawing of seats, which motion prevailed.

The drawing resulted as follows:

Abraham, No. 24; Baker, 27; Barrett, 35; Bayless, 17; Bills, 43; Bloom, 2; Brown, 14; Caldwell, 38; Carr, 6; Carson, 50; Cassatt, 4; Chambers, 26; Chubb, 13; Clark, 21; Cotton, 18; Donnan, 28; Duncan, 20; Gault, 45; Gillett, 30; Glass, 46; Graves, 41; Hall, 19; Hemenway, 40; Henderson, 49; Hendrie, 15; Hunt, 7; Hutchison, 39; Johnson, 10; Kamrar, 32; Larrabee, 36; Logan, 42; McCoy, 16; McDonough, 5; Marshall, 44; Miles, 33; Nichols, 9; Poyneer, 37; Robinson, 25; Rothert, 11; Russell, 1; Ryder, 8; Smith, 47; Stephens, 3; Sudlow, 12; Sutton, 48; Sweney, 34; Whaley, 31; Whiting, 29; Wilkin, 22.

## HOUSE MESSAGE.

Senator Hall moved to take up House message relative to the address of Hon. John A. Kasson, which motion prevailed, and the following concurrent resolution concurred in:

*Resolved by the House, the Senate concurring,* That a committee of three on the part of the House and three on the part of the Senate be appointed to invite Hon. John A. Kasson to meet the General Assembly at the new Capitol on Thursday, January 17th, and deliver a didicatory address.

## CONCURRENT RESOLUTION.

Senator Logan introduced the following concurrent resolution, which was adopted:

*Resolved by the Senate, the House concurring,* That Nathan W. Smith be appointed foreman of the janitor force in the new Capitol, with authority to employ and discharge such help as may be necessary to keep the Capitol building in good order, by cleaning and lighting the same, and such other work as will promote the health and comfort of the public officers during the sessions the Twentieth General Assembly.

*And be it further resolved,* That the Secretary of State be authorized to employ such help as may be necessary to facilitate the performance of the duties of said office.

The President appointed the following committee to wait upon Hon. John A. Kasson: Senators Hall, Graves, and Bills.

Senator Bills moved to take up house concurrent resolution relative adjournment. Carried.

*Resolved by the House of Representatives, the Senate concurring:* That when this General Assembly adjourns on the 17th, that it be till Tuesday, the 22d, at 2 o'clock P. M.

Senator Brown moved to amend by inserting Monday, the 21st, in place of Tuesday, the 22d.

Senator Gault moved to amend the amendment by inserting 10 o'clock A. M., in place of 2 o'clock P. M., which was withdrawn.

Senator Hall moved to amend the amendment by inserting 3 o'clock P. M. in place of 2 o'clock P. M. Accepted.

Senator Eastman moved to amend the amendment by inserting Friday, the 18th, in place of Monday, the 21st. Lost.

The question being upon the amendment, it was carried, and the resolution as amended was adopted.

Senator Rothert moved to adjourn until 1:30 o'clock P. M. to-morrow. Lost.

Senator Brown moved to adjourn until 10 o'clock A. M. to-morrow. Lost.

At 8:50 P. M. Senator Smith moved to take a recess of ten minutes. Carried.

At 9 P. M. the Senate was called to order by the President.

Senator Hemenway moved to adjourn until one o'clock P. M. to-morrow.

Senator Clark moved to amend by inserting 10 o'clock A. M. instead of one o'clock P. M. Lost.

The motion to adjourn until one o'clock P. M. to-morrow was carried.

Senate adjourned.

SENATE CHAMBER,  
DES MOINES, IOWA, January 17, 1884. }

Senate met pursuant to adjournment and was called to order by Senator Rothert, who called Senator Larrabee to the Chair.

Prayer by Rev. S. S. Grinnell.

On motion of Senator Marshall the reading of the journal was suspended.

HOUSE MESSAGE.

Senator Marshall moved to take up House messages. Carried.

House concurrent resolution:

*Resolved by the House, the Senate concurring,* That there be a joint select committee of five appointed—three on the part of the House and two on the part of the Senate—to confer with the Secretary of the Senate and Clerk of the House, Secretary of State and State Printer, as to the practicability of publishing daily the journal of the House and Senate, and to report by bill or otherwise.

Senator Nichols moved to lay the resolution on the table. Lost.

The question being upon the resolution, it was concurred in.

Senator Larrabee administered the oath to the Postmistress and Assistant-Postmistress of the Senate.

Senator Rothert moved to take a recess until called to order by the Chair, or to an hour not later than 2 P. M. Carried.

At 2 o'clock the Senate was called to order by Senator Larrabee.

Senator Robinson moved to adjourn to meet the House in joint session, and when it dissolves to meet forthwith in the new Senate Chamber.

Senator Robinson asked delay in putting the motion, for inquiry as to custom.

On motion of Senator Abraham the mail carrier, George S. Saylor, appeared before the bar of the Senate, and Senator Larrabee administered to him the oath of office.

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 Senate amendment to the concurrent resolution relative to adjournment till Monday afternoon at 3 o'clock.

SIDNEY A. FOSTER, *Clerk.*

President pro tem. was called to the chair.

A committee from the House announced that body ready to receive the Senate in joint convention to inaugurate Governor and Lieutenant-Governor.

Motion of Senator Robinson in reference to adjournment carried.

## JOINT CONVENTION.

The joint convention assembled in the rotunda of the new capitol at 2:30 P. M., and was called to order by the President.

Music by the band.

Prayer by Bishop Hurst.

Senator Donnan, from the committee to wait on the Governor and Lieutenant-Governor, reported.

Report was received and ordered placed on file.

The oath of office was then administered to the Governor elect, Buren R. Sherman, and Lieutenant-Governor elect, Orlando H. Manning, by Chief Justice Rothrock.

The President introduced Governor Sherman, who delivered the following

## INAUGURAL ADDRESS.

*Fellow citizens:* The noblest ambition of man is citizenship—to have authority as a constituent part of the government—to be consulted in respect to its administration, and allowed to dictate the general policies of the country—while the highest of privileges, is yet enwrapped with gravest responsibilities. No man is fit to be entrusted with such power except he studies to acquaint himself with the policies of the country, and thereby be schooled in that statesmanship so necessary in a government where every citizen is a sovereign, and wherein the expressed will of the people is the law of the land.

Our fathers builded wisely and well, in that giving into the hands of the people the control of public affairs, they yet made provision for the prosperity of free government in the development of the people in matters political as well as physical, through their equality and accountability, thus laying foundations deep and strong, against which the storms of a century have beaten in vain, and our cherished Republic stands forth in bold relief the most free and stable of any political system ever devised by man. While our population has increased in marvelous degree, reaching one tenth the inhabitants of the world, our progress in matters educational and political, has been no less marked—and we may well congratulate ourselves that no where the sun shines, does its rays illumine a people which can with us vie in these grand accomplishments. We are to-day the first in national acquirements, and our people the proudest among the nations of earth. To our eternal credit be it said, it matters not our station or condition of life, rich or poor, learned or unlearned—distinguished or unknown—neither does place of birth disturb, nor shade of color regard—all these are swept away, and the people stand forth in their sovereignty, confessing obligations which can only be discharged through true faith and allegiance to that government, which existing by, and of the people, is at once their voice and preservation. To this end—the sacrament of equal rights to every citizen—is government instituted among men, and becomes us who are responsible in special degree for the present conduct thereof, to see to it

that these great principles do not fail through our indifference or neglect.

The most powerful weapon in the hands of a free people with which to protect themselves and secure that administration of public affairs nearest in consonance with their views—is the ballot—the independence of which must be maintained at all hazards, if we would preserve free government in all its pristine strength and purity. Laws cannot be too strict nor far reaching in the direction of assisting to the honest expression of the will of the voter. The fact is indisputable that many a vote is polled that does not so evidence, because through ballots that are fraudulently prepared, the citizen is imposed upon, and casts his vote for persons who are not his choice, and who do not exemplify the real political bias of the voter. As tending in the direction of thorough knowledge to all the people, I suggest whether or not the law should be amended requiring the names of candidates to such offices as the same have been designated by the different political parties, be posted up in a conspicuous position at each place where an election is held. And further, when the canvass thereof is made, no ballot be counted upon which alteration is made, the same be plainly discernable in writing. With such an amendment to the law, would it not end the practice of the professional peddler, whose services are for sale to any purchaser, and whose only employment is to deceive the unsuspecting voter through so base prostitution of the ballot.

On the general subject of the civil rights of the people, a few words will suffice. If it be true that the several acts of Congress respecting this all important matter are not upheld by the constitution, and that because State action in denial of the application of the principle to all its citizens is first necessary to authorize the National Government to affirmatively interfere, then I am in favor of such legislation in our own State as will secure these rights to every class of our citizens, and determine their status beyond all question or doubt. We have been justly proud of our achievements hitherto—our happy and progressive people—our rapid development in physical respect, and the future so promisingly flattering, all of which has given us enviable reputation. It now devolves upon us to maintain this high position by wise and wholesome administration. I have no doubt the public expectation will be realized.

In the message just submitted, I have called attention to various matters which I think should engage the attention of our law-makers. It is not necessary that any further statement be made in respect thereto. Happily for us, but little legislation is necessary, and that in most part to correct some slight incongruities manifest in existing laws. The citizens of the State, with unusual and gratifying unanimity, are favorable to any system of internal improvements which will advantage the material interests of the State. The same is also true of them when national improvements are considered—especially so in the improvement of the water-ways of the nation. The General Assembly has several times expressed itself favorable to expenditures for such purpose, and no doubt remains to that opinion. Prominent among the objects sought is the permanent improvement of the

Father of Waters and its navigable tributaries, which naturally engages the favorable attention of our people; and connected therewith the construction of proper canals with which to connect the river and the great lakes, an improvement which would result to the advantage of the whole of the great Northwest. I am earnestly favorable to these proposed improvements, and trust that Congress will not longer hesitate in appropriations thereto. One of the most important of these is the project of the "Hennepin" Canal, which, if constructed, cannot fail to be a valuable help in securing low rates to our products. As I view the situation, every dollar saved in transportation adds to the value of our farms and manufactures, and thus both directly and indirectly to the wealth and progress of the State. I should hail with real enthusiasm any measure which will contribute to this end, so much desired by every material interest of the State.

This policy of protection to home interests, like that providing a safe and sound national currency, is one of gravest national importance. We cannot expect to thrive if our entire attention is given to the productive or agricultural interests of the nation. The best market is that of the home, and to my mind, the diversified interests of the State, are at once its profit and protection. Could we induce the establishing of large manufacturing interests amongst us, and therewith accomplish the home consumption of the surplus of our farms, we have reached a degree of independence which places us far in advance of those governments which make barter of their labor, and reduce it to servitude and competition of countries, whose entire interest is subservient and wholly subordinate to the domination of a few industries.

What we need is the upbuilding the entire business of the whole nation—the development of the American system of protecting ourselves, when brought in competition of the pauper labor of other lands, which, if allowed "free course," would inevitably result in the deterioration of our own personal as well as national interests. The late political contests in the several States partook largely of this nature, and the result is conclusive proof of the fealty of the people to the American doctrine, so-called because its distinguishing feature is home entrenchment and the protection of home interests. Neither the influx of foreign gold nor the labors of hired agents can disturb the people in their enthusiastic devotion to the correct and distinguishing American policy, which has prevailed for over half a century, and under which we have advanced to the front in national rank, and to follow which will yet further advance the material interests of the whole people.

During all these years we have progressed more rapidly than ever before, and I take it for granted the policy of the country is so well settled in this regard that no change can result; and following the well beaten and experienced paths which have led to permanent prosperity, they will continue the highways of the nation, until both national independence is secured and the business interests of all the people solidly planted. It is not too much to say the nation is the pride of its every citizen, and stands forth the prominence of the political world.

In assuming, for the second time, the office of Chief Magistrate of

the State, I fully realize my grateful obligations to the people of Iowa, through whose generous confidence I am here. I am aware of the duties and grave responsibilities of this exalted position, and as well what is expected of me therein. As in the past, I have given my undivided time and serious attention thereto, so in the future, I promise the most earnest devotion and untiring effort in the faithful performance of my official requirements. I have seen the State grow from infancy to mature manhood, and each year one of substantial betterment of its previous position.

With more railroads than any other State, save two, with a school interest, the grandest and strongest, which commands the support and confidence of all the people; and a population which, in its entirety, is superior to any other in the sisterhood, it is not strange the pride which attaches to our people. When we remember that the results of our efforts in the direction of good government have been crowned with such magnificent success, and to-day we have a State in most perfect physical and financial condition. No wonder our hearts swell in honest pride, as we contemplate the past and so confidently hope the future. What we may become depends upon our own efforts, and to that future I look with earnest and abiding confidence.

Music by the band.

The President introduced the Hon. John A. Kasson, who delivered the following

#### DEDICATORY ADDRESS.

*Gentlemen of the General Assembly, Officers of State, and Fellow Citizens:* For the people of Iowa, and especially for you, their representatives in the Executive, Legislative and Judicial departments, this day may well be devoted to congratulations. The people will rejoice that this great structure, now so near completion, has been erected with economy, honesty, and sound judgment, and without special taxation, or debt. Their representatives rejoice that they can now enter into appropriate halls with abundance of heaven's pure air and clear light, and with suitable chambers for the important work of their committees. Their Executive and Judicial officers have special reason to be glad that they are soon to leave the inconvenient and insecure quarters hitherto assigned them, for the safe and spacious rooms where fire cannot destroy, where thieves cannot easily break through and steal, and where moth and rust are far less likely to corrupt. All our people, in public or in private life, will today experience profound gratification that all the high authorities of government, the elect of their suffrage, enter in their name into the possession of a State House befitting the intelligence and the wealth, the dignity and the worth of a State which is justly proud of her record of good government. It is the third time that the State has taken possession of a capitol building. As the immigrating farmer willingly passes his first difficult years in a cabin of logs, and when his family is better grown, and the tide of steady prosperity has enriched him, erects a substantial dwelling in which, as he hopes, his

children, and their children after them, may preserve his name and virtues in lasting memory, so Iowa, passing from her earlier official cabins, has devoted a part of her increasing wealth to the erection of this enduring mansion for the residence of her elected government during generations to come.

Our first prayer beneath this high dome is, that here the moral and political foundations of this imperial State may be so deeply and so wisely laid that remote generations shall recall and celebrate the wisdom and the virtues of their ancestors who in the nineteenth century erected and occupied this solid mansion of the State.

It is for us all a source of profound gratification that from the day when the present Commissioners assumed control, with their accomplished Superintendent of Construction, the legislative bodies have never withdrawn from them their confidence. Not one act of speculation or spoliation, not one coin wasted or vainly spent, has defaced the bright record of their administration. It shall be a part of the legacy we leave our children that all these vast and durable walls have been laid in the cement of honesty, and built by the rule of fidelity. More proud of this legend are we, than of all these classic columns and brilliant domes which please the eye and gratify the taste.

As this house of the government has been erected in integrity, without turmoil or disorder, so may neither corruption or violence ever appear within its chambers. Let nothing be ever here transacted against patriotism, religion, morality or education, nor against the just principles of civil liberty, or public or private right. As the wheels of time roll on, as generations of men arise, act their part and decay, may each generation represented in these halls leave to its posterity a newly enriched inheritance of order, liberty and justice. Let us cherish the hope that for centuries to come the eyes of happy industry shall see with joy the beams of the rising day playing upon these bright domes; and that there also, well-rewarded Labor may look with contentment upon the rays of the declining sun, when the evening hour brings its welcome repose to toil.

This noble capitol to-day becomes a monument between two eras in the history of Iowa, dividing the frontier transitory record of the State from its grander history begun with the census of 1880. The past of our State presents a brief record which is within the memory of living men. No misty traditions of antiquity have either obscured or illuminated our course. We have lived chiefly in our anticipated future, to which we have sought to give form and reality. When the bell of Independence Hall rang out the peal of liberty in 1776, Iowa was unknown, except as a land whose borders had been discovered by the French. When Spain ceded the region to Napoleon, and Napoleon in turn ceded it to the United States in 1803, it was still unexplored, unknown, and nameless. First attached in 1804, under the name of the "District of Louisiana," to the jurisdiction of the Territory of Indiana, it became, in 1805, part of the Territory of Louisiana, and in 1812, by change of name, part of the Territory of Missouri. In 1834 all the country north of the State of Missouri and west of the Mississippi river, as far as the Missouri



and White Earth rivers, was attached to the Territory of Michigan. Two years later, in 1836, Wisconsin Territory was created, and embraced all that had so lately been transferred to the jurisdiction of Michigan.

After two years more, in 1838, the Territory of Iowa was established, including what are now the States of Iowa and Minnesota and a large section of Dakota. Seven years later, in 1845, Congress offered to admit us as a State by the side of Florida, on certain conditions, which established our western boundary at longitude 17 degrees, 30 minutes west of Washington, separating from us the entire Missouri "slope." This our people wisely refused; and finally, in December, 1846, Congress extended our western boundary to the proper limit of the Missouri river, and Iowa became one of these United States. Thus, only thirty-seven years ago, Iowa with 100,000 people and two representatives became a member of this great Union of States, which she now supports with nearly two millions of loyal people, with eleven representatives in Congress, with over 11,000 school houses, more than 22,000 teachers, and 464,000 pupils; and with a greater proportion of her people able to read than is shown by any other State of the Union.

This record becomes the more notable when it is remembered that the very hill upon which this capitol stands, and all the valleys and plains for many leagues around, were forty years ago in the occupation of the aboriginal tribes. All this fair domain between the two great rivers of the continent was in the possession of roving or resident tribes until 1830. In that year the relinquishment of the Indian title began by a treaty which covered, with ill defined boundaries, all the region west of the divide between the Des Moines and Missouri rivers, as far north as the forks of the Des Moines river, and thence westward, taking in the valleys of the Boyer, Little Sioux and Floyd rivers, to which was added a strip extending northeastward to the Mississippi river. These concessions were made by the Ioways, Otoes, Omahas, Missourias, Sacs and Foxes, and four bands of Sioux, all of whom claimed rights in the districts relinquished to the United States. The Sioux separately ceded a strip of territory twenty miles wide running from the Mississippi river below La Crosse southwesterly to the Des Moines river, on which cessions are now found the towns of Cresco, Osage, Charles City, and others as far as Dakotah City. The Sacs and Foxes ceded a like strip immediately adjoining it on the south, on which are now many towns, embracing Waukon, West Union, Postville, and others to Fort Dodge. This double concession, forty miles in width, formed a neutral zone between alien tribes. All of Iowa north of these concessions was claimed by different bands of the Sioux until 1851, when their relinquishment was obtained. But these first concessions in 1830, seem to have been made not so much in the interest of the whites as to prevent wars among the Indian tribes, disputing their respective rights to that territory. The advancing tide of immigration, however, was by this time ready to cross our great Mediterranean river, and open up the country on its western bank. The Sacs and Foxes yielded to its demands, and in 1832 gave to white settlement a district equal to two or three tiers of

counties up and down the Mississippi. Again, in 1837, they yielded to further pressure, and gave up one and a quarter million acres along the Cedar and Iowa rivers, including their chief's, Keokuk's, village. This still left all central Iowa south of Fort Dodge and as far west as the Missouri water-shed, in possession of the allied tribes, who numbered, all told, about two thousand two hundred and fifty souls. But the friendly character of these red men had given opportunity to the whites to hear of these clear skies, this fruitful soil and these wooded streams, and even to see these lands of promise, and so to covet them. Under the influence of the progressive human tide pressing from the east, in 1842 they finally threw themselves into the arms of the Federal Government to choose for them a new home further west: and agreed to surrender all their immemorial heritage in three years from that time. When, at midnight following the eleventh day of October, 1845, the signal gun from Fort Des Moines, on yonder point, announced the end of all aboriginal right, the last of these faithful tribes had left their ancestral grounds forever, and the complicated law of the white man succeeded to the simple usages of the native tribes. And so was the very ground now covered by the shadow of these walls transferred from the dominion of Asiatic tribal organization to the control of our European Christian civilization.

These tribes of Sacs and Foxes were among the best Indians of their race. The testimony of our frontiersmen, and the official records of the government describe them as thoroughly entitled to the respect of our race. The United States agent at the Racoon Agency, just before their migration, attributes to them "the many virtues and innate principles of honor and honesty." After their migration, the agent speaks in his reports of their "fidelity and regard for truth, their sense of honor and honesty, and pride of person and nation." It should be told to our children that these sons of the soil to whom we have succeeded left behind them a noble name for many virtues which we may well desire to emulate. Would that my voice might reach them now with these words of praise; and that they might be consoled for the loss of this Eden-land of their ancient possession by knowing that the ground over which they roamed to find food for little more than two thousand souls, now gives home and food to near two million souls, under the protection of the same Great Spirit who rules both them and us.

Those of us who have known the liberal pleasures as well as the struggles of the spacious frontier life, the invigorating contests with wild nature and wilder beasts, the simpler manly virtues which it develops, the self-reliance, personal independence and courage which spring spontaneous from it, may well indulge a feeling of sympathy in the passing away of those tribes who had for centuries enjoyed that life along these running waters, under the shade of these oaks and walnuts, and over these blossoming prairies, where some of us once wandered with gun and fishing-rod in the days that have fled with the game. Shall the restless and eager life of the white man be sweeter than the life of the peaceful savage whom we have displaced—savage only to his enemies? Shall our greed of wealth be

more profitable to the human soul than his greed of game? Shall truer virtue be found in our speculating marts of trade and in our crowded bins and stockyards, than that which was nourished in the sheltered tents of the red men, and under the influence of the brilliant heavens that beamed over their unplowed prairies? Shall the means of personal happiness, now far removed from the simplicities of nature, be more fruitful for us than they were for them as they reposed on the very breast of nature? Let the philosopher who shall live at the close of the twentieth century answer these questions.

As the Indian with bow and arrow disappeared in the west, the frontiersmen advanced from the east with axe and plow. They gathered around the meeting of the rivers in this valley, and believed they could see even the dawning aurora of a brilliant future. They eagerly expected the rising sun of prosperity. But oh, the weary waiting for its coming! The cold blasts of winter, the overfloodings of the streams in spring, the unsold harvests of the autumn, the tedious roads to market, the hopeless improvement of navigation, the tired expectancy of promised railways! Old settlers of Central Iowa, you remember the years that seemed decades, the decade that seemed a century. But we now hail the risen sun. The long expected time of prosperity has come. Instead of struggling wains, drawn by worn beasts over miring roads and across swollen streams, there now depart each day from beneath the shadow of this capitol eighty trains of cars, propelled by a tireless power, and laden with busy men, or with the wealth of State and Nation, over iron ways radiating to all points of the compass, directed to the interior of a continent or to the shores of two oceans, and to markets to foreign lands. Instead of dangerous fords, iron bridges span our streams. Tall groves and houses of comfort defy the wintry blasts of our prairies. Churches and school-houses illuminate the country and beautify the towns. The joy of this time will be complete if it had pleased Heaven to spare the lives of all our hardy pioneers to see this day. They were daring scouts of civilization—these early settlers who bore the severest hardships of the struggle, and opened the way for the happier multitude who now enjoy the ripened fruits of their planting. All hail to the memory of these departed, and a living welcome to you who survive. May heaven long preserve you in the well-earned comfort of your declining years.

Taking leave of our past, what shall be our future in the history of the Republic? Shall we grow into a powerful member of this great Union of States, or bury ourselves in the fatness of our fruitful fields and populous pastures? The real facts which most concern our personal comfort and happiness are undoubtedly those which have for their scene our hearths, our farms, our churches, schools, and workshops. But these are rarely gathered up by the pen of history. It is the larger community, the State, which embodies the resulting character of all this local training; the State, which has its own roof-tree and hearthstone, preserves its own records, and develops a character of its own—it is the State which passes into history, and by its perpetual record conveys to posterity the impressions which they shall entertain of their ancestors. The legislature

of the little emigrant colony of Plymouth, over two hundred years ago, declared "Forasmuch as the maintenance of good literature doth much tend to the advancement of the weal and flourishing state of societies and republics, this court doth, therefore, order that in whatever township in this government consisting of fifty families, or upwards, any meet man shall be obtained to teach a grammar school, said township shall allow at least twelve pounds, to be raised by rate on all the inhabitants." Why we know little of the men who thus resolved, of their names, mode of living, or conditions, this noble record of devotion to education has illuminated all the latter pages or the history of Massachusetts. Three states of this Union maintained for two generations a character among their sister states as individual and distinct as that of an eminent man among his associates. In proportion as the traits of State character are more marked and resolute, the longer they endure. The influx of new elements among the masses of population in many of our states has subjected this character to modifications, until even the family likeness is in some cases dangerously near to disappearance. Our northwestern States are so miscellaneously settled, and are still so young, that no artist can yet venture to draw a portrait which will be recognized as faithful a half century hence. But for the last quarter of a century the pulses of Iowa, and her impulses, have been thoroughly felt, her tendencies and the influences working in her development are so clearly shown as to justify the indulgence of a noble hope of her future. Her liberality in the support of schools and of religious and charitable institutions, the superiority of her people in the comparative tables of popular education, the more equal diffusion of wealth and comfort within her borders, her unquestioned love of liberty, temperance and justice, and her military and civil courage in their maintenance, so distinguish her as to lend a halo to the brightest promise of coming history.

The dangerous influences which threaten to defeat this promise are visible, and demand your vigorous activity to suppress them. The State will rise no higher than the motives and the intellect of the men who in all ranks most prominently represent it. If you allow your offices to be sold as patronage, or claimed as a personal right, and fill them in response to personal solicitation, or party dictation, without regard to fitness, you fail in your duty to the State. If you listen to demagogues who appeal to prejudice against measures of justness, who defame the character of your elected officers to gratify malice or to obtain office for themselves, you prepare the way for the degradation of all public life, and for the humiliation of the State itself. Some new Peter-the-hermit will yet arise among the people to preach a new crusade against the system of falsehood, forgery and defamation, which are still tolerated as weapons of political warfare. Let your curse rest upon them, and your heel crush them out. They degrade us in the eyes of all foreign nations, and they insult the purity and patriotism of our own people. As your vengeance should be swift upon those who are proved corrupt, so let it fall with the speed of a thunderbolt upon the forgers and libellers who fear not to corrupt the public mind with falsehood, and defame the reputation of

the State and Nation by reckless assaults upon their representative officers.

Let your indignation also flow in full tide against the corrupters of the ballot box. Our laws are not yet severe enough against these enemies of the republic. Tricks and deceptions which rob the voter of his sovereign right are not adequately punished. Fraudulent tickets are repeatedly delivered to the ignorant and unwary. And yet a single vote has been known to shape the policy of a State. The ballot is the crown of popular sovereignty, and it should be guarded with a care like that bestowed upon the jeweled emblem with which kings go to their coronation.

What influence will the five hundred and seventy periodical presses of Iowa exert upon the future character of our State? What will this enormous power for good or evil do to form the reputation and build up an honorable name and fame for our home republic? Shall their columns be filled with a mixture of good and evil, of truth and falsehood, that they may thrive by ministering to all depraved as well as elevated tastes? The preaching of your churches and the teaching of your schools will be robbed of half their educational force, if the press fails to contribute its share to the elevation of public sentiment. The hurried demand of the daily page upon over-taxed brains leads too often to recklessness of assertion, to viciousness of argument, and even to the invention of facts, while verification of their statements waits the leisure of their author. Meanwhile the public mind is led astray, and public opinion in part corrupted. The great majority of their issues, it is willingly believed are useful instructors among the moral forces of the community.

But from this central hearthstone of the State we to-day invoke them all to recognize a higher responsibility to truth and justice, a more thorough emancipation from prejudice of party and of person, and a deeper appreciation of their influence upon the destinies of Iowa.

Formidable social and economic questions have in recent years risen in the political horizon, to which we direct our troubled gaze as we should look at some unknown comet stretching across the heavens. The simpler manners and the greater equality of fortunes have passed away. The progress of our race in this nineteenth century has been so rapid, and signal discoveries of science occur so frequently, that when we pause to look backward along the line of our own advance we are filled with astonishment. The venerable man of four score years who may listen here to-day knew a time when no boat was propelled by steam; while now all great seas and inland waters are vexed by their ceaseless wheels.

The mature man of three score years knew a time when no vehicle for freight or passengers moved rapidly on iron rails, governed by an unseen force; while now their noise disturbs the tranquility of two continents. Men of still more vigorous years knew a time when electricity was an unchained force; while now, subjected to our use, messages are instantaneously transmitted by it thousands of miles over land and under seas, annihilating time and outspeeding the coursers of the sun. The boy still at school, with satchel slung upon his shoulders, remembers the time when the human voice was lost at

a short radius in the atmosphere; where now it travels, guided by a delicate wire, for scores of miles, and speaks gently in the ear which listens, even beyond the horizon of the human eye.

Such events, so strange, so wonderful, occurring within our own time, surpass the imaginative compass of an Arab story, and fill us with awe and amazement. Unable to forecast the productive future, we tremble as its opening scenes are displayed to our bewildered sight. We ask what is to be the effect of the enormous accumulations of wealth rendered possible by the numerous amazing inventions of man? What shall be the fate of labor, which applies all these discoveries to the production of this vast wealth? Shall it share in the improvement of human conditions, or be left to retrogradation? Remembering that extreme wealth and extreme poverty are the two widely separated ends of the human chain, shall the great middle classes which so largely outnumber both the others, reconcile the rights of one with the interests of the other, and so maintain our peaceful development?

These pregnant questions, gentlemen, will demand your unimpassioned thought for years to come, for they must in part be hereafter resolved by legislation within the halls of which you this day take possession. The country is feeling its way steadily toward their solution. Let patience be a welcome guest at your deliberations, and let justice control them. For justice is the richest jewel in the crown of government—justice to the low, justice to the high, justice to all. Legislation must not take away from industry, activity and extraordinary capacity the legitimate earnings of these superior qualities; for that would be to discourage the best labor and to retard the advance of society. Nor, on the other hand, must it give to superior faculty such advantages as will enable it to oppress humbler natures or deprive them of their fair protection, and their fitting share in the world's advance.

The just principle must be found upon which proper social legislation shall be based. It may possibly be recognized by analogy to the care bestowed by governments upon those in its military service who are wounded or diseased in the line of duty. It may be found in the compulsory and regular contribution from the profits of the enterprise to a beneficial fund; or in the principles of an insurance association. Voluntary efforts of enlightened wealth are already opening the way and blazing the path of future legislation. The principles of justice, reinforced by the sentiment of Christianity, will surely lead our fair minded countrymen to the settlement of these questions without the violence and disorder which are so dangerously distracting the older nations of Europe.

We, gentlemen, shall soon pass from the stage of public action. The hope of the country will soon pass to the next generation. The fair flower of Iowa, now in her public schools or just leaping the fences into political life, will claim the control of the destinies of the State, I appeal to them to avoid the common road which leads through the passion and prejudices of men; and to choose the path which demands higher courage, but which leads assuredly to an honorable fame. The generosity of their years should easily lead them to resist

the despotism of the strong, as well as to scorn the ways of the demagogue. To gain greatness for themselves or for their State, they must be guided by the nobler sentiments of the human heart and by the higher qualities of the human intellect. It is of the very nature of greatness that it represents these qualities it is developed by them, but it is of the very nature of prejudice and passion that they cannot endure in leadership; they must die of the moral mephitic gasses which are evolved out of their own active heat. You may try to convert them to a better nature, but try not at all to build yourself upon them. They make a Marat, who flooded a city with blood; but never a Napoleon, who curbed and conquered them, and organized an empire upon their fall. Truth alone is indestructible.

“The eternal years of God are hers,”

as well in politics as in religion. Truth and you together are stronger than you and all the hosts of error in company. In a time of great passion and excitement John Milton wrote, “I care not what error is let loose into the field, so truth be left free to combat it.” One of the noblest things in this contest against popular error and prejudice on the one hand and against the prejudices of organized wealth and position on the other, to which I summon the youth of Iowa, is found in the manly qualities of courage and personal independence which it evokes. Slaves of party and slaves of self interest and prejudice abound, and will threaten you with defeat if you take sides against them for public justice and public honor in times of difficulty. But the battle, though prolonged, is surely won in the end for truth and justice. It is not the skirmish, but the final victory, which wins the chaplet of immortality. We send these messages to-day from beneath this dome to the blossoming manhood of our State, now in university, college and schools, who shall soon occupy our places in this capitol, and shall here direct the affairs and establish the fame of a greater State.

One sentiment more demands expression under these arches as they are dedicated to future centuries. Need I say to you, men of Iowa, who have so recently and so bountifully given your treasure and your blood to maintain it, that the strongest hope of the future welfare of our State, under favor of the Almighty, is in the perpetuity of the national Union. In that well-rounded circle we dwell secure. Detached from that bond, a broken fragment, we should be the prey alike of internal faction and of faithless and transient external alliances. Jealousies of rivals on every side, obstructed intercourse, commercial exactions, and frontier broils, would impoverish the people, excite their passions, and destroy their peace. In the end we should fall like the petty republics of Greece under foreign domination, or like Rome seek relief from domestic faction in submission to a despot's rule. The rallying cry of all patriots must still be, the constitution and the union. The victories of the war and the glories of peace, won under the common flag, must never be divided. May each generation transmit from these halls to its succeeding generation the watchword: Let the Union remain forever. When, in 1851, being the seventy-sixth year of our independence, the corner

stone was laid for the extension of the United States capitol, Mr. Webster deposited a memorial of the ceremony, in which he declared that if it should thereafter be the will of God that the structure should fall from its base and its foundations be upturned, that memorial should make it known that the union of the States then stood firm, and the constitution unimpaired, and grown stronger in the affections of the people than ever before.

Standing to-day in this noble presence of all departments of government, legislative, executive and judicial, and of the people of the State, I would enlarge the lofty words of that great statesman. If it shall hereafter be the will of God that the pillars and domes, towers and walls of this great structure shall fall prostrate, and even its foundation be buried from the eyes of men, be it known that at this time, in the one hundred and eighth year of our independence, the Union of the United States of America, having withstood the shocks of two foreign wars, and of one more terrible civil war, still stands firm, and more strongly consolidated than ever before, having been cemented by blood; that their constitution still exists unimpaired, and even improved by the introduction of universal human liberty within its entire jurisdiction; and with more than its original usefulness and glory; that it grows every day stronger in the affections of the great body of the American people, and attracts more and more the admiration of the world. And all here assembled, whether belonging to public or private life, with hearts devoutly thankful to Almighty God for the preservation of the liberty and the happiness of the country, and for the great prosperity of the State, unite in sincere and fervent prayers that these walls and arches, domes and towers, columns and capitals, may endure so long as the republic and liberty survive.

Mr. Carpenter moved that the thanks of the joint convention be and are hereby extended to Hon. John A. Kasson for his dedicating address, and that he be requested to furnish a copy of the same, to be printed with the Governor's Inaugural Address. Carried.

Senator Rotherth moved that the joint convention be dissolved, and the Senate and House repair to their respective chambers. Carried.

At 4:10 P. M. the Senate was called to order by the President.

#### RESOLUTIONS.

Senator Whaley offered the following resolution, which was adopted:

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

Senator Rotherth offered the following resolution:

*Resolved*, That the several chairmen of the standing committees of the Senate, when appointed, assign the committee rooms in charge of the Senate to the several committees.

The President announced the following committee on mileage: Senators Whaley, Abraham, and Cassatt.



## CONCURRENT RESOLUTION.

Senator Hall offered the following concurrent resolution as a substitute for that offered by Senator Rothert:

*Be it resolved by the Senate, the House concurring,* That a special committee be appointed, consisting of two from the Senate and three from the House, to examine and determine what committee rooms shall be assigned to the Senate committees and what to the committees of the House, and report to the respective Houses for approval.

Pending discussion upon the substitute, the following was received from the Capitol Commissioners.

## COMMUNICATION.

OFFICE OF THE  
BOARD OF CAPITOL COMMISSIONERS, }  
DES MOINES, IOWA, January 16, 1884.

*To the President of the Senate:*

I am directed to present the following action of the Board of Capitol Commissioners.

ED WRIGHT, *Secretary.*

*Resolved,* That the Secretary be and is hereby directed to notify the General Assembly that, pursuant to an act, and a concurrent resolution passed at their last session, this Board has completed and furnished the Library, the Legislative Halls, rooms for the Lieutenant-Governor and Speaker, rooms for the Secretary of the Senate, and clerks of the House, cloak and smoking rooms, telegraph and postoffices, and twenty-two committee rooms, and that the same will be ready for occupancy on the 17th inst. at 2 o'clock P. M.

Substitute of Senator Hall adopted.

## RESOLUTION.

Senator Larrabee offered the following resolution:

*Resolved,* That smoking shall not be permitted in this Chamber or the galleries, and the Sergeant-at-Arms is hereby required to strictly enforce this order.

Senator Kamrar moved to insert "and chewing."

Senator Hall moved to insert "tobacco."

Amendments accepted, and resolution as amended adopted.

The President announced as committee on the part of the Senate on printing daily journal of proceedings, Senators Clark and Robinson.

## CONCURRENT RESOLUTION.

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

*Be it resolved by the Senate, the House concurring,* That the thanks of the Senate and House of Representatives are hereby tendered to

the new Capitol Commissioners for the prompt and able manner in which they have completed the rooms of the respective bodies for occupation.

Senator Chambers offered the following concurrent resolution:

*Resolved by the Senate, the House concurring,* That there be no stands for the sale of any articles allowed in the halls of the Capitol. Lost.

REPORT OF COMMITTEE.

Senator Caldwell, from the committee on appointment of Mail-carrier, offered the following report:

MR. PRESIDENT—The joint committee to whom was assigned the duty of recommending a suitable person for Mail-carrier for the Twentieth General Assembly, beg leave to report that they would respectfully recommend Mr. George Saylor for that position.

Report adopted.

Senator Robinson was granted leave of absence until Tuesday, 12 m., January 22.

The following Senators were granted leave of absence until Tuesday, A. M.: Senators Chubb, Whaley, and Cotton.

Senator Brown moved to adjourn. Withdrawn.

Senators Hendrie, Hunt, Rotherth, Carr, Hutchison, Gault, and Ryder were granted leave of absence until Tuesday A. M., Jan. 22.

At 4:45, on motion of Senator Duncan, the Senate adjourned until Monday, the 21st inst., at 3 o'clock P. M.

SENATE CHAMBER,  
DES MOINES, IOWA, January 21, 1884. }

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

Prayer by Rev. W. H. Van Antwerp.

The journal of January 17th was read and approved.

RESOLUTION.

Senator Eastman, by leave, offered the following resolution:

*Resolved,* (1) That there be added to the list of standing committees of the Senate the following:

A committee on Mines and Mining.

A committee on Public and Private Corporations.

(2) That until otherwise ordered none of the standing committees of the Senate shall have a larger membership than nine Senators.

Senator Donnan moved its adoption.

Senator Smith moved to amend by striking out nine and inserting thirteen.

Senator Bills moved to postpone further consideration until to-morrow at 10 o'clock A. M.

Carried.

Senator Sudlow was granted leave of absence until to-morrow morning.

#### CONCURRENT RESOLUTION.

Senator Donnan offered the following concurrent resolution which was adopted:

*Resolved by the Senate, the House concurring,* That the Secretary of State be instructed to have telephones put in the rooms of the Lieutenant Governor, Speaker of the House of Representatives, Secretary of the Senate, and Clerk of the House.

#### RESOLUTION.

Senator Hunt offered the following resolution which was adopted:

*Resolved by the Senate,* That the Secretary of State be authorized to purchase a suitable number of waste baskets for the use of the Senators and officers of the Senate.

#### COMMUNICATION.

The following communication was received from the Secretary of State and ordered placed on file:

STATE OF IOWA,            }  
OFFICE OF SECRETARY OF STATE. }

*To the Honorable Senate of Iowa:*

I would respectfully call your attention to an error in the tabulated vote as made by the joint convention for the office of Governor. In the county of Mahaska I find the joint convention tabulated the vote as follows:

Buren B. Sherman.....	2,664
L. G. Kinne. ....	2,650
James B. Weaver.....	973
	<hr/>
Making a total vote of.....	6,287

By reference to the official returns from Mahaska county, directed to the "Speaker of the House of Representatives," and opened in presence of joint convention, I find the following:

For the office of Governor there were five thousand two hundred and eighty-seven (5,287) votes cast, of which Buren R. Sherman received two thousand six hundred and sixty-four (2,664) votes, L. G. Kinne received one thousand six hundred and fifty (2,650) votes, and James B. Weaver received nine hundred and seventy-three (973) votes.

The vote for L. G. Kinne being written out in full "one thousand six hundred and fifty," and figures in brackets being "2,650." The

tabulated vote makes one thousand votes in Mahaska county in excess of the total vote of the county.

As the records of this office should be correct, I submit this statement of fact, and await the instructions of the Honorable General Assembly of Iowa.

Respectfully,

J. A. T. HULL,  
*Secretary of State.*

CONCURRENT RESOLUTION.

Senator Donnan offered the following concurrent resolution:

WHEREAS, By the official statement of the Secretary of State it appears that an erroneous publication was made of the official returns from Mahaska county, of the vote for Governor, at the late election, in the joint convention of the 16th inst.; therefore,

*Resolved by the Senate, the House concurring,* That the Senate will meet the House in the Hall of the House of Representatives on the 23d day of January, at 2 o'clock P. M., for the purpose of witnessing the correction of such erroneous publication, and the correction of the tally list of the said vote for Governor, and also the declaration of the result in accordance therewith.

Senator Hall moved the resolution be laid on the table.

Lost.

Senator Donnan moved that further consideration be postponed until 10:15 o'clock to-morrow morning.

Senator Bills moved as amendment to postpone until committees are formed.

Amendment accepted and adopted.

On motion of Senator Logan the votes on the concurrent resolution adopted by the Senate, relative to janitors of the new capitol, was reconsidered.

Original resolution lost.

CONCURRENT RESOLUTION.

Senator Abraham offered the following concurrent resolution which was adopted:

*Resolved by the Senate, the House concurring,* That inasmuch as the Governor's and Secretary's of State rooms will not be finished in time for their use during the session of the Twentieth General Assembly, we hereby tender them the use of such committee rooms as may best suit their use, and invite them to move over and abide with us for our convenience, and that if they accept this invitation their rooms, or as many of them as the Twentieth General Assembly may need, be assigned for use of committees.

JOINT RESOLUTION.

Senator Logan offered the following joint resolution:

WHEREAS, Leave has been asked to introduce in the Forty-eighth Congress a resolution declaring the operation of all laws authorizing

the sale of intoxicating liquors in the States, at wholesale or retail, to be made dependent and contingent upon the person or persons thus authorized first obtaining a license from the State authorities; and

WHEREAS, We recognize in the existing United States statutes authorizing the issuance without restriction of special permits to sell intoxicating liquors an effectual barrier to the suppression of the evils of intemperance by State law, which endangers and disturbs the harmony that ought to be maintained between the operation of national and State law in such cases, by the observance of those just principles heretofore recognized and sanctioned by our highest judicial tribunals; therefore,

*Be it resolved by the General Assembly of the State of Iowa,* That our Senators in Congress be instructed, and our Representatives therein requested, to use their utmost endeavors to secure the passage of an act of Congress embodying the views hereinbefore expressed, by providing that hereafter no person shall be granted a permit to sell intoxicating liquors in any of the States until such person shall have first obtained license or permission from the proper State authority.

*Resolved,* That the Secretary of State be requested to forward a copy of these resolutions to each of our Senators and Representatives in Congress.

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

#### RESOLUTION.

Senator Brown offered the following resolution:

*Resolved,* That until further ordered the Senate will hold one session daily, commencing at ten o'clock A. M. and adjourning at twelve o'clock M.

Senator Caldwell moved to amend by inserting 2 o'clock P. M. instead of 10 o'clock A. M. Withdrawn.

Resolution withdrawn.

At 3:45 o'clock, on motion of Senator Bills, the Senate adjourned until 10 o'clock A. M. to-morrow.

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SENATE CHAMBER, }  
DES MOINES, IOWA, January 22, 1884. }

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

Prayer by Rev. A. P. Cobb.

The journal of yesterday was read and approved.

## SPECIAL ORDER.

The special order of business being the resolution of Senator Eastman relative to number of Senators on committees, Senator Russell offered the following substitute:

*Resolved*, That there be added to the list of standing committees of the Senate, a committee on mines; a committee on private corporations. And that each of the standing committees of the Senate shall consist of not less than three nor more than thirteen of its members.

Senator Gault moved as an amendment to the substitute, to strike out the word thirteen and insert fifteen instead.

Senator Donnan moved to amend by inserting the words "public and."

Amendment of Senator Gault adopted.

Amendment of Senator Donnan accepted.

Senator Rothert moved to strike out the words "public and".

Carried.

Senator Gault moved to insert "and mining."

Carried.

Substitute of Senator Russell, as amended, adopted.

## RESOLUTIONS.

Senator Hunt offered the following resolution:

*Resolved*, That the Lieutenant-Governor be requested to appoint one other messenger for the Senate.

Senator Logan moved to amend so that two additional messengers be appointed.

Lost.

Resolution adopted.

On account of sickness, Senator Glass was granted leave of absence until his return.

Senator Bayless offered the following resolution:

*Resolved by the Senate*, That the Senate Chamber, its door-keepers, pages and janitors are under the direction and control of the Sergeant-at-Arms, and that at least one door-keeper and one page be required to remain in charge of the Senate Chamber when open and the Senate not in session.

Senator Marshall moved to amend by inserting "the Senate Chamber be kept open until 9:30 o'clock, P. M."

Senator Sweney moved to amend by inserting ten instead of ninety-three.

Accepted.

Senator Marshall offered the following resolution:

*Resolved by the Senate of the Twentieth General Assembly*, That hereafter the Senate Chamber be kept open continuously for the use of members of the Senate from the time of opening in the morning till 10 P. M., and that the Sergeant-at-Arms and janitors be instructed that the Chamber be promptly lighted at dusk for use during the evening.

Senator Hutchison moved resolution be referred to Committee on Rules.

Carried.

Senator Smith moved that the Senate now proceed to the election of an United States Senator.

Carried.

The roll was then called, with the following result:

Whole number of votes cast .....	49
Of which Wm. B. Allison received .....	38
L. G. Kinne received .....	1
B. J. Hall received .....	10

Those voting for Wm. B. Allison were:

Senators Abraham, Baker, Barrett, Bills, Brown, Caldwell, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rotherth, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin—38.

Those voting for B. J. Hall were:

Senators Bayless, Bloom, Carr, Cassatt, Gault, Henderson, Hendrie, Johnson, Ryder, and Whiting—10.

Those voting for L. G. Kinne was:

Senator Hall—1.

Absent or not voting:

Senator Glass—1.

#### CONCURRENT RESOLUTIONS.

Senator Rotherth offered the following resolution, which was adopted:

*Resolved by the Senate, the House concurring,* That the General Assembly will meet in joint convention in the hall of the House of Representatives at 12 o'clock, meridian, on Wednesday, January 23, 1884, to compare the journals of the two houses and to declare the result of the vote for a United States Senator for six years from the fourth of March, 1885.

Also, To elect Wardens of the Penitentiary at Fort Madison and the Additional Penitentiary at Anamosa, State Printer and State Binder.

Senator Eastman offered the following concurrent resolution:

*Resolved by the Senate, the House concurring,* That the Secretary of State be and hereby is directed to supply the postmistresses with all necessary postal stamps, and that the postmistresses be and hereby are directed to place the proper and necessary postal stamps on all documents, letters and papers deposited in the post-office by the several members of the General Assembly of Iowa.

Senator Bills moved the resolution lay over until to-morrow.

Senator Gault moved it be laid on the table.

Carried.

## PETITIONS AND MEMORIALS.

Senator Larrabee presented a petition from citizens of Fayette county relative to amending the code of Iowa so as to permit insurance companies for insurance against losses by tornadoes, cyclones, etc.

Referred to Committee on Insurance.

Senator Hutchison presented a petition signed by Bishop Perry and others, asking a change of laws pertaining to divorce.

Referred to Committee on Judiciary.

## MESSAGE FROM THE HOUSE.

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following concurrent resolution: Providing telephones for Lieutenant Governor, Speaker, Secretary and Clerk.

Also, Thanks of the Senate and House extended to the Capitol Commissioners.

Also, Invitation to the Governor and Secretary of State to occupy rooms in the new capitol.

Also, Relative to a special committee consisting of two from the Senate and three from the House, to examine and determine what committee rooms shall be assigned to the Senate and House committees.

And I am also instructed to inform you that the House returns Senate concurrent resolution No. 1, in regard to committee to meet and accompany the Governor to the new capitol for inauguration, the same being out of order.

SIDNEY A. FOSTER, *Chief Clerk.*

## REMONSTRANCES.

Senator Logan presented a remonstrance against the pardon of Lewis W. Weirich, signed by 873 citizens of Harrison county.

Referred to Committee on Penitentiaries.

## INTRODUCTION OF BILLS.

By Senator Donnan, Senate File No. 1, a bill for an act to repeal section 1555, chapter 6, title 11, of the code, and to enact a substitute therefor, relating to intoxicating liquors.

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

By Senator Gillett, Senate File No. 2, a bill for an act to repeal section 3774 of the code, and enact a substitute therefor, in relation to the salaries of the judges of the district and circuit courts.

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

By Senator Gillett, Senate File No. 3, a bill for an act to establish the office of State Entomologist.

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



By Senator Sudlow, Senate File No. 4, a bill for an act to provide a fund from which to pay for sheep and other domestic animals killed or injured by dogs.

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

By Senator Hunt, Senate File No. 5, a bill for act to amend section 3072, of the code of 1873, in relation to the exemption of soldiers pensions.

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

By Senator Smith, Senate File No. 6, an act appropriating money to defray expenses of inauguration and dedicatory ceremonies.

Read a first and second time.

Senator Rothert moved a suspension of the rule and the bill be considered engrossed.

Carried.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Eastman, Gault, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—48.

Absent or not voting:

Senators Duncan and Glass—2.

By Senator Carson, Senate File No. 7, a bill for an act granting additional powers to cities and towns with reference to the improvement of streets, highways, avenues and alleys; to provide a system for the payment of said improvements; and to repeal chapter 51 of the acts of the Thirteenth General Assembly.

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

By Senator Clark, Senate File No. 8, an act to amend section 9 and section 10, chapter 40, of the acts of the Nineteenth General Assembly, and to increase the appropriation for ordinary expenses, and provide for drawing clothing funds for the Iowa Institution for Feeble Minded Children at Glenwood.

Read a first and second time, and referred to Committee on Asylum for Feeble Minded Children.

By Senator Hall, Senate File No. 9, a bill for act establishing the supreme court at the capital of the State, and fixing the terms thereof.

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

By Senator Hall, Senate File No. 10, a bill for an act to amend section 1061, chapter 1 of the code of 1873, in relation to corporations for pecuniary profits.

Read a first and second time and referred to Committee on Railways.

Senator Hall moved that all bills be printed, unless otherwise ordered.

Carried.

At 12:05 o'clock P. M., Senator Marshall moved to adjourn until 10 o'clock to-morrow morning.

Carried.

Senate adjourned.

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SENATE CHAMBER, }  
DES MOINES, IOWA, January 23, 1884. }

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

Prayer by Rev. F. L. Kenyon.

Journal of yesterday read and approved.

#### INTRODUCTION OF BILLS.

By Senator Miles, Senate File No. 11, a bill for an act to protect all citizens in their civil and legal rights.

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

By Senator Marshall, Senate File, No. 12, a bill for an act to establish a uniform series of text books for the public schools, and to provide school books for the poor.

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

#### RESOLUTION.

Senator Bills introduced the following joint resolution, which was read a first and second time:

WHEREAS, The agricultural, manufacturing and commercial interests of the northwest, as well as of the entire country, are largely dependent for their development upon a full enjoyment of facilities for the transportation of products and commodities; and,

WHEREAS, The two great interior water routes of transportation in the United States, are those of the Mississippi river from north to south and of the lakes, with the Erie Canal and the Hudson river from west to east; and,

WHEREAS, A direct all water connection between these two great routes is indispensable to a complete service to the interests which so imperatively demand improved and shorter routes of transportation

since without such connection there can be no real use of a water route between the east and the northwest; and,

**WHEREAS**, The General Assembly of Iowa has frequently memorialized Congress for the construction of a canal to connect the Mississippi river with the Illinois river canal at or near Hennepin, Illinois; and,

**WHEREAS**, The Forty-Seventh Congress ordered a survey of said proposed route, which survey has been made and returned, with estimates of the cost of constructing and maintaining such proposed canal, and the President has by a special message called the attention of the present Congress to the importance of the said work; and,

**WHEREAS**, A bill is now pending in Congress to provide for the beginning of the work of construction of said canal, known as the "Michigan and Mississippi River Canal"; therefore,

*Resolved*, That the Senate, the House concurring, respectfully memorialize the Congress of the United States by the passage of said proposed act to provide for the construction and maintenance of said canal as an indispensable part of our great water highways for the commerce of the whole country, said canal to be constructed upon whichever of the three routes surveyed shall seem most expedient and to best subserve the interests of the whole people.

*Resolved*, That our Senators and Representatives in Congress be requested to use all proper and possible exertion to secure in the body in which they respectively serve, the passage of said act.

*Resolved*, That a copy of these resolutions, duly signed by the President of the Senate and attested by the Secretary be forwarded to each of our Senators and Representatives in Congress, in order that the same may be duly presented to the respective bodies in which they serve.

Senator Bills moved the rules be suspended, the resolution be read a third time and put on its passage.

Senator Eastman objected and it was referred to Committee on Commerce.

#### INTRODUCTION OF BILLS.

By Senator Nichols, Senate File No. 13, a bill for an act to repeal sections 857, 865, and 866 of the Code, and enact substitutes therefor—providing for semi-annual collection of taxes; also, to amend sections 871, 873, 883 and 914 of the Code and section 1 of chapter 79 of the acts of the Sixteenth General Assembly.

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

By Senator McCoy, Senate File No. 14, a bill for an act to exempt from judicial sale of homestead and other lands, purchased with pension money or the proceeds thereof, amendatory to Code, chapter 8, title 13, relating to homesteads.

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

By Senator Caldwell, Senate File No. 15, a bill for an act to amend chapter 6, title 11, of the Code, relating to the sale of intoxicating liquors.

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

By Senator Eastman, Senate File No. 16, a bill for an act to pay postage on public documents, letters, and papers.

Read a first and second time.

Senator Eastman moved to suspend the rules and the bill be put on its passage.

Senator Brown moved it be referred to Committee on Judiciary.

Senator Cotton moved to amend so that it be referred to Committee on Retrenchment.

Accepted.

Motion lost.

Senator Bills moved it be referred to Committee on Judiciary.

Lost.

Senator Brown moved to refer to Committee on Ways and Means.

The yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Duncan, Gault, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting—44.

The nays were:

Senators Donnan, Ryder, Wilkin—3.

Absent or not voting:

Senators Eastman, Glass, Smith—3.

So the bill was referred to Committee on Ways and Means.

By Senator Bills, Senate File No. 17, a bill for an act to amend section 175, of chapter 5, of title 3, of the Code of 1873.

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

By Senator Bills, Senate File No. 18, a bill for an act to repeal section 28, of chapter 60, of the acts of the Fifteenth General Assembly, relating to the assessment and taxation of the property of Savings Banks, and to provide a substitute therefor.

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

By Senator Bills, Senate File No. 19, a bill for an act to prevent unjust discrimination in rates for transportation of freight by railroad corporations, companies or individuals, doing business as common carriers in whole or in part within the State of Iowa, and to provide a punishment therefor.

Read a first and second time and referred to the Committee on Railways.

By Senator Bills, Senate File No. 20, a bill for an act to amend section 797, title 5, chapter 10, of the Code, relating to exemptions of property from taxation.

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

By Senator Bills, Senate File No. 21, a bill for an act to prevent

unjust discrimination in rates for transportation of freight by railway corporations, companies or individuals doing business as common carriers in whole or in part within the State of Iowa, and to provide a punishment therefor.

Read a first and second time and referred to the Committee on Railways.

#### JOINT RESOLUTION.

Senator Sweeney offered the following joint resolution, which was read a first and second time.

*Be it resolved by the General Assembly of the State of Iowa, the Senate and House concurring,* That the interests of the people of Iowa and of the country require that the National Congress assume the power, granted in the Federal Constitution, of regulating commerce between the States, by the prompt enactment of laws regulating and controlling the transportation of freight and passengers on all lines of railroads within the United States.

That by such laws discrimination in charges for said transportation shall be prevented, and whereby such charges shall be limited to the payment of a fair rate of income on the actual cost in money, of the standard coin value, of the several lines of railway.

*Be it further resolved,* That our Senators and Representatives in Congress be and are hereby requested to assist by their votes and influence in securing the enactment of such just laws as will accomplish this end.

*Resolved,* That the Secretary of the Senate be instructed to send to each of Iowa's Senators and Representatives in Congress a copy of this resolution, signed by the President of the Senate and Speaker of the House.

Senator Sweeney moved that the rules be suspended, and the resolution read the third time and put on its passage.

Senator Brown moved that it be referred to the Committee on Federal Relations. Carried.

#### INTRODUCTION OF BILLS.

By Senator Caldwell, Senate File No. 22, a bill for an act requiring railroad companies doing business in the State of Iowa to erect and maintain comfortable depot buildings at all railroad crossings.

Read a first and second time and referred to the Committee on Railways.

By Senator Rotherth, Senate File No. 23, a bill for an act providing for the election of an assessor for State and county purposes, in cities organized and existing under special charters.

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

By Senator Smith, Senate File No. 24, a bill for an act requiring city councils and boards of trustees of cities and towns organized

under the general incorporation laws of Iowa, to pass annual appropriation ordinances, and to limit expenditures of money by them.

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

By Senator Hutchison, Senate File No. 25, a bill for an act concerning short-hand commissioners.

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

By Senator Hutchison, Senate File No. 26, a bill for an act to punish the wilfully or criminally ignorant practitioner of medicine and surgery.

Read a first and second time and referred to the Committee on Medicine, Surgery and Hygiene.

By Senator Hutchison, Senate File No. 27, a bill for an act making additional requirements of coroners before issuing warrants to hold inquests.

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

By Senator Baker, Senate File No. 28, a bill for an act to amend chapter 147 of the acts of the Nineteenth General Assembly, relating to the bonding of county indebtedness.

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

By Senator Miles, Senate File No. 29, a bill for an act relating to a change of the place of trial in civil actions; amending section 2590 of the Code of Iowa.

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

By Senator Hunt, Senate File No. 30, a bill for an act indemnifying sheriffs in the service of attachments.

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

By Senator Sutton, Senate File No. 31, a bill for an act to provide for completing the records in cases in the district and circuit courts, etc.

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

By Senator Sweney, Senate file No. 32, a bill for an act to amend chapter 65, acts of the Nineteenth General Assembly.

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

By Senator Sweney, Senate File No. 33, a bill for an act to amend sections 3055 and 3056 of the Code, relating to indemnifying bonds.

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

By Senator Brown, Senate File No. 34, a bill for an act to amend chapter 89 of the acts of the Nineteenth General Assembly, so as to make the same apply to incorporated towns.

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

By Senator Brown, Senate File No. 35, a bill for an act to amend section 4489, Code of 1873.

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

By Senator Cassatt, Senate File No. 36, a bill for an act to amend chapter 161, laws of the Eighteenth General Assembly, relating to the election of township officers.

Read a first and second time and referred to the Committee on Elections.

By Senator Abraham, Senate File No. 37, a bill for an act to prevent the use of free passes on the railroads by public officers.

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

By Senator Stephens, Senate File No. 38, a bill for an act to establish and maintain a school for the instruction and training of teachers of common schools.

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

By Senator Whiting, Senate File No. 39, a bill for an act to establish and maintain an additional school for the instruction and training of teachers of common schools.

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

By Senator Carr, Senate File No. 40, a bill for an act to legalize the incorporation of the incorporated town of Milton, Van Buren county, Iowa, and the acts of the officers thereunder.

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

By Senator Carr, Senate File No. 41, a bill for an act to repeal section 2783 of the Code and to enact a substitute therefor relative to the argument of causes by attorneys.

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

By Senator Carson, Senate File No. 42, a bill for an act granting additional powers to cities and incorporated towns with reference to the construction of sewers, and to provide for the payment of the cost of the same and to amend chapter 162 of the acts of the Seventeenth General Assembly.

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

By Senator Carson, Senate File No. 43, a bill for an act to amend section 312 of chapter 2 of title 4 of the Code relating to the erection of public buildings.

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

By Senator Carson, Senate File No. 44, a bill for an act to amend subdivision 1 of section 969, of chapter 2, of title 7, of the Code, relating to the levy of taxes for highways and bridges in townships.

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

By Senator Miles, Senate File No. 45, a bill for an act relating to

the penalty on delinquent taxes, repealing section 866 of the Code of Iowa, and enacting a substitute therefor.

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

By Senator McDonough, Senate File No. 46, a bill for an act to amend section 12, chapter 2, of the Code of 1873, relative to stationery.

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

By Senator Smith, Senate File No. 47, a bill for an act regulating the grades, width and alignment of streets and the recording of plats of additions to or subdivisions of lands in incorporated cities and towns.

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

By Senator Larrabee, Senate File No. 48, a bill for an act to amend section 1160 of Code relating to insurance companies.

Read a first and second time and referred to the Committee on Insurance.

By Senator Donnan, Senate File No. 49, a bill for an act making an appropriation to the Iowa Prisoners' Aid Association.

Read a first and second time and referred with memorial accompanying it to the Committee on Ways and Means.

By Senator Whiting, Senate File No. 50, a bill for an act to legalize the ordinances of the town of Vail, in Crawford county.

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

By Senator Miles, Senate File No. 51, a bill for an act relating to evidence in certain criminal cases, repealing section 4560 of the Code of Iowa and enacting a substitute therefor.

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

By Senator Clark, Senate File No. 52, a bill for an act to amend chapter 3, title 15, of the Code, in relation to divorce.

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

By Senator Hall, Senate File No. 53, a bill for an act regulating the sale and transfer of grain in elevators and other places of storage.

Read a first and second time and referred to the Committee on Commerce.

By Senator Hall, Senate File No. 54, a bill for an act changing and regulating the the civil practice in the Circuit and District Courts of the State.

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



## MESSAGE FROM THE HOUSE.

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

Concurrent Resolution No. 7, relative to the Des Moines river lands.

Also, Concurrent Resolution No. 9, authorizing the Secretary of State to furnish stationery to the members of the General Assembly at actual cost.

I am also directed to inform your honorable body that the House has concurred in the following concurrent resolution, relative to a joint convention to meet in the House at 12 o'clock meridian, January 23, 1884, to compare the journals of the two houses and to declare the result of the vote for United States Senator.

Also, for the election of Wardens and other officers.

SIDNEY A. FOSTER,  
*Chief Clerk.*

## CONCURRENT RESOLUTION.

Senator Nichols offered the following concurrent resolution

*Resolved by the Senate, the House concurring,* That the Secretary of State be directed to have printed 5,000 copies of the rules of Twentieth General Assembly, with diagrams, vote on Governor, and census of 1880 as to population of counties.

Senator Robinson moved to amend by inserting "with map of Iowa."

Accepted.

Senator Bloom moved to amend by leaving out the weight of members.

Carried.

Resolution as amended adopted.

## RESOLUTION.

Senator Brown offered the following resolution:

*Resolved,* That the Secretary of State be directed to furnish the regular representatives of the press in the Senate with the necessary stationery for their work, not to exceed two dollars per week each.

Senator Kamrar moved it be referred to Committee on Ways and Means.

Withdrawn.

Resolution adopted.

## CONCURRENT RESOLUTION.

Senator Eastman offered the following concurrent resolution:

WHEREAS, There is near the door of this capitol a place of merchandise that partakes of the nature of a grocery, a confectionary and a saloon, with a barrel on end already tapped; and,

WHEREAS, This General Assembly has never authorized that institution to locate there, nor made this temple a place of merchandise; therefore

*Resolved by the Senate, the House concurring,* That the proprietor of said institution be notified by the Sergeant-at-Arms to remove forthwith from this capitol and from the capitol ground and stand not upon the order of going, but go at once; and in case of failure to go, the Sergeant-at-Arms is directed to remove said articles of merchandise out of this building and off the capitol ground.

Senator Bills moved it be referred to Committee on Suppression of Intemperance.

Senator Brown moved it be referred to Committee on Public Buildings.

Senator Logan moved to lay the resolution on the table.

Yeas and nays demanded.

The roll was called.

The yeas were:

Senators Abraham, Baker, Bayless, Bills, Carr, Carson, Cassatt, Clark, Gillett, Graves, Hall, Hendrie, Hunt, Logan, Marshall, Rothert, Russell, Ryder, Whiting and Wilkin—20.

The nays were:

Senators Brown, Caldwell, Chambers, Chubb, Cotton, Donnan, Duncan, Eastman, Gault, Hemenway, Hutchison, Kamrar, Larrabee, McCoy, McDonough, Miles, Nichols, Robinson, Smith, Stephens, Sudlow, Sutton, Sweney and Whaley—24.

Absent or not voting:

Senators Barrett, Bloom, Glass, Henderson, Johnson and Poyneer—6.

Lost.

Senator Eastman moved to amend by inserting "with authority to report."

Accepted.

Resolution referred to Committee on Public Buildings.

Senator Clark moved an additional paper folder be employed, and that Mrs. Lucy M. Venson be employed as such additional folder.

Senator Sweney moved that the matter be referred to Committee on Rules.

Carried.

So referred.

#### CONCURRENT RESOLUTION.

Senator Sweney offered the following concurrent resolution:

*Resolved by the Senate, the House concurring,* That the Secretary of State be instructed to have published and distributed as hereafter provided.

Ten thousand copies of the Governor's Inaugural Address and the dedicatory address of Hon. John A. Kasson.

That there shall be distributed to members of the Twentieth General Assembly fifty copies each and that the remaining copies be distributed under the direction of the Secretary of State.

Senator Larrabee moved to amend by striking out ten and inserting twenty-five. Accepted.

Pending discussion of this question at 11:55, A. M., the President appointed Senator Graves teller on the part of the Senate, and the Senate repaired to the Hall of the House of Representatives.

#### JOINT CONVENTION.

The joint convention was called to order by President Manning.

Senator Graves was appointed teller on the part of the Senate, Mr. Butler, of Page, was appointed teller on the part of the House.

Mr. Clayton moved the convention proceed to compare the journals of the two houses in reference to the election of United States Senator. Carried.

It being the hour of 12 o'clock meridian of the day following the second Tuesday next, after the organization of the present legislature, and the two houses having convened in joint assembly, the journal of each house was read relative to the election of United States Senator. It appearing from said journals that Wm. B. Allison had received a majority of all the votes cast in each house for the office of Senator in Congress for the full term of six years, commencing on the 4th day of March, 1885, he was declared duly elected as such Senator.

Senator Bills offered the following resolution, which was adopted:

*Resolved*, That Wm. B. Allison, be declared the Senator elect from the State of Iowa to the Congress of the United States for the term commencing the 4th of March, 1885.

Senator Gault moved a recess until 2:30 o'clock, P. M. Adopted.

#### AFTERNOON SESSION.

At 2:30 o'clock the joint convention was called to order by President Manning, where the following certificates were signed in the presence of the joint convention and ordered read.

STATE OF IOWA, }  
HALL OF THE HOUSE OF REPRESENTATIVES. }

This is to certify that at the meeting of the two Houses of the General Assembly of the State of Iowa, in joint assembly held on Wednesday, the 23d day of January, 1884, at noon a majority of all the members of each house being present, it was found upon examination of the journals of the respective Houses, that upon the day before, the same being the second Tuesday after the meeting and temporary organization of the General Assembly, each House had by an open *viva voce* vote of the members present, named William B. Allison, of Dubuque county, for Senator in Congress for the State of Iowa, for the term commencing the 4th of March, 1885. Whereupon said joint assembly formerly declared said William B. Allison, of Dubuque county, duly elected Senator, to represent the State of

Iowa, in the Congress of the United States, for the term of six years, beginning on the 4th day of March, 1885.

O. H. MANNING,  
*President of the Senate, and President of the Joint Assembly.*  
WM. P. WOLF,  
*Speaker of the House of Representatives.*  
SIDNEY A. FOSTER,  
*Clerk of the House of Representatives and of the Joint Assembly.*  
FRANK D. JACKSON,  
*Secretary of the Senate.*

ATTEST:

J. K. GRAVES,  
*Teller on the part of the Senate.*  
WM. BUTLER,  
*Teller on the part of the House.*

On the election of Warden of the Penitentiary at Fort Madison, the roll was called with the following result:

Whole number of votes cast .....	145
Necessary to a choice .....	73
Of which Geo. W. Crosley received .....	91
Of which Daniel F. Farrell received .....	54

Mr. Crosley having received a majority of all the votes cast for the office of Warden for the Penitentiary at Fort Madison, was declared duly elected for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified. The following certificate was signed in the presence of the Joint convention:

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 23, 1884. }

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 23d day of January, A. D. 1884, for the purpose of electing a Warden for the Penitentiary at Fort Madison, Geo. W. Crosley, having received a majority of all the votes cast for said office, was declared duly elected Warden of the Penitentiary at Fort 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 23d day of January, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*  
WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

J. K. GRAVES,  
*Teller of the Senate.*  
WM. BUTLER,  
*Teller of the House of Representatives.*

The joint convention proceeded to elect a Warden for the Penitentiary at Anamosa. The roll was called with the following result:

Whole number of votes cast.....	145
Necessary to a choice.....	73
Of which A. E. Martin received.....	90
Of which J. W. Workman received.....	55

A. E. Martin, having received a majority of all the votes cast, was declared duly elected Warden of the Penitentiary at Anamosa for the term of two years after the expiration of term of the present incumbent and until his successor is elected and qualified.

The following certificate was signed in the presence of the joint convention:

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 23, 1884. }

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 23d day of January, A. D. 1884, for the purpose of electing a Warden of the Additional Penitentiary at Anamosa, A. E. Martin having received a majority of all the votes cast for said office, was declared duly elected Warden of the Additional Penitentiary 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 23d day of January, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

J. K. GRAVES,  
*Teller of the Senate.*

WM. BUTLER,  
*Teller of the House of Representatives.*

The joint convention then proceeded to call the roll on the election of State Printer, with the following result:

Whole number of votes cast.....	144
Necessary to a choice.....	73
Of which George E. Roberts received.....	92
Of which J. A. Audreck received.....	52

George E. Roberts having received a majority of all the votes cast, was declared duly elected State Printer for the term of two years from and after the expiration of the present incumbent, and until his successor is elected and qualified.

The following certificate was then signed in the presence of the joint convention:

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 23, 1884.

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 23d day of January, A. D. 1884, for the purpose of electing a State Printer, Geo. E. Roberts 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 23d day of January, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

J. K. GRAVES,  
*Teller of the Senate.*

WM. BUTLER,  
*Teller of the House of Representatives.*

Upon the election of State Binder, the roll was called with the following result:

The whole number of votes cast .....	142
Necessary to a choice.....	73
Of which L. S. Merchant received.....	90
Of which James Lee received.....	52

L. S. Merchant having received a majority of all the votes cast for the office of State Binder, was declared duly elected to said office 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.

The following certificate was signed in the presence of the joint convention:

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, January 23, 1884.

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 23d day of January, A. D. 1884, for the purpose of electing a State Binder, L. S. Merchant 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 23d day of January, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

W. M. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

J. K. GRAVES,  
*Teller of the Senate.*

W. M. BUTLER,  
*Teller of the House of Representatives.*

RESOLUTION.

Senator Eastman introduced the following resolution:

WHEREAS, It has been discovered that in the joint convention to count the votes for Governor, an error of 1,000 was made in counting the votes of Mahaska county, by counting to L. G. Kinne 1,000 more votes than were polled or returned for him; therefore,

*Resolved*, That said error be now corrected, and the clerks of this convention be and are hereby instructed to correct the record of said joint convention in reference to Mahaska county so as to relate the vote as stated in the return in writing from Mahaska county.

Mr. Merrill, of Clinton, raised the point of order as follows:

*First*, More than one day has elapsed since the action of the said joint convention approved of the record thereof, and it is now too late to reconsider their action in any way or change it.

*Second*, Said joint convention has performed its office and has been dissolved and there is no law, precedent or authority for said joint convention to be called again together for any such purposes as contemplated in the joint convention or any other purposes.

*Third*, That this joint convention is called for an entirely different purpose and has no power or authority to change, in any way interfere with the action of this joint convention which was called for a specific purpose.

The ruling of the chair being called for on the point of order, Lieut.-Gov. Manning said:

The point of order raised by the member of the House from Clinton (Mr. Merrell) is that the resolution offered by the Senator from Hardin is out of order for the reason that this joint Assembly has no power or authority to act upon the subject matter contained in the resolution or to do what is contemplated by the resolution, and has no power to take the action contemplated therein as a matter of law. By statute (Sec. 27, Chap. 3, Title 1 of the Code) the rules of parliamentary practice comprised in Cushing's Manual govern this Assembly in the absence of any other rules.

The sole question which the chair can consider upon the point of

order, raised by the member from Clinton, is whether any of these parliamentary rules are violated by the introduction and consideration of this resolution.

It is not within the province of the chair to determine the power or jurisdiction of this body.

The Chair can only determine the question of procedure.

The presiding officer cannot determine as a question of order the constitutional or legal powers of the body over which he presides. He cannot undertake to define the limits or enlarge the powers of the body under the guise of determining a question of order. The body must determine its own power and jurisdiction, and it is for the chair to determine only the application of established parliamentary rules to the order of its procedure. It is not insisted or claimed that any rule of established parliamentary practice is violated by the introduction of the resolution.

The jurisdiction of a legislative body is limited by law and the constitution.

If it exceeds its powers its action is void. Subject to this rule it must determine for itself in the first instance the proper limit of its powers. The distinction between questions of lawful power, jurisdiction and authority and questions of form or mode of procedure is well defined. Cushing lays down this rule:

"The effect of a motion as to its subject matter, or its prospective operation is not a question of order."

The joint convention being in session and properly organized, it is for it to determine its own powers and jurisdiction, and in the opinion of the chair the question here raised is a question of lawful power and jurisdiction only. No rule of parliamentary practice is involved or raised by the point of order.

The objections made go to the effect of the resolution, its subject matter, its prospective operation, and to the propriety and legality of its adoption, rather than to the mode or manner of its presentation, or the regularity of its introduction. The question being one of power, and not of parliamentary practice or procedure, no question is presented by the point of order which the Chair has the right to determine, and the point order is overruled.

Senator Bills offered the following amendment:

*Resolved*, That it is the sentiment of this convention that this particular joint convention has no jurisdiction to entertain the resolution offered by the Senator from Hardin.

Adopted.

On motion of Senator Larrabee the joint convention dissolved.

#### SENATE CHAMBER.

Senate convened at 5:05 o'clock P. M., President Manning in the chair.

Senator Whaley offered the following report from the special committee on mileage:

MR. PRESIDENT—Your special committee, to whom was referred the question of mileage of Senators, respectfully submit the follow-



ing report of the number of miles traveled, and the amount due each Senator, in pursuance of the statute, to-wit:

NAMES.	Miles.	Amount.
Abraham.....	292	\$ 14.60
Baker.....	530	28.50
Barrett.....	590	29.50
Bayless.....	680	34.00
Bills.....	350	17.50
Bloom.....	242	12.10
Brown.....	180	9.10
Caldwell.....	50	2.50
Carr.....	250	12.50
Carson.....	280	14.00
Cassatt.....	94	4.70
Chambers.....	294	14.70
Chubb.....	246	12.30
Clark.....	418	20.90
Cotton.....	412	20.60
Donnan.....	390	19.50
Duncan.....	361	18.05
Eastman.....	216	10.80
Gault.....	200	10.00
Gillett.....	80	4.00
Glass.....	350	17.50
Graves.....	562	28.10
Hall.....	320	16.00
Hemenway.....	200	10.00
Henderson.....	300	15.00
Hendrie.....	320	16.00
Hunt.....	300	15.00
Hutchison.....	172	8.60
Johnson.....	500	25.00
Kamrar.....	150	7.50
Larrabee.....	458	22.90
Logan.....	344	17.20
McCoy.....	130	6.50
McDonough.....	132	6.60
Marshall.....	460	23.00
Miles.....	152	7.60
Nichols.....	272	13.60
Poyneer.....	184	9.20
Robinson.....	284	14.20
Rothert.....	324	16.20
Russell.....	132	6.60
Ryder.....	336	16.80
Smith.....	2	.10
Stephens.....	232	11.60
Sudlow.....	108	5.40
Sutton.....	160	8.00
Sweney.....	400	20.00
Whaley.....	320	15.00
Whiting.....	450	22.50
Wilkin.....	84	4.20
Lieutenant-Governor Manning.....	280	14.00

A. M. WHALEY, *Chairman.*

On motion of Senator Stephens the report was adopted.

CONCURRENT RESOLUTION.

Senator Sweeney withdrew his resolution relating to publication of inaugural and dedicatory addresses, and offered the following concurrent resolution as a substitute therefor:

*Be it resolved by the Senate, the House concurring,* That the Secretary of State be and he is hereby instructed to have                    thousand copies of the inaugural address of Governor Sherman and of the dedicatory address of Hon. John A. Kasson printed and put in pamphlet form for distribution, as hereinafter provided, as follows:

In the English language,	thousand,
In the German language,	thousand,
In the Norwegian language,	thousand,
In the Bohemian language,	thousand copies; the same

to be distributed as follows:                    in the English language to each member of the Twentieth General Assembly and to the President of the Senate, and of those printed in other languages the same proportion of those printed; the balance to be distributed under the direction of the Secretary of State.

Referred to Committee on Printing.

RESOLUTION.

Senator Bills offered the following resolution:

*Resolved,* That the Sergeant-at-Arms be instructed to provide some suitable receptacle in which to keep and preserve printed bills, and that he be considered the custodian of the printed bills.

Senator Hemenway moved to amend by inserting "bills to be distributed under direction of the Secretary of the Senate."

Accepted.

Resolution as amended adopted.

At 5:15 o'clock, on motion of Senator Bills, the Senate adjourned until 10 o'clock to-morrow morning.

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SENATE CHAMBER. }  
DES MOINES, IOWA, January 24, 1884. }

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

Prayer by Rev. A. L. Frisbee.

Journal of yesterday read and approved.

The President announced the following list of standing committees of the Senate, which was read:

*Ways and Means*—Senators Larrabee, Gillett, Graves, Donnan,

Eastman, Baker, Whaley, Nichols, Poyneer, Caldwell, Abraham, Hunt, Barrett, Henderson and Gault.

*Judiciary*—Senators Hemenway, Russell, Bills, Hall, Robinson, Smith, Kamrar, Miles, McCoy, Wilkin, Carson, Glass, Sweney, Sutton and Johnson.

*Federal Relations*—Senators Poyneer, Eastman, Bills, Chubb, Duncan, McDonough and Bloom.

*Constitutional Amendments*—Senators Donnan, Brown, Bills, Robinson, Cotton, Hutchison and Chambers.

*Retrenchment*—Senators Eastman, Nichols, Hunt, Brown, Barrett, Bloom, Bayless, Carr and Ryder.

*Suppression of Intemperance*—Senators Clark, Caldwell, Brown, Logan, Eastman, Gillett, Sweney, Sutton, Chambers, Chubb and Gault.

*Appropriations*—Senators Sutton, Hutchison, Cotton, Logan, Russell, Robinson, Brown, Clark, Stephens, Barrett, Cassatt, Whiting and Larrabee.

*Normal Schools*—Senators Robinson, Russell, Whiting, Whaley and Hemenway.

*Schools*—Senators Hutchison, Rothert, Brown, Marshall, McCoy, Chambers, Stephens, Clark and Miles.

*Agriculture*—Senators Logan, Poyneer, Nichols, Marshall, Abraham, Hunt, Sudlow, Duncan, Chubb, McDonough, McCoy, Whiting, Hendrie and Carr.

*County and Township Organization*—Senators Brown, Cotton, Barrett, Sudlow, Duncan, Nichols and Ryder.

*Compensation of Public Officers*—Senators Kamrar, Brown, Miles, Rothert and Carson.

*Banks*—Senators Russell, Larrabee, Graves, Hutchison, Chambers, Cassatt, Gillett, Miles and Sweney.

*Railways*—Senators Rothert, Graves, Poyneer, Baker, Clark, Kamrar, Henderson, Robinson, Donnan, Logan, Caldwell, Marshall, McDonough, Sutton and Hall.

*Insurance*—Senators Smith, Graves, Baker, Carson, Bills, Russell, Henderson, Miles and Glass.

*Private Corporations*—Senators Bills, Donnan, Russell, Rothert, Carson, Smith and Graves.

*Municipal Corporations*—Senators Graves, Rothert, Bills, Smith, Hutchison, Donnan, Carson, McCoy, Russell, Bloom and Ryder.

*State University*—Senators Glass, Brown, Hutchison, Russell and Bloom.

*Military*—Senators Whaley, Sweney, Wilkin, Hunt and Jackson.

*Elections*—Senators Cotton, Carson, Kamrar, Clark and Carr.

*Claims*—Senators Baker, Abraham, Eastman, Hunt and Gault.

*Commerce*—Senators Bills, Cotton, Nichols, Baker and Bloom.

*Public Buildings*—Senators Wilkin, Hutchison, Chubb, Hunt and Henderson.

*Manufactures*—Senators Henderson, Whaley, Nichols, Hemenway and Hendrie.

*Printing*—Senators McCoy, Brown, Cotton, Chubb and Gillett.

*Public Lands*—Senators Whiting, Barrett and Robinson.

*Internal Improvements*—Senators Ryder, Abraham and Carr.

*Highways*—Senators Gillett, Sudlow, Kamrar, Logan, Poyneer, Carson, Glass, Hunt, Whiting, Carr and Hendrie.

*Library*—Senators Hall, Bills and Hemenway.

*Judicial Districts*—Senators Barrett, Robinson, Russell, Logan and Carson.

*Congressional Districts*—Senators Sweney, Sudlow, Sutton, Stephens and Smith.

*Senatorial Districts*—Senators Stephens, Hunt, Clark, Glass and Bayless.

*Representative Districts*—Senators Duncan, Chubb, Gillett, Sudlow and Barrett.

*Hospitals for the Insane*—Senators Abraham, Donnan, Caldwell, Clark and Henderson.

*Institution for the Deaf and Dumb*—Senators Carson, Logan, Caldwell, Barrett and Cassatt.

*College for the Blind*—Senators Nichols, Larrabee, Marshall, Poyneer and Ryder.

*Orphans' Home*—Senators Sudlow, Bills, Wilkin, Whaley and Johnson.

*Penitentiary*—Senators Chambers, Rotherth, Cotton, Kamrar and Bayless.

*Reform Schools*—Senators Eastman, Smith, Sweney, Sutton and Hall.

*Agricultural College*—Senators Marshall, Logan, Clark, Sutton and Gault.

*Horticulture and Forestry*—Senators McDonough, Carr and Whiting.

*Fish and Game*—Senators Chubb, Barrett, Chambers, Hemenway and Larrabee.

*Asylum for Feeble Minded Children*—Senators Hunt, Stephens, Miles, McDonough and Hendrie.

*Medicine, Surgery and Hygiene*—Senators Cladwell, Brown, Wilkin, Hutchison, Robinson and Bayless.

*Rules*—Senators Donnan, Eastman, Hall, Hemenway and Rotherth.

*Mines and Mining*—Senators Miles, McCoy, Kamar, Brown, Smith, Sudlow, Gillett, Graves, Donnan, Gault and Cassatt.

*Engrossed Bills*—Senators Sudlow, Bayless and Carr.

*Enrolled Bills*—Senators Chambers, Chubb and Sweney.

The special order of business being the resolution in reference to the vote for Governor in Mahaska county, Senator Donnan asked that it be referred to to the Committee on Judiciary.

So referred.

#### PETITIONS AND MEMORIALS.

Senator Larrabee offered a memorial signed by a committee of the Iowa State Medical Society in reference to further provision for the insane.

Ordered printed and referred to Committee on Hospitals for the Insane.

Senator Abraham offered a memorial signed by citizens of Iowa in reference to pensioning all soldiers of the war of 1861-65.

Referred to Committee on Federal Relations.

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 No. 3, relative to printing the journals of the Senate and House.

SIDNEY A. FOSTER, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Kamrar, Senate File No. 55, a bill for an act repealing chapter 50 of the laws of 1874, chapter 70 of the laws of 1876, chapter 80 of the laws of 1878, and chapter 156 of the laws of 1880.

Read a first and second time and referred to the Committee on Retrenchment.

By Senator Marshall, Senate File No. 56, a bill for an act to repeal section 4013, chapter 9, title 24, of the Code.

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

By Senator Donnan, Senate File No. 57, a bill for an act authorizing the Commissioners of the Iowa Hospital for the Insane at Independence to use the unexpended balance of the appropriation made by the Nineteenth General Assembly.

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

By Senator Duncan, Senate File No. 58, a bill to amend section 2581, of bringing suits in civil actions.

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

By Senator Bloom, Senate File No. 59, a bill for an act for an appropriation in aid and support of the State University of Iowa.

Read a first and second time and referred to the Committee on State University.

By Senator Hutchison, Senate File No. 60, a bill for an act to amend chapter 3, title 20, of the Code, in relation to partition.

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

By Senator Hutchison, Senate File No. 61, a bill for an act to repeal section 4362 of the Code, and to enact a section in lieu thereof concerning the right of a defendant to withdraw the plea of guilty.

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

By Senator Hutchison (by request), Senate File No. 62, a bill for an act to amend title 23, chapter 1, section 3777, of the laws of Iowa.

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

By Senator Sutton, Senate File No. 63, a bill for an act to repeal section 2783 of the Code of 1873, and to enact a substitute therefor.

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

By Senator Sutton, Senate File No. 64, a bill for an act to exempt pensions and their proceeds from execution.

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

By Senator Kamrar, Senate File No. 65, a bill for an act to repeal section 866 of the Code of 1873, in relation to the collection of taxes and reducing the penalties thereon.

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

By Senator Whaley, Senate File No. 66, a bill for an act to reward the persons who captured the Barber Brothers.

Read a first and second time and referred to the Committee on Claims.

By Senator Abraham, Senate File No. 67, a bill for an act making an appropriation for erecting two additional wings to the Iowa Hospital for the Insane.

Read a first and second time and referred to the Committee on Appropriations.

By Senator Smith, Senate File No. 68, a bill for an act to provide for the appointment of marshal in cities of the first class.

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

By Senator McDonough, Senate File No. 69, a bill for an act requiring private banks or bankers to make quarterly statements to Auditor of State.

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

By Senator McDonough, Senate File No. 70, a bill for an act to prevent railroad officers or agents issuing free passenger tickets or free tickets operated in the State of Iowa.

Read a first and second time and referred to the Committee on Railways.

By Senator Smith, Senate File No. 71, a bill for an act to amend chapter 165 of the acts of the Seventeenth General Assembly, relating to the execution of the sentence of death.

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

By Senator Johnson, Senate File No. 72, a bill for an act to legalize the incorporating acts of the town of Baldwin, Jackson county, Iowa.

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

By Senator Rothert, Senate File No. 73, a bill for an act to amend chapter 54 of the Sixteenth General Assembly.

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

By Senator Rothert, Senate File No. 74, a bill for an act to provide for the publication of the names of Iowa soldiers.

Read a first and second time and referred to the Committee on Military.

By Senator Rotherth, Senate File No. 75, a bill for an act relating to superior courts.

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

By Senator Rotherth, Senate File No. 76, a bill for an act to suppress the circulation and vending of obscure literature and articles of indecent and immoral use, and to confiscate such property used, or designed to be, in the manufacture of such articles.

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

By Senator Bloom, Senate File No. 77, a bill for an act to tax telephones and telephone companies and to provide for their assessment within the State.

Read a first and second time and referred to the Committee on Private Corporations.

By Senator Bloom, Senate File No. 78, a bill for an act to prevent gambling by means of fictitious contracts for the buying or selling of grain or other products and to provide a punishment therefor.

Read a first and second time and referred to the Committee on Commerce.

#### PETITION.

Senator Caldwell presented a petition from citizens of Herndon and vicinity, Guthrie county, in relation to the enactment of a law by the Twentieth General Assembly requiring railroad companies doing business in the State of Iowa to erect and maintain comfortable passenger depots at all railroad crossings.

Referred to Committee on Railways.

#### INTRODUCTION OF BILLS.

By Senator Smith, Senate File No. 79, a bill for an act to establish an institution for females to be known as "The Iowa Industrial School and Reformatory and Prison for Females."

Read a first and second time and referred to the Committee on Penitentiary.

#### RESOLUTIONS.

Senator Bills offered the following resolution, which was adopted:

*Resolved*, That the Committee on Rules be requested to report, at as early a time as practicable, a rule as to the admission of visitors to the Senate Chamber.

Senator McCoy offered the following resolution:

*Resolved*, That the Sergeant-at-Arms be instructed to designate the seats assigned to reporters and members of the press, and hereafter shall see that said seats are occupied only by those to whom the same have been assigned.

Lost.

The President announced the following committee on the part of

the Senate on assignment of committee rooms: Senators Hemenway and Hall.

JOINT RESOLUTION.

Senator Kamrar introduced the following joint resolution (No. 4):

JOINT RESOLUTION relating to pensioning the soldiers of the Mexican War:

*Resolved by the Senate, the House concurring,* That our Senators and Representatives in Congress be requested to use diligent efforts to procure the enactment of a law pensioning the soldiers of the Mexican War.

*Be it further resolved,* That the Secretary of State furnish to each of our Senators and Representatives in Congress a copy of these resolutions, duly signed by the President of the Senate and Speaker of the House.

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

Senator Kamrar moved House messages be taken up.

Carried.

HOUSE MESSAGES.

House resolution relative to Des Moines River lands was taken up and referred to Committee on Judiciary.

House resolution relative to stationery for members was taken up and referred to Committee on Printing.

Joint House resolution No. 3, relative to printing journal of Senate and House, was, on motion of Senator Clark, taken up.

Senator Larrabee moved to refer it to Committee on Printing.

Senator Bills moved to amend so that the committee would report expense connected therewith.

Accepted.

Senator Larrabee withdrew his motion.

Resolution then read a first and second time.

Senator Donnan moved to amend by inserting "on approval of journal each day a copy be deposited with the Secretary of State for future reference."

Pending the discussion of this question, Senator Gault moved to adjourn until 2:20 this afternoon.

Senator Rothert moved to amend by substituting 10 o'clock tomorrow morning.

Accepted.

Senator Rothert asked leave of absence for Senator Graves.

Granted.

Motion to adjourn prevailed, and the Senate adjourned until tomorrow morning at ten o'clock.



SENATE CHAMBER,  
DES MOINES, IOWA, January 25, 1884. }

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

Prayer by Rev. Geo. C. Henry.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

Senator Marshall offered a petition signed by two thousand women of Iowa, relative to houses of ill-fame.

Referred to Committee on Judiciary.

Senator Brown offered a petition signed by surveyors of the State in reference to county surveyors.

Referred to Committee on Compensation of Public Officers.

Senator Marshall offered a memorial from the Board of Supervisors of Floyd county, relative to the insane.

Referred to Committee on Hospitals for Insane.

JOINT RESOLUTION.

Senator Poyneer offered the following joint resolution, No. 5, which was read a first and second time, and referred to Committee on Federal Relations:

**MEMORIAL AND JOINT RESOLUTION** of the General Assembly of the State of Iowa, to the Senate and House of Representatives of the United States, in Congress assembled, in regard to an investigation of the matters pertaining to the Fox Indians of Iowa:

*To the Honorable, the Senate and House of Representatives of the United States of America:*

The General Assembly of the State of Iowa beg leave to state:

That prior to the year A. D. 1804, the Sac and Fox tribe of Indians of the Mississippi were the owners in common of large tracts of land, including great portions of what is now known as the State of Iowa;

That by virtue of certain treaties made by them with the United States, in said years and in years subsequent thereto, they ceded said lands to the United States, and the moneys arising from the sale thereof were invested by the general government for the use and benefit of said Sac and Fox Indians, and that the fund so invested amounts annually to the sum of fifty-four thousand (\$54,000) dollars, as will more fully appear from the report of the Honorable, the Indian Commissioner, for the year A. D. 1881;

That by virtue of certain treaties, made by and between the Sac

and Fox Indians and the United States, the said Indians were removed, located and settled in the State of Kansas, and afterward removed and settled in the Indian Territory, but before their removal to the last named place, and as early as the year A. D. 1855, a majority of the Fox tribe, not being satisfied with the country, and their relations with the Sacs not being as pleasant as desirable, returned to Tama county, Iowa, where they have since resided, and with their own money have purchased large tracts of valuable lands, which are held in trust for them by the Governor of the State of Iowa;

That, by an apportionment made by Congress, in the year A. D. 1860, the annuities due and coming to the Sac and Fox tribe of Indians, it was ordered that the Indians in Iowa should receive the sum of eleven thousand one hundred, seventy-four and sixty-six hundreds (\$11,174.66) dollars, and the balance of said fifty-four thousand (\$54,000) dollars was paid to the Indians in the Indian Territory;

That there are now in Iowa three hundred and sixty (360) Indians, all of the Fox tribe, and of the same tribe there are twenty (20) in the Indian Territory;

There are of the Sac tribe of Indians only four hundred and twenty (420), all in the Indian Territory;

That the Fox tribe of Indians in Iowa understand and believe that said apportionment was made under a misapprehension of the facts, and under a belief that most of said joint tribes of Indians were in the Indian Territory;

That the said Fox tribe of Indians have asked the Indian Commissioner to adjust the matter equitably, and pay them the amount justly due them, as their proportion of said fund, but he informs them that under the existing laws he is powerless, and can do nothing while the law of 1860 is in force;

Wherefore, the General Assembly of the State of Iowa hereby respectfully ask Congress to pass such laws in relation thereto as shall give to each tribe such portion of said annuities as shall be equitable and just, and we especially ask that the members thereof from this State may use their influence for the accomplishment of the same.

*Resolved*, That the Secretary of State is directed to forward a copy of this memorial and joint resolution to the President of the United States Senate and the Speaker of the House of Representatives, with the request that they be laid before both houses composing the Congress.

#### INTRODUCTION OF BILLS.

By Senator Sweney, Senate File No. 80, a bill for an act authorizing actions against railway companies to be brought in the name of the State, etc.

Read a first and second time and referred to the Committee on Railways.

By Senator Larrabee, Senate File No. 81, a bill for an act to provide for the publication of the proceedings of the Iowa Improved Stockbreeders' Association.

Read a first and second time and referred to the Committee on Agriculture.

By Senator McCoy, Senate File No. 82, a bill for act to make bonds and undertakings for the security of minor heirs liens upon real estate, amendatory of chapter 5, title 15, Code of 1873.

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

By Senator Clark, Senate File No. 83, a bill for an act to establish the Iowa State Board of Labor.

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

By Senator Gillett, Senate File No. 84, a bill for an act to provide for the investment of the endowment fund of the Iowa State Agricultural College.

Read a first and second time and referred to the Committee on Agricultural College.

By Senator Brown, Senate File No. 85, a bill for an act to repeal section 3775 and enact a substitute therefor.

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

By Senator Glass, Senate File No. 86, a bill for an act to repeal sections 4413 and 4414 of the Code, and enact a substitute therefor, relating to jurors in criminal cases.

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

By Senator Hall, Senate File No. 87, a bill for an act to repeal section 746, chapter 7, title 5, of the Code, in relation to the removal and suspension from office of county and township officers and enact a substitute therefor.

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

By Senator Hall, Senate File No. 88, a bill for an act to amend chapter 118 of the laws of the Nineteenth General Assembly.

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

#### CONCURRENT RESOLUTIONS.

Senator Bills offered the following concurrent resolution:

*Resolved by the Senate, the House concurring,* That Miss Lizzie A. Christ be appointed additional postmistress for the Twentieth General Assembly.

On motion of Senator Rothert the resolution was referred to Committee on Rules.

Senator Brown offered the following concurrent resolution:

*Resolved by the Senate, the House concurring,* That there be appointed committees to visit the several State institutions, each of said committees to be composed of three members, one from the Senate, and two from the House, said committees to report to the General Assembly on or before the 10th day of February next. They shall examine and include in their report:

1. Whether the appropriations made by the last General Assembly have been wisely and economically expended.
2. Whether they have been expended for the objects appropriated.

3. Whether chapter 87 of the acts of the Seventeenth General Assembly has been complied with, in not contracting indebtedness in excess of the appropriations.

4. Whether there has been any diversion of any money from the specific purpose for which it was appropriated.

5. Said committee shall also report the names and number of persons employed by the several institutions, for what purpose employed, and at what salary; also, whether any of the persons so employed receive, or have received anything in addition to the salary, in the way of board, rooms, lights, fuel, or clothing, or anything else at the expense of the State.

6. Said committee shall also report the means of escape from fire and make such recommendations in regard thereto as may be deemed proper.

7. Said committee shall also report the sanitary condition of such institution and make such recommendation in regard thereto as it may be deemed proper.

Resolution adopted and ordered printed.

Senator Donnon offered the following resolution, which was adopted:

*Resolved*, That the President of the Senate be made *ex-officio* a member of the Committee on Rules.

Senator Bills offered the following resolution, which was adopted:

*Resolved*, That the State Auditor be requested to report to the Senate what amounts have been paid annually during the last five years by the State for printing and binding, giving under general heads the items of such payments.

Senator Bloom offered the following resolution:

*Resolved*, That the meetings of the standing committees of the Senate shall be announced by the Secretary after the adjournment of each session; and that the Secretary obtain in writing the time and place of committee meetings from their respective chairmen.

Senator Chubb moved to amend by inserting the word *before* in place of *after*.

Accepted.

Resolution referred to Committee on Rules.

#### REPORTS OF COMMITTEES.

Senator Hemenway submitted the following report from the joint committee on the division of committee rooms.

The committee reports a division of the rooms available for the use of the committees as follows:

To the committees of the House are assigned all such rooms in the north half of the building and room No. 23 in the south half; and to the committees of the Senate the remaining rooms in the south half of the building the number of rooms being eight for the use of the committees of each body.

HEMENWAY.

HALL,

*Committee on part Senate.*

BUTLER,  
BENSON,  
BROWN,

*Committee on part House.*

On motion of Senator Rothert the report was adopted.

Senator Rothert moved that a special committee of five be appointed to assign the committees of the Senate their rooms.

Motion prevailed.

#### INTRODUCTION OF BILLS.

By Senator Smith, Senate File No. 89, a bill for an act providing that cities and towns may submit to the qualified electors the question of levying a special tax for the purpose of purchasing and improving public parks.

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

By Senator Logan, Senate File No. 90, a bill for an act authorizing the Governor of State of Iowa to relinquish to the United States Government all lands patented to the State of Iowa as provided by an act of Congress approved May 12, A. D. 1864, that has not been certified to railroads as provided by an act of General Assembly, March 13, 1874.

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

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has concurred in the following concurrent resolution:

Resolution relative to printing five thousand copies of the rules of the Twentieth General Assembly.

Also, has passed and asks the concurrence of the Senate in concurrent resolution No. 10, in regard to the appointment of visiting committees.

Also, memorial to Congress, No. 1, House Resolution, relating to the Hennepin Canal.

SIDNEY A. FOSTER, *Chief Clerk.*

The President announced the following committee on assignment of committee rooms:

Senators Rothert, Larrabee, Hemenway, Russell, Clark.

#### UNFINISHED BUSINESS.

The question being upon the amendment of Senator Donnan relative to printing the journal was on motion of Senator Chambers referred, with Senator Chamber's recommendations to the Committee on Printing.

## HOUSE MESSAGES.

House Concurrent Resolution No. 10, in relation to visiting committees was taken up.

On motion of Senator Brown, the resolution was concurred in.

Senator Duncan moved to reconsider the vote on the concurrent resolution offered by Senator Brown, relative to visiting committees.

Carried.

Senator Brown withdrew his concurrent resolution.

Senator Bills asked for the reading of the House joint resolution relative to Hennepin Canal.

Pending the reading, Senator Larrabee moved further reading be dispensed with.

Withdrawn.

Senator Bills moved rules be suspended, resolution considered, engrossed and read a third time now.

Senator Larrabee moved to strike out "that our Senators in Congress be instructed and our Representatives therein be requested," and present "that our Senators and Representatives in Congress be requested."

Carried.

Senator Eastman moved the resolution be referred to Committee on Federal Relations.

Lost.

Pending the discussion of the resolution, Senator Brown moved to adjourn until 10 o'clock to-morrow morning.

Senator Russell was granted leave of absence.

Senator Nichols was granted leave of absence until Monday.

Senator Chambers was granted leave of absence until Tuesday.

Senators Gault and Russell announced that they had paired in vote for U. S. Senator next Tuesday.

At 12:05 P. M. the Senate adjourned until 10 o'clock to-morrow morning.

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SENATE CHAMBER, }  
DES MOINES, IOWA, January 26, 1884. }

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

Prayer by Rev. C. M. Brink.

Journal of yesterday read and approved.

Senators Larrabee and Whaley were granted leave of absence until Tuesday morning.

Senator Whiting offered a petition signed by over three thousand persons in reference to a Labor Department.

Referred to Committee on Ways and Means.

Senator Donnan offered a petition signed by board of supervisors of Buchanan county in relation to care of the insane.

Referred to Committee on Hospitals for the Insane.

Senator Baker offered a petition signed by board of supervisors of Winneshiek county in relation to care of the insane.

Referred to Committee on Hospitals for the Insane.

#### INTRODUCTION OF BILLS.

By Senator Wilkin, Senate File No. 91, a bill for an act limiting and regulating the right of action against incorporated cities and towns in certain cases.

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

By Senator Carson, Senate File No. 92, a bill for an act to amend section 1 of chapter 95, acts of the Sixteenth General Assembly relating to loan of cities and towns.

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

By Senator Miles, Senate File No. 93, a bill for an act to amend sections 2, 3, 4, 7 and 11, and to repeal sections 8, 9, 10, 13 and 14 of chapter 202 of acts of Eighteenth General Assembly, and to enact substitutes therefor relative to mines and the operating of mines.

Read a first and second time and referred to Committee on Mines and Mining.

By Senator Bayless, Senate File No. 94, a bill for an act to amend section 368, chapter 7, title 4, Code of 1873, relating to the compensation of surgeons or physicians in coroner's inquests.

Read a first and second time and referred to the committee on Retrenchment.

By Senator Whiting, Senate File No. 95, a bill for an act to provide for the collecting and expending the road tax in the State of Iowa.

Read a first and second time (500 copies ordered printed) and referred to committee on Roads and Highways.

#### JOINT RESOLUTIONS.

Senator Marshall offered joint resolution No. 6, which was read a first and second time and referred to Committee on Judicial Relations.

JOINT RESOLUTION in regard to grants of public land to railroads.

*Be it resolved by the General Assembly of the State of Iowa:*

1. That in view of the rapid absorption of the public lands of the United States fit for settlement, we do hereby earnestly request our Senators and Representatives in Congress to use their influence so that where grants of public land have been made to aid in building railroads, and the terms of said grants have not been strictly complied with, steps may be immediately taken to have such lands revert to the United States that the same may be thrown open to settlement.

2. *Resolved*, That the Secretary of State be and he is hereby instructed to transmit a copy of the foregoing resolution to each of our Senators and Representatives in Congress.

Senator Donnan offered the following report from the committee on Rules:

MR. PRESIDENT—The committee on Rules have instructed me to report to the Senate the following resolution, and recommend its adoption.

*Resolved*, That an additional assistant door-keeper be employed, to be stationed at the entrance of the south gallery of the senate; and that E. J. Salmon, be appointed as such officer.

W. G. DONNAN, *Chairman*.

Adopted.

MR. PRESIDENT—The Committee on Rules have instructed me to report to the Senate the following concurrent resolution and recommend its adoption:

W. G. DONNAN, *Chairman*.

*Resolved by the Senate, the House concurring*, That the Committee on Rules of the Senate and that of the House of Representatives shall constitute the joint committee on the joint rules of the General Assembly.

Adopted.

#### RESOLUTION.

Senator Chubb introduced the following resolution which was referred to Committee on Public Buildings.

*Resolved*, That the Capitol Commissioners be instructed to open the west door of 'capitol and erect temporary stairways to enable members to reach the street west of the main building with dispatch and safety.

#### REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 29, a bill for an act relating to a change of the place of trial of civil actions, amending section 2590 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 the same back to the Senate with the recommendation that it do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 2, a bill for an act to repeal section 3774 of the Code, and to enact a substitute therefor, in relation to the salaries of the Judges of 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 it do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 41, a bill for an act to repeal section 2783 of the Code, and to enact a substitute therefor, relative to the arguments of causes by attorneys, beg leave to report that they 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. HEMENWAY, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred Joint Resolution No. 3, requesting our Senators and Representatives in Congress to use their influence to secure laws controlling transportation of freights and passengers on railroads, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding at the end of first section, after the words United States, the following, to-wit: "engaged in inter-State commerce"; and that as so amended the joint resolution do pass.

A. N. POYNEER, *Chairman*.

Ordered passed on file.

Senator Clark, 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. 1, a bill for an act to repeal section 1555, of chapter six (6), title eleven (11), of Code, and enact a substitute therefor, relating to 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 do pass.

T. E. CLARK, *Chairman*.

Ordered passed on file.

Senator McCoy, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Concurrent Resolution No. 9, (House resolution) authorizing the Secretary of State to furnish stationery to members at cost, beg leave to report that they 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.

BEN MCCOY, *Chairman*.

Ordered passed on file.

Senator Donnan, from the Committee on Rules, submitted the following report:

MR. PRESIDENT—Your Committee on Rules, to whom was referred the resolution of the member from Chickasaw, relative to keeping the Senate Chamber for the use of Senators, beg leave to report that they have had the same under consideration, and have adopted a substitute therefor, and have instructed me to report the same back to Senate with the recommendation that the substitute be adopted.

W. G. DONNAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Rules, to whom was referred the resolution of the Senator from Johnson, relative to announcements of the standing committees of the Senate, beg leave to report that they have had the same under consideration, and have adopted a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted.

W. G. DONNAN, *Chairman*.

Ordered passed on file.

Senator Rothert offered the following report from the special committee on assignment of committee rooms:

MR. PRESIDENT—Your special committee on assignment of committee rooms, to whom was referred a resolution regarding assignment of rooms, beg leave to report that they have discharged said duty, and have instructed me to report to the Senate the following:

To room No. 28—Committees on Ways and Means, Appropriations, Retrenchment.

To room No. 29—Committees on Public Buildings, Commerce, Manufactures, Public Lands.

To room No. 18—Committees on Agriculture, Highways, Horticulture and Forestry, Fish and Game, Agricultural College.

To room No. 17—Committees on Private Corporations, Medicine, Surgery and Hygiene, Senatorial Districts, Penitentiary, Reform School.

To room No. 20—Committees on Municipal Corporations, Military, Claims, Mines and Mining.

To room No. 22—Committees on Railways, County and Township Organization, Election, Judicial Districts, Congressional Districts.

To Library Committee—Library.

To Engrossed Bills—Secretary's room.

To Enrolled Bills—Secretary's room.

To room No. 22—Committees on Judiciary, Federal Relations, Representative Districts, Compensation of Public Officers.

To room No. 26—Committees on Suppression of Intemperance, Rules, Constitutional Amendments, Asylum for Feeble-Minded Children.

To room No. 16—Committees on Banks, Insurance, Printing, Internal Improvements, Orphans' Home.

To room No. 19—Committees on Schools, University, Normal Schools, Hospital for Insane, Institution for Deaf and Dumb, College for the Blind.

Committee would recommend that this assignment, if approved by the Senate, be printed with the rules of the Senate.

Signed by the Committee.

HENRY W. ROTHEBT.  
H. C. HEMENWAY.  
T. E. CLARK.

Senator Abraham moved to amend by assigning a room in the old Capitol building to committees assigned to room No. 29, in place of that room.

Senator Robinson moved to amend by recommitting the report, with the request that they find another room for committees assigned to room No. 29.

Senator Abraham withdrew that portion of his amendment relative to the old Capitol.

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:

Senate File No. 6, a bill for an act appropriating money to defray expenses of inauguration and dedicatory ceremonies.

Also, Concurrent Resolution No. 13, in which the concurrence of the Senate is asked:

In relation to lunch room in this building.

SIDNEY A. FOSTER, *Clerk.*

Senator Robinson withdrew his amendment.

Amendment of Senator Abraham lost.

Report of committee adopted.

Senator Donnan offered the following report from the Committee on Rules:

MR. PRESIDENT--The Committee on Rules, by instruction of the Senate, under the resolution of the Senator from Scott, relative to admission of visitors to the floor of the Senate, have instructed me to report the accompanying resolution as Rule 28, and recommend its adoption.

W. G. DONNAN, *Chairman.*

RULE 28. Unless otherwise ordered by the Senate, admission to the floor of the Senate Chamber shall be granted by the door-keeper to the Governor and his Private Secretary; members and officers of the House of Representatives; officers of State and their deputies; Judges of the several courts; Capitol and Railroad Commissioners; ex-members of the Legislature; ex-officers of State; and the regular reporters of the Senate. No persons except those herein specified shall be admitted except upon the special permission of the President of the Senate, or of a member of the Senate.

Senator Hall offered the following amendment:

And no person shall be permitted, by member, or otherwise, to

come upon the floor of the Senate to solicit or influence Senators in legislation or other action.

Senator Johnson offered the following amendment:

Provided said person so privileged shall state that they are neither directly or indirectly interested in any legislation pending or to be submitted.

Lost.

Senator Bloom offered the following amendment:

Amend by adding to those permitted entrance to the Senate, "all trustees of the various State institutions and the Regents of the State University.

Lost.

Senator Smith offered the following amendment:

Or to sell any article or to solicit subscriptions.

Adopted.

Amendment of Senator Hall adopted.

Senator Bills moved to strike out Railroad Commissioners.

Carried.

Senator Robinson moved to insert "and clerks of committees."

Carried.

Resolution as amended adopted.

Senator Rothert was granted leave of absence until Tuesday.

Senators Kamrar and Carr announced that that they had paired on election for U. S. Senator on Tuesday next.

At twelve o'clock and ten minutes the Senate adjourned until two o'clock, P. M., Monday, the 28th inst.

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SENATE CHAMBER,  
DES MOINES, IOWA, January 28, 1884. }

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

Prayer by Rev. J. E. Rouse.

Journal of Saturday read and approved.

Senator Stephens was granted leave of absence until Tuesday morning.

#### PETITIONS AND MEMORIALS.

Senator Miles introduced a petition signed by over two hundred citizens of Wayne county in relation to the prohibition of the manufacture and use of intoxicating liquors.

Referred to Committee on Suppression of Intemperance.

#### INTRODUCTION OF BILLS.

By Senator Hemenway, Senate File No. 96, a bill for an act to pro-

vide for the State printing and binding, and repealing certain portions of the Code relating to the election, duties and compensation of State Printer and State Binder.

Read a first and second time and referred to the Committee on Printing.

By Senator Duncan, Senate File No. 97, a bill for an act to provide for the exclusive use of the English language in the common schools.

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

By Senator Sutton, Senate File No. 98, a bill for an act to repeal section 1821 of the Code of 1873 (chapter 4, tile 12) and to enact a substitute therefor relating to the course of study of the State Agricultural College.

Read a first and second time and referred to the Committee on Agricultural College.

By Senator Robinson, Senate File No. 99, a bill for an act to establish and maintain the Northwestern Normal School.

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

By Senator Robinson, Senate File No. 100, a bill for an act to legalize the incorporating the town of Fonda.

Read a first and second time, and not ordered printed, and referred to the Committee on Judiciary.

By Senator Robinson, Senate File No. 101, a bill for an act creating the 15th judicial district and providing for the election of district and circuit judges and the district attorney therein, and changing the boundaries of the 13th and 14th judicial districts.

Read a first and second time, ordered not printed, and referred to the Committee on Judicial Districts.

By Senator Marshall, Senate File No. 102, a bill for an act to limit the liability of railroad and sleeping car companies and for the better protection of their passengers.

Read a first and second time and referred to the Committee on Railways.

By Senator Gillett, Senate File No. 103, a bill for an act to amend section 959 of the Code (title 7, chapter 1), relating to establishing of highways.

Read a first and second time, not ordered printed, and referred to the Committee on Highways.

By Senator Barrett, Senate File No. 104, a bill for an act creating the fifteenth judicial district and providing for the election of district and circuit judges and district attorney therein, and changing the boundaries of the 4th and 13th judicial districts.

Read a first and second time and referred to the Committee on Judicial Districts.

By Senator Duncan, Senate File No. 105, a bill for an act to amend section 824 of the Code, requiring signatures in assessor's book to listed property.

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

## RESOLUTIONS.

Senator Donnan, from the Committee on Rules, offered the following report:

MR. PRESIDENT—The Committee on Rules have instructed me to report to the Senate the following resolution, to be known as Rule 29, and recommend its adoption.

W. G. DONNAN, *Chairman.*

*Resolved, 29.* It shall be the duty of the Sergeant-at-Arms to attend the Senate during its sittings, to aid in the enforcement of order under the direction of the President of the Senate, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof as shall be directed to him by the presiding officer, and to have charge of the messengers of the Senate and see that they severally perform their respective duties.

Adopted.

Senator Sudlow offered the following resolution:

*Resolved by the Senate, the House concurring,* That one hundred copies of the concurrent resolution providing for the appointment of committees to visit the different State institutions, and defining their duties, be printed for the use of those committees.

Adopted.

Senator Chubb offered the following resolution:

*Resolved,* That the State Printer be instructed to print on each bill the name of the committee to which the same was referred.

Adopted.

Senator Duncan offered the following resolution:

*Resolved,* That all bills for appropriations to State institutions shall be presented to the Senate at a period not later than February 20th.

Senator Gillett offered the following substitute:

*Resolved,* That all appropriation bills shall be introduced on or before February 20, 1884, unless introduced by a committee.

Senator Duncan withdrew his resolution and the substitute of Senator Gillette was adopted.

Senator Smith offered the following resolution:

*Resolved,* That the Judiciary Committee be and are hereby directed to inquire into, and report by bill or otherwise, such amendments as are necessary to the criminal code of the State, to make more certain and speedy the detection, conviction and punishment of criminals and the prevention of crime.

Adopted and referred to the Committee on Judiciary.

## HOUSE MESSAGE.

House concurring resolution in reference to establishing a lunch stand in this building was, on motion of Senator Abraham, concurred in.

## REPORTS OF COMMITTEES.

Senator McCoy, from the Committee on Printing, submitted the following report:

MR. PRESIDENT--Your Committee on Printing, to whom was referred the joint resolution providing for the printing of the Governor's inaugural address and the dedicatory address of Hon. Jno. A. Kasson, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that 25,000 copies of the same be printed, 20,000 of which shall be in the English, 2,500 in the German, 500 in the Norwegian and 500 in the Bohemian languages respectively. We also recommend an amendment to provide for printing 1,000 copies of the same in the Swedish language, and 500 in the Holland language.

We also recommend that the pamphlets containing the inaugural and dedicatory addresses shall contain a cut of the new capitol, together with discription and the cost of the same up to date.

BEN. MCCOY, *Chairman.*

Ordered passed on file.

Senator McCoy, from the Committee on Printing, submitted the following report:

MR. PRESIDENT--Your Committee on Printing, to whom was referred the joint resolution providing for the printing of the journals of the Senate and House of Representatives, beg leave to report that they 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, and offer the accompanying resolution as a substitute.

BEN. MCCOY, *Chairman.*

Ordered passed on file.

## BILLS ON SECOND READING.

The President directed the Secretary to read Senate File No. 1. It was taken up and considered.

Senator Eastman offered a substitute and moved it be recommitted, together with the original bill.

Senator Robinson moved to amend to postpone further consideration of this question until immediately after the election of U. S. Senator, which shall occur to morrow morning at 10:30 o'clock.

Senator Kamrar moved as an amendment that it be made the special order of Thursday morning next.

Senator Clark moved as an amendment that it be made the special order for 2:30 P. M., the first day after recess.

Accepted.

Senator Glass moved as an amendment that it be made the special order for 2:30 o'clock P. M., of the second day after recess.

Accepted.

Motion as amended prevailed.

Senator Gillett moved that action on Senate File No. 2, be postponed until its regular order to-morrow.

Motion prevailed.

Senator Clark was granted leave of absence until Friday.

E. J. Salmon appeared before the bar of the Senate and the President administered to him the oath of office as assistant door-keeper.

Senator Kamrar was granted leave of absence.

Senator Marshall moved that the rules be suspended, and the report of Committee on Rules in reference to keeping the Senate chambers open be taken up.

Carried.

Substitute for the resolution of Senator Marshall adopted by Committee on Rules:

*Resolved*, The Senate Chamber and committee rooms shall be kept open during the day and evening for the convenient use of members, committees and officers of the Senate.

All officers elected and appointed by the Senate committee clerks and messengers shall be in attendance during the sessions of the Senate, and also during other portions of the day and evening, unless excused; and messengers shall be detailed for duty by the Sergeant-at-Arms in the evening, as occasion may require.

Adopted.

Senator Donnan moved that the rules be suspended and the report of the Committee on Rules, in relation to announcement of meetings of committees, be taken up.

Carried.

Substitute for the resolution by Senator Bloom adopted by the Committee on Rules:

*Resolved* (30), That when an adjournment has been ordered by a vote of the Senate, and before the adjournment is declared by the President of the Senate, it shall be in order for the chairman of the several standing committees to announce in open Senate the time and place of meeting of their respective committees.

Adopted.

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

Senator Brown offered the following resolution:

*Resolved*, That the action of the Senate by which the report of the committee upon assignment of committee rooms be reconsidered.

C. M. BROWN.

Adopted.

Senator Caldwell moved to amend the motion of Senator Bills by substituting 2 o'clock, P. M., instead of 10 o'clock A. M.

Accepted.

Senate adjourned.



SENATE CHAMBER,  
DES MOINES, IOWA, January 29, 1884. }

Senate met at 2 o'clock, P. M., pursuant to adjournment, and was called to order by the President.

Prayer by Rev. Charles J. Miller.

Journal of yesterday read and approved.

MESSAGE FROM THE GOVERNOR.

A message from the Governor was received at the hands of his private secretary.

Ordered passed on file.

PETITIONS AND MEMORIALS.

Senator Miles offered a petition signed by surveyors of Wayne county in relation to county surveyors.

Referred to Committee on Compensation of Public Officers.

Senator Caldwell offered a petition signed by citizens of Guthrie county in relation to protection of sheep and other domestic animals.

Referred to Committee on Agriculture.

Senator Abraham offered a petition signed by citizens of Henry county in relation to female criminals.

Referred to Committee on Penitentiary.

REPORT OF COMMITTEE.

Senator Chambers, 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. 6, an act appropriating money to defray expenses of inaugurating and dedicatory ceremonies, and find the same correctly enrolled.

J. CHAMBERS, *Chairman.*

INTRODUCTION OF BILLS.

By Senator McCoy, Senate File No. 106, a bill for an act to regulate the organization and operation of mutual benefit assessment associations.

Read a first and second time, 500 copies ordered printed, and referred to the Committee on Insurance.

By Senator Abraham, Senate File No. 107, a bill for an act to amend section 1884, chapter 2, title 11, of the Code of Iowa, in relation to care of the insane.

Read a first and second time and referred to the Committee on Hospital for Insane.

By Senator Duncan, Senate File No. 108, a bill for an act to amend section 2078, chapter 2, of the Code, relative to the legal rate of interest.

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

By Senator Nichols, Senate File No. 109, a bill for an act to promote the more efficient working of the highways.

Read a first and second time and referred to the Committee on Highways.

By Senator Hutchison, Senate File No. 110, a bill for an act to establish and maintain an additional school for the instruction and training of teachers of common schools.

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

By Senator Hutchison, Senate File No. 111, a bill for an act concerning the appointment of counsel for defendants in criminal cases.

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

By Senator Barrett, Senate File No. 112, a bill for an act to establish a school for the instruction of teachers of common schools.

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

By Senator Hunt, Senate File No. 113, a bill for an act to reimburse Samuel Chandler, sheriff of Fremont county, and Daniel Farrell, sheriff of Mills county, for money expended in arresting Polk Wells, Wm. Norris and — Wilson, the Ralston bank robbers.

Read a first and second time and referred to the Committee on Claims.

By Senator Bobinson, Senate File No. 114, a bill for act to regulate the sale of petroleum, and to repeal chapter 172 of the laws of 1878, and section 3901 of the Code of 1873.

Read a first and second time and referred to the Committee on Medicine, Surgery and Hygiene.

By Senator Cassatt, Senate File No. 115, a bill for an act to amend section 2017, chapter 9, title 13 of the Code relating to landlord and tenant.

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

By Senator Cotton, Senate File No. 116, a bill for an act in relation to powers and duties of mayors of cities and incorporated towns.

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

By Senator Caldwell, Senate File No. 117, a bill for an act to repeal section 963 of the Code and to enact a substitute therefor.

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

By Senator Johnson, Senate File No. 118, a bill for an act to license and regulate the sale of beer, wine, and other spirituous and malt liquors.

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

By Senator Larrabee, Senate File No. 119, a bill for an act to amend section 313 of the Code, in relation to bounties for killing wild animals.

Read a first and second time and referred to the Committee on Agriculture.

By Senator Stephens, Senate File No. 120, a bill for an act providing for sectional index records.

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

#### RESOLUTIONS.

Senator Donnan, from the Committee on Rules, offered the following resolution:

*Resolved*, That a clerk be employed in charge of the printed bills of the Senate, under the direction of the Sergeant-at-Arms, and that Miss Lizzie Christ be appointed as such clerk. Adopted.

Senator Sutton moved that the rules be suspended and the joint resolution in relation to the Hennepin Canal be taken up.

Carried.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate concurrent resolution concerning the joint committee on rules.

Also, concurrent resolution ordering printed one hundred copies of the concurrent resolutions of the appointment and duties of the committees to visit the different State institutions.

Also, I am 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. 5, a bill for an act to reward the persons who captured the Barber brothers, the reputed murderers of Marion Shepard.

House File No. 19, a bill for an act to legalize the town council of the town of Riverside, and their official acts.

Concurrent Resolution No. 14, relative to balance of committee rooms to be apportioned between the two houses.

SIDNEY A. FOSTER, *Clerk*.

#### CONCURRENT RESOLUTION.

Senator Eastman yielding the floor, Senator Donnan offered the following concurrent resolution:

*Resolved by the Senate, the House concurring*, That the General Assembly will meet in joint convention in the hall of the House of Representative at 12 o'clock, meridian, on Wednesday, the 30th inst., to compare the journals of the two houses, and to declare the result

of the vote for a United States Senator for six years from the 4th of March, 1885. Adopted.

Senator Eastman again yielding the floor, Senator Larrabee moved the Senate proceed to vote for U. S. Senator for six years from the 4th of March, 1885. Carried.

The roll was then called, with the following result:

The Senators voting for Wm. B. Allison were:

Senators Abraham, Baker, Barrett, Bills, Brown, Caldwell, Carson, Chambers, Chubb, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Hemenway, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin—35.

The Senators voting for B. J. Hall were:

Senators Bayless, Bloom, Cassatt, Hendrie, Johnson, Ryder, and Whiting—7.

The Senator voting for L. G. Kinne was:

Hall—1.

Senator Carr paired with Senator Kamrar, Gault paired with Russell.

Absent or not voting:

Senators Clark, Graves, and Henderson—3.

#### MESSAGE FROM THE HOUSE.

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following concurrent resolution:

Resolution relative to meet in joint convention at twelve o'clock, meridian, on Wednesday, the 30th inst., to compare the journals of the two houses, and declare the result of the vote for a United States Senator for six years from March 4th, 1885.

SIDNEY A. FOSTER, *Clerk.*

The question being upon the adoption of the House joint resolution No. 1, as amended, the roll was called.

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—44.

The nays were:

Senator Eastman—1.

Absent or not voting:

Senators Cassatt, Clark, Graves, Kamrar, and Russell—5.

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

#### REPORT OF COMMITTEE.

Senator Chambers, 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. 6, an act appropriating money to defray expenses of inauguration and dedicatory ceremonies.

J. C. CHAMBERS, *Chairman.*

COMMUNICATIONS ON THE PRESIDENT'S TABLE.

Message from the Governor relative to pardon of E. J. Bruce was referred to Committee on Penitentiary.

GOVERNOR'S MESSAGE.

On motion of Senator Whaley the Governor's message was taken up, and the following assignments made:

That part of the message relating to temperance, to Committee on Suppression of Intemperance.

That part relating to decision of Supreme Court, to Committee on Judiciary.

Constitutional amendment, to Committee on Constitutional Amendments.

State finances, to Committee on Ways and Means.

Banks, to Committee on Banks.

Insurance, to Committee on Insurance.

Treasurer's report, to Committee on Ways and Means.

Public schools, to Committee on Schools.

School books, to Committee on Schools.

Public lands, to Committee on Public Lands.

State Library, to Committee on Public Library.

National Guard, to Committee on Military.

State Mine Inspector, to Committee on Mines and Mining.

Fish Commissioner, to Committee on Fish and Game.

Agricultural College, to Committee on Agricultural College.

Diseases among horses and cattle, to Committee on Medicine, Surgery and Hygiene.

College for the Blind, to Committee on College for the Blind.

Deaf and Dumb, to Committee on Institution for Deaf and Dumb.

Feeble-Minded Children, to Committee on Asylum for Feeble-Minded Children.

Orphans' Home, to Committee on Orphans' Home.

The insane, to Committee on Hospitals for Insane.

Provisional contingencies, to Committee on Appropriations.

Ft. Madison and Anamosa Penitentiaries, to Committee on Penitentiary.

State Prison Inspectors, to Committee on Penitentiary.

Reform Schools, to Committee on Reform Schools.

Pardons, to Committee on Penitentiary.

Womans' prison, to Committee on Penitentiary.

Special pardons, to Committee on Penitentiary.

Charities and reforms, to Committee on Penitentiary.

State trustees, to Committee on Ways and Means.

Public health, to Committee on Medicine, Surgery and Hygiene.  
 Historical Society, to Committee on State University.  
 Weather service, to Committee on State University.  
 Dental service, to Committee on State University.  
 Treasury inspectors, to Committee on Ways and Means.  
 State Agricultural Society, to Committee on Agriculture.  
 Highways, to Committee on Highways.  
 Pharmacy Commission, to Committee on Medicine, Surgery and Hygiene.  
 New Capitol, to Committee on Public Buildings.  
 Public buildings, to Committee on Public Buildings.  
 Transportation, to Committee on Railways.  
 Board of Dental Examiners, to Committee on Medicine, Surgery and Hygiene.  
 Court expenses, to Committee on Retrenchment.

## HOUSE MESSAGE.

House message relative to capture of Barber brothers was taken up and referred to Committee on Appropriations.

House File No. 19 taken up and referred to the Committee on Judiciary.

House resolution in reference to assignment of committee rooms was referred to that special committee of the Senate.

## COMMITTEE REPORT.

Senator Donnan offered the following report:

MR. PRESIDENT—The Joint Committee on Rules, having considered the subject of joint rules for the two houses, have authorized me to report to the Senate the joint rules of the Nineteenth General Assembly, and recommend their adoption as the joint rules of the Twentieth General Assembly.

W. G. DONNAN,

*Chairman of Committee on part of the Senate.*

Adopted.

## REMONSTRANCE.

Senator Bloom introduced a remonstrance from citizens of Johnson county against the pardon of Wm. Dilley.

Referred to Committee on Penitentiaries.

## REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred the preamble and resolution adopted at the late session of the Protestant Episcopal Church of the diocese of Iowa at Cedar Rapids, on the 8th day of May, 1883, on the subject of diocese, beg leave to

report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the answer to said preamble and resolution hereto attached, and that no further legislation be had, for the reasons therein stated.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 35, a bill for an act to amend section 4489, of the Code, relating to new trials in criminal cases, 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 accompanying substitute, with the recommendation that the substitute be adopted, and when adopted that it do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 30, a bill for an act to indemnify sheriffs in the service of attachments, amendatory of Code, chapter 1, title 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 accompanying substitute, with the recommendation that the substitute be adopted, and when adopted that it do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 33, a bill for an act to amend sections 3055 and 3056 of the Code, relating to indemnifying bonds, beg leave to report that they 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. HEMENWAY, *Chairman*.

Ordered passed on file.

Senator Caldwell, from the Committee on Suppression of Intemperance, submitted the following minority report:

MR. PRESIDENT—The minority from your Committee on Suppression of Intemperance, to whom was referred Senate File No. 1, a bill for an act to repeal section 1555, of chapter 6, of title 11, of the Code, and to enact a substitute therefor, relating to intoxicating liquors, beg leave to report that they have had the same under consideration, and a minority of said committee have instructed me to report the same back to the Senate with the recommendation that the bill be amended by striking out the words "for sale" and the words "as a beverage," in the third line of section 1555, and as so amended that the bill do pass.

J. J. CALDWELL, *Acting Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Agriculture, to whom was re-

ferred Senate File No. 4, a bill for an act to provide a fund from which to pay for sheep or other domestic animals killed or injured by dogs, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the word "three" in the second line of section 1 and substituting the word "six;" and by striking out the words "one dollar" in line two of section 2 and substituting the words "fifty cents;" and also the word "three" in same line, same section, and substituting the word "one;" and by adding after the word "provided" in line two, section 4, "as other taxes are collected;" and by striking out the words "six months" in line six, section 5, and substituting the words "fifteen days;" also by adding after the word "damage" in line fourteen, section 5, the words, "and that said damage was caused by dogs;" and by striking out the words "five hundred" in line six, section 6, and substituting the words "two hundred and fifty;" and also by striking out the word "school" in line seven, same section, and substituting the word "county;" and also by striking out of same section after the word "fund" in line seven; and by striking out all of section 7; and as so amended that it do pass.

T. M. C. LOGAN, *Chairman.*

Ordered passed on file.

Senator Gillett moved that the bill with its proposed amendments be printed.

Carried.

Senator Baker, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate File No. 66, a bill for an act to reward the persons who captured the Barber brothers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. A. BAKER, *Chairman.*

Ordered passed on file.

Senator Wilkin, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred the concurrent resolution offered by Senator Chubb, relating to the opening of the west entrance to the Capitol, beg leave to report that they have had the same under consideration, and present the accompanying substitute in lieu thereof, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted.

ELI WILKIN, *Chairman.*

Ordered passed on file.

The President appointed Senator Wilkin as the committee on the part of the Senate in relation to lunch stand in the Capitol.

Senator Wilkin moved that the rules be suspended and the report of Committee on Public Buildings in relation to substitute for resolution offered by Senator Chubb be taken up.

Carried.

Substitute for resolution offered by Senator Chubb:



*Resolved by the Senate, the House concurring,* That the Capitol Commissioners be instructed to open the west entrance to the Capitol and construct a walk for temporary use and a convenient and suitable way of passage from 9th street to the Capitol.

On motion of Senator Bills the substitute was adopted.

#### INTRODUCTION OF BILLS.

By Senator Hall, Senate File No. 121, a bill for an act appropriating \$645.24, for the payment of claims due John H. Gear and the Burlington Gas Light Company.

Read a first and second time and referred to the Committee on Claims.

On motion of Senator Whaley the vote by which House File No. 5 was referred to Committee on Appropriations was reconsidered.

#### HOUSE MESSAGE.

Senator Whaley moved that House File No. 5 be taken up.

Carried.

Senator Whaley moved that the rules be suspended, the bill be considered engrossed and read a third time now.

Carried.

Senator Robinson moved a reconsideration of the vote by which the bill was placed on its third reading.

Carried.

On motion of Senator Whaley the bill was ordered read a third time and placed on its passage.

The bill was read a third time.

On the question shall the bill pass?

The roll was called.

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Stephens, Sudlow, Sutton, Whaley, Whiting, and Wilkin—44.

The nays were:

Senator Sweny—1.

Absent or not voting:

Senators Clark, Graves, Kamrar, Russell, and Smith—5.

So the bill passed and the title was agreed to.

Senator Duncan moved that the Senate adjourn until 10 o'clock tomorrow morning.

Senator Larrabee offered the following resolution:

## RESOLUTION.

*Resolved by the Senate, the House concurring,* That when the Senate adjourn on Wednesday, the 30th inst., it be until 10 o'clock, P. M., on Tuesday, the 5th of February, in order to enable the Visiting Committee to visit the State institutions.

Senator Johnson moved to amend by striking out 10 o'clock, A. M., and inserting 2 o'clock, P. M.

Accepted.

Senator Robinson moved to amend by striking out Tuesday the 5th and insert Monday, 11th of February.

Lost.

Resolution as amended adopted.

Senator Hemenway moved to amend Senator Duncan's motion by substituting 11:45 o'clock instead of 10 o'clock.

Accepted.

Motion as amended carried, and the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, January 30, 1884. }

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

Prayer by Rev. T. J. Keith.

Pending the reading of the journal of yesterday, a committee from the House announced that body ready to meet the Senate in joint convention.

Journal read and approved.

The president announced Senator Robinson as teller on the part of the Senate, and the Senate repaired to the hall of the House of Representatives.

## JOINT ASSEMBLY.

The joint assembly was called to order at 12 o'clock, M., by Lieutenant-Governor O. H. Manning, who announced that the joint assembly had met in accordance with a concurrent resolution passed by both houses, and for the purpose of comparing the journals of the respective bodies on the vote for United States Senator.

Mr. Clayton moved that the joint convention now proceed to compare the journals of the two houses relative to the vote for United States Senator.

Carried.

The President of the joint assembly then announced Senator Robinson as teller on the part of the Senate.

The Speaker appointed Mr. Butler, of Page, as teller on the part of the house.

The Secretary of the Senate then proceeded to read the part of the Senate journal that referred to the vote of the Senate for United States Senator.

The Clerk of the House then proceeded to read that part of the House journal which referred to the vote of the House for United States Senator.

The President of the joint assembly announced the result of the canvass, as reported by the tellers, as follows:

In the Senate—

Wm. B. Allison received .....	35 votes.
B. J. Hall received.....	7 votes.
L. G. Kinne received.....	1 vote.

Senator Gault paired with Senator Russell.  
 Senator Carr paired with Senator Kamrar.

In the House—

Wm. B. Allison received.....	50 votes.
B. J. Hall received.....	45 votes.
D. M. Clark received.....	1 vote.

RESOLUTION.

Senator Bills offered the following resolution.

*Resolved*, That Wm. B. Allison be declared the Senator elect from the State of Iowa to the Congress of the United States for the term commencing the 4th of March, 1885.

*Adopted*.

The following certificate was then signed by the President of the joint assembly, Speaker of the House, Clerk, Secretary, and tellers:

STATE OF IOWA,                    }  
 HALL OF THE HOUSE OF REPRESENTATIVES.    }

This is to certify that at the meeting of the two houses of the General Assembly of the State of Iowa, in joint assembly, held on Wednesday, the 30th day of January, 1884, at noon, a majority of all the members of each house being present, it was found upon examination of the journals of the respective houses that upon the day before, the same being the second Tuesday after the meeting and permanent organization of the General Assembly, each house had by an open *viva voce* vote of the members present, named William B. Allison, of Dubuque county, for Senator in Congress for the State of Iowa, for the term commencing the 4th of March, 1885, whereupon said joint assembly formally declared said William B. Allison, of Dubuque county, duly elected Senator to represent the State of Iowa in Congress of the

United States for the term of six years, beginning on the 4th day of March, 1885.

O. H. MANNING,  
*President of the Senate and Joint Assembly.*

W. P. WOLFE,  
*Speaker of the House of Representatives.*

SIDNEY A. FOSTER,  
*Clerk of the House and Joint Assembly.*

FRANK D. JACKSON,  
*Secretary of the Senate.*

ATTEST:

G. L. ROBINSON,  
*Teller on part of the Senate.*

MR. BUTLER,  
*Teller on part of the House.*

Mr. Harrison, of Palo Alto, moved that the journal of the joint assembly be read.

Motion prevailed.

Journal read and approved.

On motion of Senator Duncan the joint convention dissolved.

Senate reconvened at 12:25 o'clock, P. M.

#### PETITIONS AND MEMORIALS.

Senator Miles offered a petition, signed by citizens of Lucas county, in reference to the protection of sheep and other domestic animals.

Referred to Committee on Agriculture.

Senator McCoy offered a petition signed by surveyors of Mahaska county in reference to office of county surveyor.

Referred to Committee on Compensation of Public Officers.

On motion of Senator Donnan the Senate adjourned until 2:30 o'clock, P. M.

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#### AFTERNOON SESSION.

2:30 O'CLOCK, P. M.

At 2:30 o'clock, P. M., the Senate met pursuant to adjournment and was called to order by the President.

## INTRODUCTION OF BILLS.

By Senator Carson, Senate File No. 122, a bill for an act to require children over seven and under fourteen years of age to attend school. Read a first and second time and referred to the Committee on Schools.

By Senator Donnan, Senate File No. 123, a bill for an act to repeal section 2316 of the Code, and to enact a substitute therefor.

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

By Senator Donnan, Senate File No. 124, a bill for an act to repeal section 2445 of the Code, and to enact a substitute therefor.

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

By Senator Bills, Senate File No. 125, a bill for an act to appropriate funds to furnish buildings, buy land and make improvements for the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa.

Read a first and second time and referred to the Committee on Orphans' Home.

By Senator Bills, Senate File No. 126, a bill for an act to provide for a geological survey of the State of Iowa, and the publication of the same, including paleontology.

Read a first and second time and referred to the Committee on State University.

By Senator Smith, Senate File No. 127, a bill for an act to repeal section 4424 of the Code and to enact a substitute therefor, in relation to defendants jointly indicted.

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

By Senator Brown, Senate File No. 128, a bill for an act establishing a Board of State Charities.

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

By Senator Miles, Senate File No. 129, a bill for an act relating to the transmission and delivery of telegraph messages, repealing section 1329 of the Code of Iowa and enacting a substitute therefor.

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

By Senator Hunt, Senate File No. 130, a bill for an act to establish a separate insurance department, to include the supervision of banks, to provide for the appointment of commissioner thereof, and define his duties.

Read a first and second time and referred to the Committee on Insurance.

By Senator McDonough, Senate File No. 131, a bill for an act to amend section 4421, title 25, of the Code of 1873.

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

By Senator McCoy, Senate File No. 132, a bill for an act to repeal sections 5 and 6, chapter 151, acts Eighteenth General Assembly, re-

lating to the registration of births and deaths and enacting a substitute therefor.

Read a first and second time and referred to the Committee on Medicine, Surgery and Hygiene.

By Senator Abraham, Senate File No. 133, a bill for an act to amend section 1408, chapter 2, title 11, of the Code of Iowa, relating to the care of the insane.

Read a first and second time and referred to the Committee on Hospitals for the Insane.

By Senator Henderson, Senate File No. 134, a bill for an act to establish and permanently maintain an additional asylum and school of instruction for deaf mutes at Cedar Rapids, county of Linn.

Read a first and second time, 500 copies ordered printed, and referred to the Committee on Asylum for Deaf and Dumb.

By Senator Duncan, Senate File No. 135, a bill for an act relieving real estate from double taxation in certain cases and taxing mortgages to a certain extent as real estate.

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

#### PETITIONS AND MEMORIALS.

Senator Smith offered a petition from Mrs. Clara Conboy, widow of one of the former workmen on this building, which was read and referred to the Committee on Claims.

Senator Wilkin offered a petition signed by reporters of the press relating to grievances.

On motion of Senator Hemenway it was indefinitely postponed.

#### CONCURRENT RESOLUTION.

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

*Resolved by the Senate, the House concurring,* That the visiting committee to the penitentiary at Anamosa be instructed to make special inquiry and carefully investigate the propriety of establishing in connection with said institution a woman's prison or reformatory; also, the practicability of having the same entirely separate from the prison proper and officered by Christian women.

*Resolved, further,* That if the same is favorably considered, that said committee report the approximate cost to carry the same into effect.

#### 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. 57, a bill for an act authorizing the Commissioners of the Iowa Hospital for the Insane at Independence to use the unexpended balance of the appropriation made in section

one, chapter fifty-eighth, of the laws of the Nineteenth General Assembly for building and furnishing the fifth and sixth sections of the south wing of the hospital, in constructing a portico over the front entrance and painting the walls of the building, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it pass.

LARRABEE, *Chairman.*

Ordered passed on file.

BILL ON SECOND READING.

Senator Larrabee moved that the rules be suspended, and the bill be read a third time now.

Carried.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—45.

The nays were none.

Absent or not voting:

Cassatt, Clark, Graves, Kamrar, and Russell—5.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 83, a bill for an act to establish the Iowa State Board of Labor, beg leave to report that they 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 Mines and Mining.

LARRABEE, *Chairman.*

Ordered passed on file.

Senator Bills, from the Committee on Commerce, submitted the following report:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred Senate File No. 78, a bill for an act to prevent gambling by means of fictitious contracts for the buying or selling of grain or other produce, and to provide a punishment 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.

JOHN C. BILLS, *Chairman*.

Ordered passed on file.

Senator Donnan, from the Committee on Rules, offered the following report:

MR. PRESIDENT—The Committee on Rules have instructed me to report to the Senate the following amendments to the Senate rules, and recommend their adoption.

W. G. DONNAN, *Chairman*.

2d. Amend Rule 23 by striking out all after the word "time," in the second line, and inserting so as to read as follows:

23. It is in order for the Committees on Engrossed and Enrolled Bills, and on Printing, to report at any time, when no member is addressing the Senate.

Adopted.

3d. Amend Rule 26 by striking out all after the word "time," in the fifth line.

Senator Brown moved to amend as follows:

Strike out the words "at any time," and insert the words "as provided in Rule 23."

Adopted.

Rule as amended adopted.

4th. Add as Rule 31: All bills introduced shall be printed, unless otherwise ordered by the Senate, and the committees may order to be printed any substitutes for bills reported by them.

Senator Rothert, from the special committee on assignment of committee rooms, offered the following report.

MR. PRESIDENT—Your special committee on assignment of committee rooms for Senate committees, to whom was referred concurrent resolution No. — (a resolution with reference to assignment of rooms Nos. 14, 15 and 29), beg leave to report 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 Senate concur in said resolution, and that a committee as contemplated in said resolution be appointed.

HENRY W. ROTHERT, *Chairman*.

On motion of Senator Rothert the resolution was taken up and concurred in.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 9, a bill for an act establishing the Supreme Court at the Capital of the State, fixing the terms thereof, and providing officers and bailiff therefor, 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 accompanying substitute, with the recommendation that the substitute be adopted, and when adopted that it do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.



Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 65, a bill for an act to repeal section 866 of the Code, in relation to the collection of taxes and reducing the penalties thereon, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Ways and Means.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 61, a bill for an act to repeal section 4362 of the Code and to enact a section in lieu thereof, concerning the right of defendant to withdraw the plea of guilty, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 52, a bill for an act to amend chapter three (3), title fifteen (15) of the Code in relation to divorce, beg leave to report that they 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. HEMENWAY, *Chairman.*

Ordered passed on file.

The President announced the following Special Committee on assignment of committee rooms, Senators Rothert, Larrabee, Hemenway.

#### BILLS ON SECOND READING.

Senate File No. 2, in relation to the salaries of the judges of the district and circuit courts was taken up and considered together with the report of the committee recommending that the bill be passed.

Senator Gillett moved that the rules be suspended, the bill considered engrossed and read a third time now.

The motion prevailed.

Senator Donnan moved to amend by striking out "three thousand" and inserting "twenty-five hundred."

#### 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 Senate amendment to memorial No. 1, House resolution, relating to the Hennepin Canal.

Also, That the House has amended and refused to concur in as amended in Senate concurrent resolution to adjournment from Wednesday, January 30th, until Tuesday, February 5th.

Also, I Am directed to inform your honorable body that the House has adopted the following concurrent resolution:

*Resolved by the House, the Senate concurring,* That when the General Assembly adjourn on Friday, February 1st, that it be till Friday, February 8th, at 3 o'clock P. M.

SIDNEY A. FOSTER, *Clerk.*

Also:

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:

Concurrent resolution concerning mail schedule and post-office hours.

Also, House File No. 27, a bill for an act to legalize the levy of certain taxes of the Independent School District of Monticello, Jones county, Iowa.

SIDNEY A. FOSTER, *Clerk.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the following concurrent resolution in relation to opening the west entrance to the Capitol and constructing sidewalk.

SIDNEY A. FOSTER, *Clerk.*

Senator McDonough moved as an amendment to strike out \$2,500 and insert \$2,200.

Lost.

On Senator Donnan's amendment the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Abraham, Bayless, Bloom, Brown, Caldwell, Carr, Cassatt, Chambers, Chubb, Donnan, Duncan, Gault, Glass, Hendrie, Hunt, McDonough, Marshall, Miles, Nichols, Stephens, Sudlow, Ryder, and Sweny—23.

The nays were:

Senators Baker, Barrett, Bills, Carson, Cotton, Eastman, Gillett, Hall, Hemenway, Henderson, Hutchison, Johnson, Larrabee, Logan, McCoy, Poyneer, Robinson, Rothert, Smith, Sutton, Whaley, Whiting, and Wilkin—23.

Absent or not voting:

Senators Clark, Graves, Kamrar, and Russell.

The vote being a tie the President voted nay.

So the amendment of Senator Donnan was lost.

Senator Gillett withdrew his motion to suspend the rules and moved the bill be considered engrossed.

Carried.

Senator Abraham was granted leave of absence until Saturday.

Senator Hendrie was granted leave of absence.

## HOUSE MESSAGES.

House concurrent resolution relative to mail and capitol post-office, was concurred in.

House File No. 27, relative to legalizing the levy of certain taxes, was referred to Committee on Judiciary.

Senator Chambers moved to take up this House File No. 27.

Lost.

House concurrent resolution relative to adjournment was taken up and considered.

Senator Brown moved to concur in the resolution.

Senator Hemenway moved to strike out 12 o'clock.

Carried.

Senator Chubb moved to amend by striking out Friday, Feb. 8th, and insert Tuesday, Feb. 12th.

Lost.

Senator Robinson moved to amend so that the reassembling of the Senate be on Monday, Feb. 11th, at 2:30 o'clock, P. M.

Lost.

Senator Smith moved to amend by inserting Saturday, the 9th, at 10 o'clock, A. M., instead of Friday, the 8th.

Senator Logan moved to amend by fixing the time of adjournment on Saturday instead of Friday.

Lost.

Senator Hall moved as an amendment that the reassembling of the Senate be on Thursday, the 7th, at 3 o'clock, P. M.

Lost.

Amendment of Senator Smith lost.

Resolution as amended concurred in.

Senator Bills moved the Senate adjourn until 10 o'clock A. M., tomorrow.

Motion prevailed.

Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, January 31, 1884. }

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

Prayer by Rev. J. B. Stewart.

Journal read and approved.

## PETITIONS AND MEMORIALS.

Senator Rothert offered a petition signed by citizens and soldiers of Lee county, for the enactment of Senate File No. 74.

Referred to Committee on Military.

Senator Duncan offered a petition signed by citizens of Iowa, for the exclusive use of the English language in the common schools.

Referred to the Committee on Schools.

Senator Caldwell offered a petition signed by citizens of Guthrie county in relation to inspection of oil.

Referred to committee on Medicine, Surgery and Hygiene.

Senator Ryder offered a petition from citizens of Benton county, in relation to the same subject and it was referred to the same committee.

#### INTRODUCTION OF BILLS.

By Senator Hunt, Senate File No. 136, a bill for an act to amend section 382, chapter 9, title 4, Code of Iowa, relative to the division of townships.

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

By Senator Brown, Senate File No. 137, a bill for an act to amend section 1 of chapter 137 of the acts of the Nineteenth General Assembly, in relation to pharmacists.

Read a first and second time and referred to the Committee on Medicine, Surgery and Hygiene.

By Senator Larrabee, Senate File No. 138, a bill for an act to amend chapter 74, laws of the Eighteenth General Assembly.

Read a first and second time and referred to the Committee on Military.

By Senator Larrabee, Senate File No. 139, a bill for an act to provide for the distribution of the funds by the assignees of insolvents.

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

#### COMMUNICATIONS.

The following communication from the Secretary of State was read and referred to the Committee on Constitutional Amendments:

*To the Honorable Senate:*

I respectfully report that pursuant to law I published Joint Resolution No. twelve (12), passed at the regular session of the Nineteenth (19th) General Assembly of the State of Iowa, being "Joint Resolution proposing amendments to the Constitution and providing for their reference and publication," for three months prior to the general election held on the 9th day of October, A. D., 1883, for members of the General Assembly. I further certify that said joint resolution was published in two newspapers in each Congressional district in the State, and said papers are as follows:

FIRST DISTRICT—Journal, Mt. Pleasant, Iowa; Hawkeye, Burlington, Iowa.

SECOND DISTRICT—Gazette, Davenport, Iowa; Journal, Muscatine, Iowa.

THIRD DISTRICT—Reporter, Waterloo, Iowa; Bulletin, Independence, Iowa.

FOURTH DISTRICT—News, McGregor, Iowa; Intelligencer, Charles City, Iowa.

FIFTH DISTRICT—Times-Republican, Marshalltown, Iowa; Eagle, Vinton, Iowa.

SIXTH DISTRICT—Republican, Bloomfield, Iowa; Republican, Montezuma, Iowa.

SEVENTH DISTRICT—Register, Des Moines, Iowa; News, Adel, Iowa.

EIGHTH DISTRICT—Patriot, Chariton, Iowa; Republican, Bedford, Iowa.

NINTH DISTRICT—Opinion, Glenwood, Iowa; Times, Audubon, Iowa.

TENTH DISTRICT—Eagle, Northwood, Iowa; Representative, Nevada, Iowa.

ELEVENTH DISTRICT—Sun, Sac City, Iowa; Reporter, Spencer, Iowa.

Respectfully,

J. A. T. HULL,  
*Secretary of State.*

Also the following, which was referred to the same committee:

*To the Honorable Senate:*

I respectfully report that pursuant to law I published Joint Resolution No. eleven (11), passed at the regular session of the Nineteenth General Assembly of the State of Iowa, being "Joint resolution proposing to amend section one (1) of article two (2) of the Constitution of the State of Iowa," for three months prior to the general election of members of the General Assembly on the 9th day of October, A. D., 1883, in the following papers, being two in each Congressional District of Iowa, viz.:

FIRST DISTRICT—Gate City, Keokuk, Iowa; Republican, Keosauqua, Iowa.

SECOND DISTRICT—Herald, Clinton, Iowa; Advertiser, Tipton, Iowa.

THIRD DISTRICT—Times, Dubuque, Iowa; Press, Manchester, Iowa.

FOURTH DISTRICT—Press, Osage, Iowa; Republican, Decorah, Iowa.

FIFTH DISTRICT—Chronicle, Toledo, Iowa; Republican, Iowa City, Iowa.

SIXTH DISTRICT—Courier, Ottumwa, Iowa; Herald, Oskaloosa, Iowa.

SEVENTH DISTRICT—Register, Des Moines, Iowa; Journal, Knoxville, Iowa.

EIGHTH DISTRICT—Sentinel, Osceola, Iowa; Herald, Clarinda, Iowa.

NINTH DISTRICT—Nonpariel, Council Bluffs, Iowa; Telegraph, Atlantic, Iowa.

TENTH DISTRICT—Republican, Mason City, Iowa; Recorder, Hampton, Iowa.

ELEVENTH DISTRICT—Journal, Sioux City, Iowa; Pioneer, Ida Grove, Iowa.

Respectfully,

J. A. T. HULL,  
*Secretary of State.*

The following communication was received from the State Auditor, and was passed on file:

STATE OF IOWA, }  
OFFICE OF AUDITOR OF STATE, }  
DES MOINES, January, 30, 1884. }

*To the Honorable, the Senate of the Twentieth General Assembly of Iowa:*

I have the honor to acknowledge the receipt of your resolution requesting a report of the items which make up the amount paid annually during the last five years by the State for printing and binding.

I beg leave to say in response thereto that while I am ready and willing to furnish you any information that is within the scope of the ability of the force in my office, the information sought is contained only in the multitudinous bills, made up of miscellaneous items that have been certified from time to time.

My office force is now worked to its utmost capacity, putting in part of the night. My appropriation for clerk hire is in a manner exhausted; there not being a sufficient amount remaining to cover the expense of the current business for the appropriation year, so that I am unable to employ additional help. In the midst of these embarrassing surroundings I would most respectfully appeal to your honorable body for relief in the shape of a resolution authorizing me to employ a suitable person to do this work and provide for the expense thereof or such other relief as your body may deem advisable.

Your obedient servant,

J. L. BROWN, *Auditor of State.*

Senator Bills moved that the State Auditor be authorized to employ an additional clerk for the purpose of furnishing the General Assembly the information desired in relation to State Printer and State Binder.

Carried.

#### BILLS ON SECOND READING.

Senate File No. 41, a bill for an act to repeal section 2783 of the Code and to enact a substitute therefor relative to the argument of causes by attorneys was taken up and considered together with the report of the committee recommending indefinite postponement, and the report was adopted.

Senate File No. 29, a bill for an act relating to a change of the place of trial of civil actions amending section 2590 of the Code was

taken up and considered together with the report of the committee recommending that the bill do pass.

Senator Sweney introduced the following amendment in lieu of section 1.

Section 1. That section 2590 of the Code of Iowa be amended by inserting in the second line of subdivision 3 of said section after the word "persons," the following: "residents of the county in which the action is pending."

Senator Hall moved to amend by inserting the words "five disinterested freeholders residing in the same judicial district in which the cause is pending."

Lost.

The question being upon the amendment offered by Senator Sweney the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Donnan, Hall, McDonough, Sweney, and Wilkin—5.

The nays were:

Senators Baker, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Duncan, Eastman, Gault, Gillett, Glass, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, Marshall, Miles, Nichols, Poyneer, Robinson, Rother, Ryder, Smith, Stephens, Sudlow, Sutton, Whaley, and Whiting—39.

Absent or not voting:

Senators Abraham, Barrett, Clark, Graves, Hendrie, and Russell—6.

So the amendmeat was lost.

Senator Miles moved that the rules be suspended the bill considered engrossed and read a third time now.

Carried.

The bill was read a third time. The question being shall the bill pass.

The yeas were:

Senators Baker, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Ryder, Smith, Stephens, Sudlow, Sutton, Whaley, and Whiting—39.

The nays were:

Senators Eastman, Hall, Sweney, and Wilkin—4.

Absent or not voting:

Senators Abraham, Barrett, Clark, Graves, Hendrie, Rother, and Russell—7.

So the bill passed and the title was agreed to.

Joint resolution No. 3, in reference to inter-state commerce, was taken up and considered.

Senator Poyneer moved that the rules be suspended, the resolution be considered engrossed and read a third time now.

Carried.

The resolution was read a third time, to-wit: on the question shall the resolution pass?

The yeas were:

Senators Baker, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Hall, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin.—44.

The nays were none.

Absent or not voting:

Senators Abraham, Barrett, Clark, Graves, Hendrie, and Russell.—6

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

Senate File No. 30, a bill for an act to indemnify sheriffs in the service of writs of attachment amendatory of Code, chapter 1, title 188, with report of the committee recommending a substitute, and that the substitute be adopted, and when adopted that it do pass, was taken up and considered.

On motion of Senator Hemenway, the further consideration was postponed.

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

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### AFTERNOON SESSION.

2 O'CLOCK, P. M.

Senate was called to order by the President.

#### BILLS ON SECOND READING.

Senate File No. 33, a bill for an act to amend sections 3,055 and 3,056 of the Code, relating to indemnifying bonds with the report of the committee recommending that the bill be indefinitely postponed, was taken up for consideration.

Report adopted.

#### REPORTS OF COMMITTEES.

Senator Smith, from the Committee on Insurance, submitted the following report.

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 48, a bill for an act to amend section 1,160 of Code, in relation 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 pass.

HIRAM Y. SMITH, *Chairman.*

Ordered passed on file.

BILLS ON SECOND READING.

Senate File No. 35, a bill for an act to amend section 4,489, Code of 1873, was taken up and considered with the report of the committee recommending the substitute accompanying the report, be adopted, and when adopted it do pass.

Pending discussion:

MESSAGE FROM THE GOVERNOR.

A message was received from the Governor at the hands of his private secretary, in relation to diseases among horses and cattle.

Passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has concurred in the Senate amendment to House concurrent resolution No. 18, relative to adjournment from Friday, Feb. 1st, to Friday, Feb. 8th.

Also, I am directed to inform you that the House has passed the following concurrent resolution, in which the concurrence of the Senate is asked.

Concurrent resolution announcing the death of the Hon. J. M. Holbrook, member of the Twentieth General Assembly, from Delaware county, and providing a committee of escort to his remains.

SIDNEY A. FOSTER,  
*Chief Clerk.*

The President announced that the question in relation to the death of Hon. J. M. Holbrook being one of the highest privilege, the Senate would vote upon it at once.

The resolution was concurred in by a rising vote.

The following is the resolution:

*Resolved by the House, the Senate concurring,* That a committee of six members of the House, with four members of the Senate, be appointed as a committee of the Twentieth General Assembly to accompany the remains of our deceased Bro. J. M. Holbrook to his late home, in Manchester, Delaware county, Iowa.

Pending discussion of Senate File No. 35, Senator McCoy moved to postpone further consideration until the third day after reassembling after recess, and that substitute be printed.

Senator Smith moved to amend by postponing indefinitely.

Amendment of Senator McCoy adopted.

## INTRODUCTION OF BILLS.

By Senator Wilkin, Senate File No. 140, a bill for an act to provide for superintendence of the janitor force of the new capitol during the session of the Twentieth General Assembly.

Read a first and second time.

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

Carried.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Baker, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Hall, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—43.

The nays were none.

Absent or not voting:

Senators Abraham, Barrett, Clark, Graves, Hendrie, Rothert, and Russell—7.

So the bill passed and the title was agreed to.

The President announced the following committee on the part of the Senate to accompany the remains of the deceased member of the House, Mr. Holbrook, to his former home, as provided by the concurrent resolution of the two Houses:

Senators Donnan, Hemenway, Sweeney, and Whaley.

## VISITING COMMITTEES.

The President announced the following committees to visit the State institutions:

Penitentiary at Fort Madison—Senator Kamrar.

Additional Penitentiary at Anamosa—Senator Larrabee.

Insane Asylum at Mt. Pleasant—Senator Caldwell.

Insane Asylum at Independence—Senator Cotton.

Institution for the Deaf and Dumb, Council Bluffs—Senator Miles.

Orphans' Home, Davenport—Senator Sudlow.

Reform School for Girls, Mitchellville—Senator McCoy.

College for the Blind, Vinton—Senator Marshall.

Fish Hatchery at Spirit Lake—Senator Duncan.

Fish Hatchery at Anamosa—Senator Logan.

State University, Iowa City—Senator Rothert.

State Normal School, Cedar Falls—Senator Stephens.

Agricultural College, Ames—Senator Sutton.

Institution for Feeble Minded Children at Glenwood—Senator Barrett.

## BILLS ON SECOND READING.

Senate File No. 66, in relation to the captors of the Barber Bros.,

was taken up for consideration, together with the report of the committee that it do pass, and on motion of Senator Whaley, it was indefinitely postponed.

Senate File No. 9, a bill for an act establishing the Supreme Court at the capital of the State, and fixing the terms thereof, was taken up for consideration, together with the report of the committee recommending a substitute, and that the substitute be adopted and when adopted it do pass.

Pending discussion, Senator Bills moved to adjourn until 10 o'clock to-morrow morning.

Carried.

Senate adjourned.

SENATE CHAMBER.  
DES MOINES, IOWA, February 1, 1884 }

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

Prayer by Rev. C. E. Joiner.

Journal read and approved.

#### PETITIONS AND MEMORIALS.

Senator Carson offered a petition signed by seventy-two citizens of the town of Neola, Pottawattamie county, Iowa, relating to school books.

Referred to Committee on Schools.

#### INTRODUCTION OF BILLS.

By Senator Hall, Senate File No. 141, a bill for an act punishing the taking of human life, and regulating imprisonment of persons under sentence of death.

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

By Senator Hutchison, Senate File No. 142, a bill for an act to revise the school laws of the State of Iowa, and to repeal certain sections thereof, and to enact substitutes therefor.

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

#### COMMUNICATION.

The communication from the Governor, in relation to diseases among horses and cattle, accompanied by a report on the same subject from Prof. M. Stalker was read and referred to the Committee on Agriculture.

## REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Federal Relations to whom was referred memorial and joint resolution No. 5, in regard to an investigation of the matters pertaining to the Fox Indians of Iowa, beg leave to report that they had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred joint resolution No. 4, relative to pensioning the soldiers of the Mexican war, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting the words "and who are citizens of the United States" at the end of the first resolution, and as so amended that it do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Federal Relations to whom was referred joint resolution No. 6, in regard to grants of public lands to railroads, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting the words "the unearned portion of" after the word "have" in the thirteenth line of the first section of the joint resolution, and as so amended that it do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Senator Rothert, from the select committee, submitted the following report:

MR. PRESIDENT—Your committee on the part of the Senate to act with the committee on the part of the House, to whom was referred concurrent resolution assignment of rooms Nos. 14, 15 and 29, beg leave to report 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 concurrent resolution be adopted.

HENRY W. ROTHERT, *Chairman.*

Ordered passed on file.

## CONCURRENT RESOLUTION OFFERED BY THE COMMITTEE.

*Resolved by the Senate, the House concurring,* That to the Honorable House of Representatives be assigned for such purposes as may be determined by said House, rooms Nos. 14 and 15, located in the south half of the State Capitol, and that the Honorable Senate retain for a committee room room 29.

Senator Rothert, having unanimous consent, moved the adoption of the report.

Adopted.

On motion of Senator Rothert the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, February 8, 1884. }

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

Prayer by Rev. S. S. Grinnell.

Journal of February 1st read and approved.

#### PETITIONS AND MEMORIALS.

Senator Whaley offered a petition from the board of supervisors of Butler county, relative to care of the insane.

Referred to Committee on Hospitals for Insane.

Senator Carr offered a petition from citizens of Bonaparte relative to oil inspection.

Referred to Committee on Medicine, Surgery and Hygiene.

Senator Caldwell offered a petition from the Womens' Christian Temperance Union, relative to prohibition.

Read and referred to Committee on Suppression of Intemperance.

Senator Cassatt offered a petition, signed by citizens of Iowa, relative to the protection of sheep and other domestic animals.

Referred to Committee on Agriculture.

#### INTRODUCTION OF BILLS.

By Senator Gillett, Senate File No. 143, a bill for an act to permanently locate and to provide for the erection of an additional institution for the insane at Boone, Boone county, Iowa.

Read a first and second time and referred to the Committee on Hospitals for Insane.

By Senator Smith, by request, Senate File No. 144, a bill for an act to repeal section 1091 of the Code and enact a substitute therefor.

Read a first and second time and referred to the Committee on Mines and Mining.

By Senator Hutchison, Senate File No. 145, a bill for an act to regulate the organization and operation of mutual assessment associations.

Read a first and second time (500 copies ordered printed) and referred to Committee on Insurance.

By Senator Bloom, Senate File No. 146, a bill for an act to enable

the Methodist Episcopal Church of Iowa City, to sell and convey certain realty.

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

By Senator Carr, Senate File No. 147, a bill for an act to establish and maintain a school for the instruction and training of teachers of common schools.

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

#### HOUSE MESSAGES.

House Concurrent Resolution No. 9, authorizing the Secretary of State to furnish stationery to the members at cost, with the report of the committee, was taken up and on motion of Senator Gault was laid on the table.

Joint Resolution No. 3, H. R., relative to printing the journals of the Senate and House, with the report of the committee, was taken up and on motion of Senator Bills was postponed until Feb. 9th.

#### RESOLUTION.

Concurrent Resolution, relative to printing the inaugural and dedicatory addresses, with the report of the committee, was taken up.

Senator Glass moved to amend so that 2,500 copies should be printed in the Norwegian language.

Carried.

Senator Smith moved to amend so that 2,000 copies should be printed in the Swedish language.

Carried.

Senator Cassatt moved to amend so that 1,000 copies should be printed in the Holland language.

Carried.

Senator Smith moved to amend so that one-quarter of the number of copies printed should be bound in cloth.

Carried.

Resolution and report of committee as amended, making total number of copies published 28,500, instead of 25,000.

Adopted.

Petition relative to divorce, with the report of the committee, was taken up and passed on file.

#### BILLS ON SECOND READING.

Senate File No. 9, relative to location of Supreme Court, with substitute therefor, recommended by the committee, was taken up and considered.

Senator Hall moved to amend the substitute by striking out the words, "remain in session," and insert in lieu thereof, "shall not be finally adjourned."

Pending discussion of the substitute, Senator Bills moved to re-commit.

Motion prevailed.

Senate File No. 52, relating to divorce, with report of committee that it be indefinitely postponed, was taken up, considered, and report adopted.

Senate File No. 61, relating to right of defendant to withdraw the plea of guilty with the report of the committee that it do not pass, was taken up for consideration, and on the question shall the bill be engrossed.

It was lost.

Senate File No. 65, relating to the collection of taxes and redeeming the penalties thereon, with the report of the committee that it be referred to Committee on Ways and Means, was taken up, and the bill referred to the Committee on Ways and Means.

Senate File No. 78, relating to gambling by means of fictitious contracts for the buying or selling of grain or other produce, with the report of the committee that it do pass, was taken up and considered.

The question being shall the bill be engrossed, it was so ordered.

Senator Hall moved to reconsider the vote.

Carried.

Senator Hall moved the bill be made a special order for next Wednesday.

Carried.

Senate File No. 83, relative to establishing the Iowa State Board of Labor, together with the report of the committee, that it be referred to the Committee on Ways and Means, was taken up and so referred.

Senate File No. 48, relative to insurance, with the report of the committee that it do pass, was taken up and on motion of Senator Smith, made a special order for Monday next.

Joint Resolution No. 4, relative to pensioning Mexican soldiers with amendment reported by committee, was taken up, considered, and report of committee adopted.

Senator Poyneer moved the rule be suspended, the resolution as amended be considered, engrossed, and read a third time now.

Senator Sutton offered the following amendment: "Not, however, to pension any person who has been, since the Mexican war, engaged in any insurrection against the United States, unless he has since such insurrection declared his allegiance to the United States Government."

Pending discussion Senator Johnson moved the Senate adjourn until 2:30 o'clock, p. m., to-morrow.

Senator Chubb, on account of sickness, was granted leave of absence.

Senator Poyneer was granted leave of absence until Tuesday.

Senator Eastman was granted leave of absence until Wednesday.

At 5:45 o'clock the Senate adjourned.

SENATE CHAMBER,  
DES MOINES, IOWA, February 9, 1884. }

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

Prayer by Rev. C. W. Blodgett.

SPECIAL ORDER.

The special order being that of Senate File No. 1, a bill for an act to repeal section 1555 of chapter 6, of title 11, of the Code, and to enact a substitute therefor, relating to intoxicating liquors, Senator Glass moved that it be postponed until next Wednesday, and that it be made the special order for 2:30 o'clock, p. m., of that day, and to continue thus until disposed of.

Carried.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

Senator Brown offered a petition from citizens of Iowa for the protection of sheep and other domestic animals.

Referred to Committee on Agriculture.

Senator McCoy offered a petition from citizens of Iowa for the protection of sheep and other domestic animals.

Referred to Committee on Agriculture.

Senator Wilkin offered a petition from citizens of Iowa for the protection of sheep and other domestic animals.

Referred to Committee on Agriculture.

Senator Sutton offered a petition from citizens of Iowa for the protection of sheep and other domestic animals.

Referred to Committee on Agriculture.

REPORT OF COMMITTEE.

Senator Sudlow, 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. 2, a bill for an act to repeal section 3774 of the Code, and to enact a substitute therefor, in relation to the salaries of the judges of the district and circuit courts, and find the same correctly engrossed.

E. C. SUDLOW, *Chairman.*



## PETITIONS AND MEMORIALS.

Senator McCoy offered a petition from citizens of Iowa relating to magnetic healers.

Referred to Committee on Medicine, Surgery and Hygiene.

Senator Donnan offered a petition from Daniel Wright and two hundred other citizens of Buchanan and adjoining counties, asking for an appropriation to defray expenses in drive well litigation.

Referred to Committee on Claims.

Senator Hutchison offered a petition from citizens of Iowa praying for the exclusive use of the English language in the common schools.

Referred to Committee on Schools.

Senator Gault offered a petition from citizens of Iowa for a bill for an act to amend sections 2, 3, 4, 7 and 11, and repeal sections 8, 10, 13, 14 and 19, of chapter 202, acts of the Eighteenth General Assembly, and enact substitutes therefor.

Also, for a bill for an act to regulate the weighing of coal.

Referred to Committee on Mines and Mining.

Senator Miles offered a petition from citizens of Iowa for the protection of sheep and other domestic animals.

Referred to Committee on Agriculture.

Senator McCoy offered a remonstrance from citizens of Mahaska county against the passage of the McCall or Marshall school-book bills, so far as it applies to cities.

Referred to Committee on Schools.

## INTRODUCTION OF BILLS.

By Senator Wilkin, Senate File No. 148, a bill for an act to appoint a custodian of the capitol, and provide for the care and management of the State property at the seat of government.

Read a first and second time and referred to the Committee on Public Buildings.

By Senator Wilkin, Senate File No. 149, a bill for an act for the appointment of a superintendent of public buildings and to regulate their construction.

Read a first and second time and referred to the Committee on Public Buildings.

By Senator Gault, Senate File No. 150, a bill for an act to furnish a uniform standard of school books for the State of Iowa.

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

By Senator Graves, Senate File No. 151, a bill for an act to amend section 1078 of chapter 9, of the laws of Iowa, regarding corporations for pecuniary profits.

Read a first and second time and referred to the Committee on Banks and Banking.

By Senator Graves, Senate File No. 152, a bill for an act to legalize certain acts of the First Universalist Society of Dubuque.

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

By Senator Smith, Senate File No. 153, a bill for an act to repeal section 1 of chapter 51, of the acts of the Fourteenth General Assembly, and section 12 of chapter 116, of the acts of the Sixteenth General Assembly, relating to the improvement of alleys in cities and towns, and to enact a substitute therefor.

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

By Senator Sutton, Senate File No. 154, a bill for an act to repeal sections 3781, 3783 and 3787, title 33, chapter 2 of the Code, and section 1 of chapter 184 of the laws of the Eighteenth General Assembly, and enacting a substitute therefor, relating to the fees of the clerk of the courts.

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

By Senator McCoy, Senate File No. 155, a bill for an act to protect stockbreeders.

Read a first and second time and referred to the Committee on Agriculture.

By Senator Hall, Senate File No. 156, a bill for an act to amend section 2841 of the Code, relative to new trials.

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

By Senator Rothert, Senate File No. 157, a bill for an act providing for the appointment of treasury inspectors and prescribing their duties.

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

#### RESOLUTIONS.

Senator Graves offered the following resolution, which was adopted:

*Be it resolved by the Senate of the State of Iowa:*

In the death of Wendell Phillips, of Massachusetts, the country at large has sustained an irreparable loss—"the monarch of the forest has fallen."

He has left a priceless legacy to this nation as one of its staunchest defenders.

He was brilliant as a statesman, profound as a philosopher, and ever clung to principle with the fidelity of a Roman senator.

He was bold, aggressive, and sincere, and while declining all political honors, dedicated his life to the defense and amelioration of the oppressed and down trodden, regardless of race or color, and battled in the front rank for such reforms as he believed were best calculated to elevate humanity.

He was the firm and unflinching friend of the slave when the black man had but few friends, and he took an active part in the existing scenes of the irrepressible conflict which finally gave the inestimable boon of freedom to four millions of the colored race.

He has in the fulness of time gone to his eternal rest, leaving an unsullied reputation and a spotless name to posterity.

Iowa acknowledges with gratitude the grand and noble part he played in life's stirring drama and now that his silver tongued oratory is hushed forever, pays with deepest reverence, this tribute to his memory.

Senator Johnson offered the following resolution, which was adopted:

*Resolved*, That the Secretary of State be and is hereby instructed to furnish to each member of this Senate fifteen copies of the late census of Iowa.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

**MR. PRESIDENT**—I am directed to inform you that the House has passed the following joint resolution in which the concurrence of the Senate is asked:

Memorial and Joint Resolution No. 2, relating to the prevention and suppression of pleuro-pneumonia in neat cattle.

I am also directed to inform you that the House has concurred in Senate concurrent resolution relative to the assignment of rooms No. 14, 15 and 29 for the use of Senate and House committees.

Also, I am directed to inform you that the House has adopted the following concurrent resolution:

Concurrent Resolution No. 12, instructing Secretary of State to have printed Gov. Sherman's biennial inaugural and pleuro-pneumonia message in foreign languages.

SIDNEY A. FOSTER, *Chief Clerk.*

#### RESOLUTION.

Senator Clark offered a joint resolution (No. 7), in relation to the remains of W. H. Kinsman and erecting a monument to his memory.

Read a first and second time and referred to the Committee on Military.

#### HOUSE MESSAGE.

Joint Resolution No. 2, relating to the prevention and suppression of pleuro-pneumonia in neat cattle was taken up.

Read a first and second time and referred to the Committee on Agriculture.

Concurrent Resolution No. 12, instructing the Secretary of State to have printed Gov. Sherman's biennial inaugural and pleuro-pneumonia message in foreign languages was taken up.

Referred to Committee on Agriculture.

#### REPORTS OF COMMITTEES.

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

**MR. PRESIDENT**—Your Committee on Agriculture, to whom was re-

ferred Senate File No. 3, a bill for an act to establish the office of State Entomologist, beg leave to report that they 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.

T. M. C. LOGAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 119, a bill for an act to amend subdivision 19 of section 303 of the Code, in relation to bounties for killing wild animals, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

T. M. C. LOGAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 81, a bill for an act to provide for the publication of the annual proceedings of the Iowa Improved Stock Breeders' Association, beg leave to report 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 for said bill be adopted in lieu thereof, and that it do pass.

T. M. C. LOGAN, *Chairman.*

Ordered passed on file.

Senator Graves, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 24, a bill for an act requiring city councils and boards of trustees of cities and towns organized under the general incorporation laws of Iowa, to pass annual appropriation ordinances and to limit expenditures of money by them, beg leave to report that they have had the same under consideration and have made an amendment thereto, 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 by inserting sections numbered 5 and 6, and as amended it do pass.

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 34, a bill for an act to amend chapter 89 acts of the Nineteenth General Assembly, so as to make the same apply 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 do pass.

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to

whom was referred Senate File No. 40, a bill for an act to legalize the incorporation of the town of Milton, Van Buren county, Iowa, and the acts of the officers thereunder, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Judiciary.

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 23, a bill for an act providing for the election of assessor for State and county purposes in cities organized and existing 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 it do pass.

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 47, a bill for an act regulating the grades, width and alignment of streets, and the recording of plats of additions to, or sub divisions of, lands in incorporated cities and towns beg leave to report that they have had the same under consideration, have made sundry amendments thereto and have instructed me to report the same back to the Senate with the recommendation that as amended, the same do pass.

J. K. GRAVES, *Chairman.*

Ordered passed on file.

#### BILLS ON THIRD READING.

Senate File No. 2, a bill for an act to repeal section 3774 of the Code and enact a substitute therefor in relation to the salaries of the judges of the district and circuit courts, was taken up and pending reading third time Senator Hall moved further reading be postponed until Monday.

Withdrawn.

Bill read a third time.

On the question shall the bill pass.

The yeas were:

Senators Baker, Barrett, Bills, Brown, Carson, Clark, Cotton, Gillett, Graves, Hall, Hemenway, Henderson, Hutchison, Johnson, Logan, McCoy, Poyneer, Robinson, Rothert, Smith, Whaley, Whiting, and Wilkin—23.

The nays were:

Senators Abraham, Bayless Bloom, Caldwell, Carr, Cassatt, Chambers, Donnan, Duncan, Gault, Glass, Hendrie, Hunt, Kamrar, McDonough, Miles, Nichols, Stephens, Sudlow, Sutton, and Sweney—21.

Absent or not voting:

Senators Chubb, Eastman, Larrabee, Marshall, Russell, and Ryder—6.

Senator Hunt moved that Senate File No. 30, a bill for an act to indemnify sheriffs in the service of suits of attachment, amendatory of Code, chapter 1, title 18, with substitute be taken up.

Carried.

Senator Hunt moved the substitute be adopted.

Carried.

Senator Hunt moved the rule be suspended, the bill be considered engrossed, and read a third time now.

Carried.

The bill was read a third time.

On the question shall the bill pass.

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Clark, Cotton, Donnan, Duncan, Gault, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamaar, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—44.

The nays were none.

Absent or not voting:

Senators Chubb, Eastman, Gillett, Larrabee, Russell, and Ryder—6.  
So the bill passed and the title was agreed to.

#### RESOLUTIONS.

Senator Rothert offered the following resolution, which was referred to Committee on Rules:

*Resolved*, That after a bill has been ordered to its third reading it shall be in order after the title of the bill has been read for a motion to postpone consideration of said bill until a future date.

Senator Bloom offered the following resolution, which was adopted:

*Resolved*, That the Secretary of State be requested to furnish to each Senator twenty copies of the printed rules of the Twentieth General Assembly.

Joint Resolution No. 5, in regard to the Fox Indians in Iowa, was taken up.

Senator Poyneer moved that the rules be suspended, the joint resolution be considered engrossed and read a third time now.

Carried.

The resolution was read a third time.

On the question, shall the Joint Resolution pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Clark, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—44.

The nays were none.

Absent or not voting:

Senators Chubb, Eastman, Larrabee, Russell, Rothert, and Ryder—6.

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

Senator Sudlow moved Senate File No. 4, as amended, a bill for an act to provide a fund from which to pay for sheep or other domestic animals killed or injured by dogs be taken up.

Carried.

Senator Hemenway moved amendments be adopted *en masse*.

Carried.

Senator Clark offered the following amendment:

Insert these words after the word thereof in the third line of section 1, "and shall sew up in a sack and drown or otherwise kill all pups under six months of age if it can be determined that said pups will be likely to kill sheep when they grow up to manhood."

Senator Hall moved the matter be referred to Committee on Judiciary.

Carried.

Senator Gault gave notice that he should move a reconsideration of the vote on Senate File No. 2.

Senator Brown moved that Senate File No. 34, a bill for an act to amend chapter 89, acts of the Nineteenth General Assembly, so as to make the same apply to incorporated towns be taken up.

Carried.

Senator Brown moved the rules be suspended, the bill be considered engrossed and read a third time now.

Senator Rothert moved to postpone to next Tuesday.

Senator Wilkin moved to adjourn until next Monday at 2 o'clock, P. M.

Senator Stephens moved to amend by substituting 3 o'clock.

Amendment lost.

Motion of Senator Wilkin carried.

Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, February 11, 1884. }

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

Prayer by Rev. Senator Marshall.

Journal of Saturday read and approved.

#### PETITIONS, MEMORIALS, ETC.

Senator Abraham offered a petition from the George Strong Post No. 19, G. A. R., asking that pension money and property therefrom be exempt from execution.

Referred to Committee on Judiciary.

Senator Russell offered a petition from citizens of Iowa for the protection of sheep and other domestic animals.

Referred to Committee on Agriculture.

Senator Graves offered a petition from citizens of Dubuque, asking that the word male in section 1, article 2, of the Constitution, be stricken out.

Referred to Committee on Constitutional Amendments.

Senator Graves offered a petition from the grand jury of Dubuque county, relative to the grand jury system.

Referred to Committee on Judiciary.

Senator Nichols offered a petition from 121 petitioners of Iowa, asking for a law establishing a uniformity of school text books, and to furnish such books to pupils at cost.

Referred to Committee on Schools.

Senator Duncan offered two petitions from citizens of Iowa, asking for the exclusive use of the English language in the common schools.

Referred to Committee on Schools.

Senator Hutchison offered a petition from citizens of Iowa, for the protection of sheep and other domestic animals.

Referred to Committee on Agriculture.

Senator Smith offered a petition from citizens of Iowa, in behalf of Magnetic Healers.

Referred to Committee on Medicine, Surgery and Hygiene.

Senator Hall presented a remonstrance signed "Many Ladies," against the submission to the people of the question of woman suffrage.

Senator Donnan moved it be not received.

The yeas and nays were demanded, and the roll was called.

The yeas were:

Senators Baker, Barrett, Bayless, Bills, Bloom, Carr, Carson, Cassatt, Clark, Duncan, Gault, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, McCoy, Marshall, Rothert, Russell, Smith, Stephens, Sudlow, and Whiting—25.

The nays were:

Senators Abraham, Brown, Caldwell, Chambers, Cotton, Donnan, Glass, Hemenway, Johnson, Kamrar, Logan, McDonough, Miles, Nichols, Poyneer, Robinson, Sutton, Whaley and Wilkin—19.

Absent or not voting:

Senators Chubb, Eastman, Gillett, Larrabee, Ryder, and Sweney—6.

So the motion was lost.

The remonstrance was read.

Senator Hemenway moved it be referred to Committee on Constitutional Amendments.

Senator Donnon moved to amend by referring it to Committee on Library.

Amendment adopted, and remonstrance so referred.

Senator McDonough offered a petition from the Iowa State Horticultural Society, asking for an appropriation.

Read and referred to Committee on Horticulture and Forestry.

Senator Glass offered a petition from surveyors of the State, asking for increased compensation.

Referred to Committee on Compensation of Public Officers.



Senator Glass offered a petition signed by 387 citizens for further legislation to prevent the crime of prostitution.

Referred to Committee on Judiciary.

#### INTRODUCTION OF BILLS.

By Senator Gault, Senate File No. 158, a bill for an act to amend sections 1, 2 and 3, of chapter 211, acts of Eighteenth General Assembly.

Read a first and second time and referred to the Committee on Insurance.

By Senator Clark, Senate File No. 159, a bill for an act to make further provision for the care of the insane.

Read a first and second time and referred to the Committee on Hospital for Insane.

By Senator Donnan, Joint Resolution No. 8, agreeing to an amendment to the Constitution of the State of Iowa, to strike out the word male from section one (1) of article 2 thereof.

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

By Senator Hall, Senate File No. 160, a bill for an act for a constitutional amendment:

*Be it enacted by the General Assembly of the State of Iowa:*

SECTION 1. That the Constitution of the State of Iowa be amended by adding thereto the following section, to be known as section 4, of article 10, of the Constitution:

SEC. 4. Every Constitutional Convention, in submitting a new Constitution to a vote of the people, shall prescribe the person, officer or tribunal by whom shall be counted the votes and declared the results of such election upon the adoption of such Constitution, and the decision and declaration of such person, officer or tribunal shall be conclusive upon all other persons and officers and departments of government, except as hereinafter provided. And in the course of the adoption of any amendment or amendments to the Constitution, the Legislature chosen at the next general election after such Constitutional amendment or amendments have been agreed to by a majority of the members of the preceding General Assembly, shall be the conclusive judge that such amendment or amendments have been agreed to and referred to the next succeeding Legislature; and if such General Assembly so next chosen shall approve such amendment or amendments, it shall by an act submit such proposed amendment or amendments to the people, and shall therein prescribe the persons, officers or tribunal by whom shall be counted the votes and returns and declare the result of such election; and the decision and declaration of such persons, officers or tribunal shall be conclusive on all other persons, tribunals and departments of government except as herein provided. Within the period of six months after any new Constitution or any Constitutional amendment or amendments shall have been declared adopted, any ten citizens of the State, subject to such rules and terms as may be prescribed by the Supreme Court,

may present and file a petition in the Supreme Court to set aside and declare void the adoption of such new Constitution or Constitutional amendments upon the sole ground that the same has not been approved and ratified by a majority of the legal voters of the State. The court thereupon must require such sufficient notice of said proceeding as is proper to be served upon the Governor, the Secretary of State, and the Attorney-General, who shall appear and see that defense is made to such proceeding; and the same shall be prosecuted and conducted as said court may direct and require as nearly as possible with the practice in other similar proceedings, and shall be prosecuted diligently and without delay. If, on final hearing, said court shall be of opinion that such new Constitution, amendment or amendments were approved and ratified by a majority of the legally qualified electors, it shall dismiss such proceeding, certify the same to the Governor, who shall issue proclamation thereof to the people. If the Supreme Court be of the opinion that such new Constitution has not been approved and ratified by a majority of the legally qualified electors, such judgment shall be entered and shall be conclusive upon all persons, officers and departments of government; and such judgment shall be certified to the Governor, who shall issue proclamation thereof to the people.

By Senator Johnson, Senate File No. 161, a bill for an act for the confiscation and sale of concealed weapons found upon the person of any person convicted of carrying the same.

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

By Senator Hemenway, Senate File No. 162, a bill for an act conferring additional powers upon the electors of school directors, etc.

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

By Senator Hemenway, from Committee on Judiciary, Senate File No. 163, a bill for an act to amend section 3730, of the Code, relative to taking depositions.

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

By Senator Hemenway, from the Committee on Judiciary, Senate File No. 164, a bill for an act to exempt from judicial sale the pension money paid to any person by the United States Government and certain of the proceeds and accumulations thereof.

Read a first and second time and passed on file.

By Senator Sweney, Senate File No. 165, a bill for an act requiring foreign corporations to file their articles of incorporation with the Secretary of State, and imposing certain conditions upon such corporations transacting business in this State.

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

By Senator Glass, Senate File No. 166, a bill for an act to amend section 3102, of the Code, relating to the possession of property during the period of redemption.

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

By Senator Cotton, Senate File No. 167, a bill for an act to legalize the official acts of John Cook, a justice of the peace, in and for Clinton county.

Read a first and second time, not ordered printed, and referred to the Committee on Judiciary.

By Senator Carson, Senate File No. 168, a bill for an act to amend sections 843, 857, 865, 866, 871, 883, 886, and 890, of the Code, relating to the collection of taxes.

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

By Senator Cassatt, Senate File No. 169, a bill for an act in relation to the Sixth Judicial Circuit of the State, sub-dividing the same providing for the appointment and election of Judges of the Circuit Court therein, and defining the powers and duties thereof.

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

By Senator Gault, Senate File No. 170, a bill for an act to amend sections 1144 and 1147 of the Code.

Read a first and second time and referred to the Committee on Insurance.

By Senator Sutton, Senate File No. 171, a bill for an act to locate and provide for the erection of an additional institution for the insane at Marshalltown, Marshall county, Iowa.

Read a first and second time and referred to the Committee on Hospitals for Insane.

By Senator Smith, Senate File No. 172 (accompanied by petition), a bill for an act to repeal section 1923, of the Code, and to enact a substitute therefor, in relation to recording chattel mortgages.

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

By Senator Graves, Senate File No. 173, a bill for an act to restrict the powers of counties, cities, towns and villages, in licensing dram shops, to provide for granting a license to retail malt liquors separately, and for punishing persons holding such separate license for unlawful sale and gifts.

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

By Senator Brown, Senate File No. 174, a bill for an act repealing sections 851, chapter 1, title 6, and section 868, chapter 2, title 6, of Code of 1873, and enacting substitutes therefor.

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

By Senator Rothert, Senate File No. 175, a bill for an act to pay creditors of the Iowa Penitentiary at Fort Madison, Iowa.

Read a first and second time and referred to the Committee on Claims.

By Senator Graves, Senate File No. 176, a bill for an act concerning bells and steam whistles on locomotives.

Read a first and second time and referred to the Committee on Railways.

By Senator Eastman, Senate File No. 177, a bill for an act making appropriations for the Boys' Reform School at Eldora, Iowa.

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

By Senator Eastman, Senate File No. 178, a bill for an act to repeal chapter 2, of the laws of the Eighteenth General Assembly, and parts of chapter 165 of the Seventeenth General Assembly, and enact a substitute in lieu thereof.

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

By Senator Hall, Senate File No. 179, a bill for an act to repeal section 2322, of the Code, in relation to wills.

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

By Senator Hall, Senate File No. 180, a bill for an act to repeal section 2452, of the Code, in relation to widows' share under wills.

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

#### RESOLUTIONS.

Senator Rothert offered the following resolution, which was adopted:

*Resolved*, That hereafter, unless otherwise ordered, the Senate shall hold daily sessions, convening at 2 o'clock, P. M.

*Resolved*, That the chairman of the following committees, Judiciary, Ways and Means, Appropriations, Railways, Schools, and Agriculture, shall assign as far as practicable, definite hours for meeting of said committees.

*Resolved*, That the Honorable Secretary of State be and the same is hereby requested to provide a bulletin board, to be placed in the lobby of the Senate, upon which the daily appointments of committee meetings can be announced.

Senator Hall offered the following resolution which was adopted:

*Resolved by the Senate*, That the Secretary of the Senate be required to prepare and cause to be printed, daily, a calendar of the titles and references of all bills, memorials and resolutions, the reports on the same and all special orders and matters for disposition, including bills on their third reading, and that said calendars be laid on the Senator's desks.

Senator McDonough offered the following resolution, which was referred to the Committee on Judiciary:

*Resolved*, That the Judiciary Committee inquire into the propriety of enacting a law, conferring upon township trustees, authority to employ attorneys and defray whatever expenses necessary to defend against proceedings.

Senator Hall offered the following appointment resolution, which was adopted:

*Resolved by the Senate, the House concurring*, That Silas H. Berry is hereby appointed attendant in the library to assist librarian during

the present session; to receive such compensation from date of the passage of this resolution, as is paid to committee clerks.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 4, as amended, a bill for an act to provide a fund from which to pay for sheep or other domestic animals, killed or injured by dogs, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate, and that in the opinion of said committee, no constitutional objection exists thereto.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 14, a bill for an act to exempt from judicial sale, homesteads and other lands purchased with pension money, or the proceeds 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, for the reason that the committee have reported a bill covering the same subject.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 64, a bill for an act to exempt pensions and the proceeds thereof 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, for the reason that the committee have reported a bill covering the same ground.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 5, a bill for an act to amend section 3072, of the Code, in relation to the exemption of soldiers' pensions, beg leave to report that they 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 committee have reported a bill covering the same subject.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 32, a bill for an act to amend chapter 65, of the acts of the Seventeenth General Assembly, amending section 4171

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 same back to the Senate with the recommendation that it be amended by adding to the end of section one, the following: "Provided, that the Governor may at the time of issuing a requisition, in his discretion make the payment by the State of such costs and expenses, dependent upon such conditions as to him may seem proper, having in view the just execution of the criminal law. And he may subsequently modify or abrogate such conditions, and thereupon make full or partial payment of such costs and expenses, and that so amended that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Senator Clark, 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. 118, a bill for an act to license and regulate the sale of beer and wine, and other spiritous and malt 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 do not pass.

T. E. CLARK, *Chairman.*

Ordered passed on file.

Senator Cotton, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate File No. 36, a bill for an act to amend chapter 161, of the laws of the Eighteenth General Assembly, relating to the election of township 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.

W. A. COTTON, *Chairman.*

Ordered passed on file.

#### BILLS ON SECOND READING.

Senator Brown moved to take up substitute for Senate File No. 35, a bill for an act to amend sections 4489 and 4490 of the Code, relating to new trials in criminal cases.

Carried.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 20, an act in relation to the fourth judicial district of the State, dividing the same, providing for the election of circuit judges therein, and defining their powers therein.

I am also directed to inform you that the House has adopted the following resolutions:

Concurrent Resolution No. 8, concerning a joint committee to investigate the mistake in regard to the count for Governor.

Concurrent Resolution No. 20, relative to compensation of officers of Twentieth General Assembly.

I am also directed to inform your honorable body that the House has passed the following:

Joint Resolution No. 5, memorial and joint resolution in regard to the Fox Indians.

SIDNEY A. FOSTER, *Clerk.*

The question being upon the adoption of the substitute the yeas and nays were demanded, and the roll was called.

The yeas were:

Senators Abraham, Barrett, Bayless, Bills, Brown, Carson, Cassatt, Chambers, Clark, Gillett, Graves, Hall, Hemenway, Henderson, Johnson, Miles, Robinson, Rothert, Russell, Sutton, and Whaley—21.

The nays were:

Senators Baker, Caldwell, Carr, Cotton, Donnan, Duncan, Eastman, Gault, Glass, Hendrie, Hunt, Hutchison, Kamrar, Logan, McCoy, McDonough, Marshall, Nichols, Poyneer, Smith, Stephens, Sudlow, Sweny, Whiting and Wilkin—25.

Absent or not voting:

Senators Bloom Chubb, Larrabee, and Ryder—4.

So the substitute was lost.

The question now being shall the bill be engrossed for a third reading? the bill was lost.

Senator Duncan moved that the Senate adjourn.

Carried.

Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, February 12, 1884. }

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

Prayer by Rev. F. D. Rickerson.

Journal of yesterday read and approved.

#### PETITIONS AND MEMORIALS.

Senator Nichols presented a petition from the Farmers' Alliance of Muscatine county to regulate railroad charges.

Referred to Committee on Railways.

Senator Nichols presented a petition from the Farmers' Alliance of Muscatine county for the passage of a road law.

Referred to Committee on Highways.

Senator Nichols presented a petition from the Farmers' Alliance of Muscatine county for court reform.

Referred to Committee on Judiciary.

Senator McCoy presented a petition from two hundred and ninety-five citizens of Mahaska county for woman suffrage.

Referred to Committee on Constitutional Amendments.

Senator Donnan offered a petition from two hundred and sixteen citizens of Buchanan county for woman suffrage.

Referred to Committee on Constitutional Amendments.

Senator Smith presented a petition from the Des Moines Ministerial Association regarding obscene literature.

Referred to Committee on Judiciary.

Senator Duncan offered two petitions from citizens of Iowa for the exclusive use of the English language in the common schools.

Referred to Committee on Schools.

Senator Carr offered a petition from citizens of Iowa for protection of sheep and other domestic animals.

Referred to Committee on Agriculture.

Senator McDonough presented a petition from citizens of Decatur county for woman suffrage.

Referred to Committee on Constitutional Amendments.

Senator Duncan offered another petition from citizens of Iowa for the exclusive use of the English language in the common schools.

Referred to Committee on Schools.

Senator Abraham offered petitions from citizens of Henry and Jefferson counties for increased punishment for prostitution.

Referred to Committee on Judiciary.

Senator Abraham offered a petition from citizens of Jefferson county for reformatory prison for women.

Referred to Committee on Penitentiary.

Senator Chubb presented a petition from citizens of Iowa relating to county surveyors.

Referred to Committee on Compensation of Public Officers.

#### INTRODUCTION OF BILLS.

By Senator Henderson, Senate File No. 181, a bill for an act to authorize railway corporations to condemn land for additional depot grounds.

Read a first and second time and referred to the Committee on Railways.

By Senator Donnan (by request) Senate File No. 182, a bill for an act to provide for county normal training schools.

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

By Senator Carson, Senate File No. 183, a bill for an act to amend section 921, relating to width of highways.

Read a first and second time and referred to the Committee on Highways.

By Senator Chambers, Senate File No. 184, a bill for an act to



enlarge the powers of school directors in relation to compelling the attendance of pupils at school.

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

By Senator Gillett, Senate File No. 185, a bill for an act making appropriations for the Iowa Agricultural College.

Read a first and second time and referred to the Committee on Appropriations.

By Senator Chubb, Senate File No. 186, a bill for an act to amend sections 277 and 3800 of the Code, and to make other provisions in relation to county surveyor.

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

By Senator Bayless, Senate File No. 187, a bill for an act to amend sections 1487 and 1488, chapter 3, title 11, Code of 1873, relating to bounty on wild animals.

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

By Senator Smith, Senate File No. 188, a bill for an act relating to special assessments and taxes in cities and towns, and prescribing the notice to be given of the levy thereof.

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

By Senator Larrabee, Senate File No. 189, a bill for act to repeal section 4779 of Code and enact a substitute in lieu thereof.

Read a first and second time and referred to the Committee on Penitentiary.

By Senator Larrabee, Senate File No. 190, a bill for an act to locate and provide for erecting a Hospital for the Insane.

Read a first and second time and referred to the Committee on Hospitals for Insane.

By Senator Larrabee, Senate File No. 191, a bill for an act in relation to study of physiology and hygiene in public schools.

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

By Senator Abraham, Senate File No. 192, a bill for an act making appropriations for the Hospital for the Insane at Mt. Pleasant.

Read a first and second time and referred to the Committee on Appropriations.

By Senator Caldwell, Senate File No. 193, a bill for an act to amend section 217, chapter 9, of the Code of 1873.

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

By Senator Hall, Senate File No. 194, a bill for an act to prevent riotous mobs and the lynching of persons in this State.

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

By Senator Clark, Senate File No. 195, a bill for an act to appropriate \$95.50 to defray additional expense of the inaugural ceremonies.

Read a first and second time and referred to the Committee on Appropriations.

By Senator Russell, Senate File No. 196, a bill for an act to repeal section 230 of the Code, and to enact a substitute therefor in relation to jurors.

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

By Senator Russell, Senate File No. 197, a bill for an act to legalize defective acknowledgments.

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

#### HOUSE MESSAGE.

Concurrent resolution No. 8, H. R., relative to appointment of joint committee on count for Governor in Mahaska county, was taken up and referred to Committee on Judiciary.

House resolution No. 2, a bill for an act in relation to the fourth judicial district of the State, dividing the same, providing for the election of circuit judges therein, and defining the powers therein, was taken up, read a first and second time, and referred to Committee on Judicial Districts.

House concurrent resolution No. 20, relative to compensation of officers of Twentieth General Assembly, was taken up and referred to Committee on Compensation of Public Officers.

#### REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 111, a bill for an act concerning the appointment of counsel for defendants 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 do not pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred substitute for Senate File No. 9, a bill for an act establishing the Supreme Court at the Capital of the State, fixing the terms thereof, and providing officers and bailiffs therefor, 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.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 87, a bill for an act to repeal section 746, chapter 7, title 5, of the Code, in relation to the removal and suspension from office of county and township officers, 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.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Senator Graves, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 47, a bill for an act regulating the grades, width and alignment of streets, and the recording of plats of additions to, or subdivisions of, lands in incorporated cities and towns, beg leave to report that they have had the same under consideration, have made sundry amendments thereto, and have instructed me to report the same back to the Senate with the recommendation that as amended the same do pass. Said amendments are as follows, viz.: After the word "situate," in line two, of section two, printed bill, insert the words "or if there be no such officer from the committee of the city council or board of trustees thereof, having charge of the streets and alleys therein." Also in section five, line one, printed bill, after the words "civil engineers," add the words "or committee of city council or board of trustees as aforesaid."

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 116, a bill for an act in relation to powers and duties of mayors 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.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 152, a bill for an act to legalize certain acts of the First Universalist Society of Dubuque, beg leave to report that they have 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. K. GRAVES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 146, a bill for an act to enable the Methodist Episcopal Church of Iowa City to sell and convey certain realty, beg leave to report that they have 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. K. GRAVES, *Chairman.*

Ordered passed on file.

Senator Baker, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims to whom was referred Senate File No. 113, a bill for an act to reimburse Samuel Chandler, sheriff of Fremont county, and Daniel Farrell, sheriff of Mills county, for money expended in arresting Polk Wells, Wm. Norris, and Wilson, the Riverton bank robbers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. A. BAKER, *Chairman.*

Ordered passed on file.

Senator Sudlow, from the Committee on Orphans' Home, submitted the following report:

MR. PRESIDENT—Your Committee on Orphans' Home, to whom was referred Senate File No. 125, a bill for an act to appropriate funds to furnish buildings, buy land, and make improvements for the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa, beg leave to report that they have had the same under consideration, and that it meets with their unanimous approval, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Appropriations.

E. C. SUDLOW, *Chairman.*

The bill was referred to Committee on Appropriations.

#### BILLS ON SECOND READING.

Joint resolution No. 4, relative to pensioning the soldiers of the Mexican war, was taken up, and on motion of Senator Kamrar referred to Committee on Federal Relations.

Senator Larrabee moved that Senate File No. 48, a bill for an act to amend section 1160 of the Code, in relation to insurance companies, be taken up for consideration.

Carried.

Senator Larrabee moved to amend by inserting the words "or loss" before "or damage."

Carried.

Senator Larrabee moved to amend by inserting the words "lightning, tornadoes" before the word "cyclones."

Carried.

Senator Larrabee moved that the rules be suspended, the bill considered engrossed, and read a third time now.

Carried.

The bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchinson, Kamrar, Larrabee, Logan, McCoy, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting and Wilkin—48.

The nays were none.

Absent or not voting:

Senators Johnson and McDonough—2.

So the bill passed and the title was agreed to.

Joint resolution No. 8, relative to grants of public lands to railroads, was taken up together with the amendment recommended by the committee.

Senator Marshall moved the rules be suspended, the joint resolution be considered engrossed, and read a third time now.

Senator Sweney moved to amend by striking out the word "strictly" and inserting "substantially" in lieu thereof.

Carried.

Senator Hall moved to amend by inserting the word "directly" after the word "made," and the words "any corporation" after the word "to," in the third line.

#### MESSAGE FROM THE HOUSE.

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

House File No. 10, a bill authorizing the Governor to convey back to the government of the United States certain lands heretofore granted by the State of Iowa to the Sioux City & St. Paul Railroad Company.

House File No. 41, a bill amending section 3895, chapter 3, title 24, of the Code of 1873, in relation to selling or concealing mortgaged property.

SIDNEY A. FOSTER, *Clerk.*

Amendment of Senator Hall adopted.

Senator Brown moved to strike out the word "when," in the third line and insert the word "where," in lieu thereof.

Carried.

On the question shall the joint resolution pass?

The yeas were:

Senators Abraham, Barrett, Bayless, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sweney, Whaley, and Whiting—43.

The nays were none.

Absent or not voting:

Senators Baker, Bills, Hendrie, Poyneer, Russell, Sutton and Wilkin—7.

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

Senate File No. 3, a bill for an act to establish the office of State Entomologist, was taken up for consideration with the report of the committee that it be indefinitely postponed.

The question being on the adoption of the report of the committee, the yeas and nays were demanded.

Senator Caldwell moved that the bill be referred to the Committee on Agricultural College.

Lost.

The question being shall the bill be indefinitely postponed, the roll was called.

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Carr, Carson, Cassatt, Clark, Donnan, Duncan, Eastman, Gault, Glass, Hall, Hendrie, Hunt, Johnson, Kamrar, Marshall, Miles, Nichols, Robinson, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting and Wilkin—35.

The nays were:

Senators Caldwell, Chambers, Chubb, Gillett, Hemenway, Henderson, Larrabee, McCoy, McDonough and Rothert—10.

Absent or not voting:

Senators Cotton, Graves, Hutchison, Logan and Poyneer—5.

So the report was adopted.

Senate File No. 23, a bill providing for the election of assessors for State and county purposes in cities organized and existing under special charters, with the report of the committee recommending that it do pass, was taken up for consideration.

Senator Rothert moved the rules be suspended and the bill be considered engrossed and read a third time now.

Senator Rothert moved that further consideration be postponed and this be made a special order immediately following disposal of Senate File No. 1.

Senator Bills moved to amend so that it be made the special order one week from to-day.

Accepted.

Motion as amended carried.

Senate File No. 40, a bill for an act to legalize the incorporation of the town of Milton, Van Buren county, Iowa, and the acts of the officers thereunder. The Committee on Municipal Corporations having recommended it be referred to Committee on Judiciary, it was by unanimous consent so referred.

Senate File No. 24, a bill for an act requiring city councils and boards of trustees of cities and towns organized under the general incorporation laws of Iowa, to pass annual appropriation ordinances and to limit expenditures of money by them, was taken up together with the report of the committee and amendments adopted.

Senator Smith moved the rules be suspended, the bill be considered engrossed and read a third time now.

Senator Robinson moved to amend by striking out in first line of

section 1 the words "and the boards of trustees in towns," and insert in lieu thereof "and incorporated towns."

Adopted.

Senator Robinson moved the word "city," second word in first line of section 1, be stricken out.

Carried.

Senator Robinson moved to amend by striking out the words "city" and "or" in the eleventh line, and "board of trustees" in twelfth line of section 1.

Carried.

Senator Robinson moved to amend by striking out the word "city" in first line of section 4, and words "board of trustees" in second line of section 4.

Carried.

Senator Robinson moved to amend by striking out the words "city" and "or," in line one of section 5 (amendment), and "board of trustees" in line two of same section.

Carried.

Motion of Senator Smith carried.

Vote reconsidered.

Senator Robinson moved to strike out the word "city" in eleventh line of section 5 (amendment), and the words "or the board of trustees" in twelfth line in same section.

Carried.

Senator Smith moved that further consideration be postponed and the bill as amended be printed and be made the special order immediately after disposal of Senate File No 1.

Carried.

Senate File No. 47, a bill for an act regulating the grades, width and alignment of streets, and the recording of plats of additions to, or subdivisions of, lands in incorporated cities and towns, together with amendments recommended by the committee, was taken up for consideration.

On motion of Senator Smith the bill was recommitted.

At 5:30 o'clock, on motion of Senator Brown, the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, February 13, 1884. }

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

Prayer by Rev. M. N. Miles.

Journal of yesterday read, corrected, and approved.

On motion of Senator Bloom, Senate File No. 78 was made a special order for to-morrow at 2:30 o'clock, p. m.

On motion of Senator Hall, Senate File No. 9 was made a special

order for to-morrow at 3:30 o'clock, P. M., and continue thus until disposed of.

## PETITIONS, MEMORIALS, ETC.

Senator Hunt presented a petition from citizens of Stuart, Iowa, for a department of labor.

Referred to Committee on Mines and Mining.

Senator Henderson offered a petition from 450 citizens of Linn county for a reformatory prison for women.

Referred to Committee on Penitentiary.

Senator Nichols offered a petition from citizens of Muscatine county for woman suffrage.

Referred to Committee on Constitutional Amendments.

Senator Duncan offered five petitions from citizens of Iowa for the exclusive use of the English language in the common schools.

Referred to Committee on Schools.

Senator Larrabee offered a petition from citizens of Fayette county for grave punishment for petty larceny.

Referred to Committee on Judiciary.

Senator Gillett offered a petition from citizens of Boone county for a reformatory prison.

Referred to Committee on Penitentiary.

Senator Clark offered a petition from citizens of Page county for woman suffrage.

Senator Clark moved it be referred to Committee on Constitutional Amendments.

Senator Hall moved to amend by referring it to Committee on Library.

Amendment lost.

Motion of Senator Clark carried and petition so referred.

Senator Donnan offered a petition from B. H. Miller and other citizens of Buchanan county regarding drive well litigation.

Referred to Committee on Ways and Means.

Senator Brown offered a petition from citizens of Iowa, relative to the Board of Trustees of the Agricultural College.

Referred to the Committee on Agricultural College.

Senator Cassatt offered a petition from citizens of Iowa, relative to the Board of Trustees of the Agricultural College.

Referred to Committee on Agricultural College.

Senator Chambers offered a petition from citizens of Iowa for a reformatory prison for women.

Referred to Committee on Penitentiary.

## INTRODUCTION OF BILLS.

By Senator Sudlow, Senate File No. 198, a bill for an act to establish and maintain a school for the instruction and training of teachers of common schools.

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



By Senator Chubb, Senate File No. 199, a bill for an act to encourage the building of county high schools, and providing for the establishment of a normal department therein.

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

By Senator Smith, Senate File No. 200, a bill for an act making appropriations for the girls' department of the Iowa Reform School.

Read a first and second time and referred to the Committee on Appropriations.

By Senator Chambers, Senate File No. 201, a bill for an act to amend section 797, title 6, of the Code of 1873, in relation to exemption in the assessment of taxes.

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

By Senator Brown, Senate File No. 202, a bill for an act to amend section 1217 of the Code, relating to the powers of the electors at the annual school meeting.

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

By Senator Rothert, Senate File No. 203, a bill for an act to provide for the inspection of mineral or petroleum oils for illuminating purposes, to regulate the sale of same, to provide for the appointment of inspector and deputy inspectors, and prescribing penalties for violating any of the provisions of this act, and to repeal all laws in conflict with the same.

Read a first and second time and referred to the Committee on Medicine, Surgery and Hygiene.

By Senator Brown, joint resolution and memorial No. 9, in regard to the jurisdiction of United States Circuit Courts.

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

#### RESOLUTION.

Senator Larrabee offered the following resolution, by request:

*Resolved*, That F. M. Van Pelt be allowed to place a table in front of the Secretary's desk for this afternoon to take short-hand notes.

Senator Rothert moved that the resolution be referred to the Secretary of the Senate.

Senator Marshall moved that the Senate take up its special order. Carried.

The question being on the substitute offered by Senator Eastman:

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has concurred in Senate resolution relative to the appointment of Silas H. Berry attendant in the Library during the present session.

SIDNEY A. FOSTER, *Clerk*.

Senator Bills moved the following amendment:

Insert in 10th line, after the word "shackle," "such shackle shall not weigh more than 20 pounds per shackle."

Lost.

Senator Johnson moved the following amendment:

Amend by inserting in line 11, section 1, after the word "dollars" the words "and roast beef."

Lost.

Senator Hall moved to amend by striking out the words "with all necessary shackles on him to prevent his escape," in section 1.

Senator Rothert moved that the President be authorized to clear the galleries should manifestation of approval or disapproval be made.

Senator Wilkin moved to refer the matter to the Committee on Rules.

Senator Rothert withdrew his motion.

At 5:45 o'clock, P. M., Senator Clark moved to adjourn until 10 o'clock to-morrow morning, and this special order to continue so until disposed of.

Senator Johnson moved to amend by making it 2 o'clock, P. M.

Senator Abraham moved to amend by making it 8 o'clock, this evening.

Lost.

Senator Johnson's amendment was adopted.

Senate adjourned.

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SENATE CHAMBER, }  
DES MOINES, IOWA, February 14, 1884. }

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

Prayer by Rev. W. M. Bartholomew.

Journal of yesterday read and approved.

Senator Bloom moved that Senate File No. 78 be made the special order for next Wednesday at 2:30 o'clock, P. M., and continue thus until disposed of.

Carried.

The question being upon the amendment of Senator Hall, it was adopted.

Senator Graves offered the following amendment:

In section 7, line 6, after the word "purpose," add "and the use of tobacco in any and all forms is hereby expressly prohibited."

Adopted.

Senator Hall moved to amend by striking out all words after the word "persons," in the seventh line, section 2, to the word "each," in the ninth line of same section.

Lost.

Senator Rotherth offered the following amendment:

*Provided*, That the provisions of this act shall not be in force until the General Assembly shall have provided the necessary means to reimburse the citizens of Iowa who have been engaged in the manufacture and sale of ale, beer and wine under the sanction of law.

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. 74, a bill for an act to protect and preserve the fish in the lakes and ponds within the State of Iowa.

I am also directed to inform you that the House has indefinitely postponed the following Senate concurrent resolution:

Concerning the printing of the inaugural address of Governor Sherman and of the dedicatory address of Hon. John A. Kasson.

SIDNEY A. FOSTER, *Clerk*.

Upon the resolution of Senator Rotherth the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Bayless, Bills, Bloom, Carr, Cassatt, Graves, Hall, Henderson, Hendrie, Johnson, Rotherth, Ryder, and Whiting—13.

The nays:

Senators Abraham, Baker, Barrett, Brown, Caldwell, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin—37.

So the amendment was lost.

Senator Robinson moved the Senate take a recess for ten minutes.

Lost.

The question being upon the substitute offered by Senator Eastman, the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Baker, Bills, Chubb, Eastman, Hall, Johnson and Ryder—7.

The nays were:

Senators Abraham, Bayless, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Clark, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hemenway, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rotherth, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—40.

Absent or not voting:

Senators Barrett, Cassatt, and Henderson—3.

So the substitute was lost.

The question being shall the bill be engrossed for a third reading: Senator Hall moved to amend by striking out the words "as a beverage," in the third line of section 1555, and insert the words "to be used as a beverage in this State."

The yeas and nays were demanded and the roll was called.

The yeas were:

Senators Baker, Barrett, Bayless, Bills, Bloom, Carr, Carson, Cassatt, Gault, Graves, Hall, Johnson, Rothert, Ryder, and Whiting—15.

The nays were:

Senators Abraham, Brown, Caldwell, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin—33.

Absent or not voting:

Senators Henderson and Hendrie—2.

So the amendment was lost.

Senator Gault moved to amend by inserting at the close of section 1555 of the bill the following: Every person convicted of the violation of this section shall upon his first conviction be punished by fine of not less than \$200 and be imprisoned in the county jail not less than sixty days. For the second offense he shall be fined not less than \$500, and be imprisoned not less than three months; and upon a third conviction, shall be imprisoned in the penitentiary not less than one year.

Senator Russell moved to amend by making the penalty for first offense, \$50; second offense, \$100; and third offense, \$300.

Senator Bills moved to adjourn till 10 o'clock to-morrow morning.

Lost.

Amendment of Senator Russell lost.

Upon the amendment of Senator Gault the yeas and nays were demanded.

Senator Abraham moved to adjourn till 8 o'clock this evening.

Senator Johnson move to amend by making the hour 10 A. M., to-morrow.

Lost.

Senator Rothert moved to amend by making the hour 9:30 to-morrow morning, this special order continuing thus till disposed of.

Accepted.

At 5:30 the Senate adjourned.

SENATE CHAMBER,  
DES MOINES, IOWA, February 15, 1884. }

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

Prayer by Rev. A. P. Cobb.

Journal of yesterday read and approved.

REPORT OF COMMITTEE.

Senator Chambers, 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 No. 5, in regard to the Fox Indians in Iowa, and find the same correctly enrolled.

J. C. CHAMBERS, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval joint resolution No. 5, in regard to Fox Indians in Iowa.

J. C. CHAMBERS, *Chairman*.

Senator Hall moved that Senate File No. 9 be made the special order for next Tuesday, at 3 o'clock, P. M.

Senator Larrabee moved to amend by making it the special order for Friday next.

Lost.

Motion of Senator Hall carried.

Senator Russell moved that the consideration of Senate File No. 1 be postponed twenty minutes.

Carried.

REPORTS OF COMMITTEES.

Senator Larrabee presented the report of the Committee to visit Penitentiary at Anamosa.

Pending reading of the report, Senator Hemenway moved further reading be dispensed with and report be printed.

Carried.

Senator Logan presented the report of Committee to visit State Hatching House at Anamosa.

Ordered printed.

Senator Kamrar presented the report of the Committee to visit the Iowa Penitentiary at Fort Madison.

Ordered printed.

Senator Sudlow presented the report of the Committee to visit the

Iowa Soldiers' Orphans Home and Home for Indigent Children at Davenport.

Ordered printed.

Senator Hemenway moved that reports of standing committees be received.

Carried.

Senator Nichols, 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. 13, a bill for an act to repeal sections 857, 865 and 866 of the Code, and to enact substitutes therefor, providing for semi-annual collection of taxes; also to amend sections 871, 873, 883 and 914 of the Code, and section 1 of chapter 79 of the acts of the Sixteenth General Assembly, beg leave to report that they have had the same under consideration, and by a majority vote of those present I am instructed to report the same back to the Senate with the recommendation that it do pass.

NICHOLS, *for Committee.*

Ordered passed on file.

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

**MR. PRESIDENT**—Your Committee on Judiciary, to whom was referred Senate File No. 62, a bill for an act to amend title 23, chapter 1, section 3777 of 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 do not pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT**—Your Committee on Judiciary, to whom was referred Senate File No. 124, a bill for an act to repeal section 2445 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.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT**—Your Committee on Judiciary, to whom was referred House File No. 19, a bill for an act to legalize the town council of the town of Riverside and their official acts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 123, a bill for an act to repeal section 2316 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.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 139, a bill for an act to provide for the distribution of funds by the assignees of insolvents, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 12, a bill for an act to establish a uniform series of text-books for the public schools of the State of Iowa and to provide school books for the children of the poor, and Senate File No. 150, a bill for an act to furnish a uniform standard of school books for the State of Iowa, beg leave to report that they have had the same under consideration, and the committee have prepared the accompanying substitute for the foregoing named bills, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted in place of said Senate Files, and when so adopted that it do pass, and that the substitute be printed.

J. G. HUTCHISON, *Chairman.*

Ordered passed on file and substitute ordered printed.

Senator Russell, from the Committee on Banks and Banking, submitted the following report:

MR. PRESIDENT—Your Committee on Banks and Banking, to whom was referred Senate File No. 18, a bill for an act to repeal section 28, of chapter 60, of the acts of the Fifteenth General Assembly, relating to the assessment and taxation of savings banks and to provide a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Senator Bills moved that Senate File No. 18 be made the special order for 2 P. M., Thursday.

Carried.

Senator Rothert, from the Committee on Railways submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 102, a bill for an act to limit the liabilities of railroad and sleeping car companies, and for the better protection of their passengers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out all of section 1 after the word "employees," beginning with the word "provided," and all of section 2, and that when so amended it do pass.

HENRY W. ROTHERT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 92, a bill for an act requiring railway companies doing business in the State of Iowa to erect and maintain comfortable passenger depots at all intersections and crossings of other railways, beg leave to report 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.

HENRY W. ROTHERT, *Chairman.*

Ordered passed on file and substitute ordered printed.

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

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 170, a bill for an act to amend sections 1144 and 1147 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 bill be referred to Committee on Judiciary.

HIRAM Y. SMITH, *Chairman.*

Ordered referred.

Senator Whaley, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate File No. 138, a bill for an act to amend chapter 74 of the laws of the Eighteenth 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.

WHALEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Military, to whom was referred joint resolution No. 7, in relation to the remains of Col. W. H. Kinsman, and erecting a monument to his memory, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation to amend the same by striking out the last resolution, so as to read as follows:



"*Be it further resolved*, That the Governor of Iowa and the Executive Council be authorized to procure to be erected a suitable monument to his memory, provided that the cost thereof shall not exceed \$3,000."

And after so amending that it do pass.

WHALEY, *Chairman*.

Ordered passed on file.

Senator Wilkin, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred Senate File No. 148, a bill for an act to appoint a custodian of the capitol and provide for the care and management of the State property at the seat of government, beg leave to report 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 same be amended by filling the first blank occurring in section 1, by inserting therein the word "ten;" that the second blank occurring in said section 1 be filled by inserting the words "ten thousand;" that section 4 be amended by inserting after the word "fences" the word "trees," and that when so amended the bill do pass.

ELI WILKIN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred Senate File No. 149, a bill for an act to provide for the appointment of a superintendent of public buildings, and to regulate their construction, beg leave to report that they have had the same under consideration, and have adopted the accompanying amendments thereto, and have instructed me to report the same back to the Senate with the recommendation that when said amendments are added the bill do pass.

ELI WILKIN, *Chairman*.

Ordered passed on file.

Amendments to Senate File No. 149 recommended by the Committee on Public Buildings:

1. Amend section 1 by filling the first blank occurring in said section by inserting the word "thirty."
2. Amend section 10 by adding at the end of said section the following: "And he shall also be required to perform like services in relation to the construction of any public school building, the cost of which shall exceed ten thousand dollars, when called upon by the board of directors or other board or commission having control of the erection of such building."

Senator Chambers, from the Committee on Penitentiaries, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries, to whom was referred the pardon of E. J. Bruce, now in the State penitentiary under sentence for life, referred to the General Assembly by the special message of the Governor, beg leave to report that they have had the same under consideration, and a majority of the committee have in-

structed me to report the same back to the Senate with the recommendation that the accompanying concurrent resolution do pass.

J. C. CHAMBERS, *Chairman*.

Ordered passed on file.

*Be it resolved by the Senate, the House concurring,* That the Governor is hereby advised to grant a pardon to E. J. Bruce, in the penitentiary at Ft. Madison under a life sentence for the killing of Michael McNamara, at such time and upon such conditions as to him may seem best and proper, suggesting that one of the conditions of said pardon be that he forever abstain from the use of intoxicating liquors of all kinds.

Also:

MR. PRESIDENT—Your Committee on Penitentiaries, to whom was referred petition for and remonstrance against a pardon in the case of E. J. Bruce, convicted of murder in the first degree, in taking the life of Michael McNamara, and now serving a life sentence in the Fort Madison Penitentiary, beg leave to report that they have had the same under consideration, and the minority of said committee have instructed me to report the same back to the Senate with the recommendation that a pardon be not granted.

J. C. CHAMBERS, *Chairman*.

Ordered passed on file.

Senator Russell moved that the special order, Senate File No. 1, be further postponed until petitions, resolutions and bills be introduced.

Senator Sutton moved to amend by postponing ten minutes longer.

Accepted and carried.

#### REPORTS OF COMMITTEES.

Senator Marshall, from the Committee on Agricultural College submitted the following report:

MR. PRESIDENT—Your Committee on Agricultural College, to whom was referred Senate File No. 98, a bill for an act to repeal section 1621 of the Code of 1873, chapter 4, title 12, and to enact a substitute therefor, relating to the course of study of the State Agricultural College, beg leave to report that they had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the substitute therefor do pass.

C. A. MARSHALL, *Chairman*.

Ordered passed on file.

Senator Hunt, from the Committee on Feeble Minded Institution, submitted the following report:

MR. PRESIDENT—Your Committee on Feeble Minded Institution, to whom was referred Senate File No. 8, a bill for an act to amend section 9 and section 10, chapter 40 of the acts of the Nineteenth General Assembly, and to increase the appropriation for ordinary expenses and provide for drawing clothing funds for the Iowa Institution for Feeble Minded Children, at Glenwood, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass with the following amendment: "That after the last

line of section 1 the following words be added, 'less the amount already drawn for this quarter.'"

C. B. HUNT, *Chairman.*

Ordered passed on file.

Senator Wilkin from the Special Joint Committee, to arrange for lunch room, offered the following report:

Mr. PRESIDENT—Your committee appointed under a concurrent resolution to arrange with a proper person to establish and keep a lunch room in the capitol for the accommodation of this General Assembly, report that they have arranged with Willis & Fuller, competent and proper persons, to keep a lunch stand in the room south of the east entrance to the capitol, where they are now ready to serve lunch to the officers and members of the General Assembly, at the rates and under the arrangement following, viz.: They are to have the use of said room and the necessary supply of water and gas to carry on their business therein, and to have the exclusive privilege in the capitol of keeping a lunch stand and of selling cigars and such confectionery and notions as are usually kept in connection with such business; the lunch to be, and be served in first class order, all things considered, and at twenty per cent below the usual and ordinary prices of said firm in their business house in Des Moines. Each person to make his own arrangement as to time of settlement.

Respectfully submitted,

ELI WILKIN,  
C. L. WATROUS,  
*Committee.*

Senator Wilkin moved the adoption of the report.

Senator Gault moved to strike out the word "exclusive" in the report.

Lost.

Report adopted.

Senator Brown on account of the death of his mother, was granted leave of absence until his return.

Senator Russell offered joint resolution No. 10, in relation to the liens of judgments in Federal courts.

Read a first and second time.

Senator Russell moved the rule be suspended, the resolution be considered engrossed and read a third time now.

Carried.

Senator Hemenway moved a reconsideration, which was carried.

Senator Russell moved the resolution be referred to Committee on Judiciary.

Senator Hall moved to postpone the special order ten minutes longer.

Lost.

Senator Johnson, on account of sickness, was granted leave of absence.

## SPECIAL ORDER.

Senate File No. 1, the question being upon the amendment of Senator Gault.

Senator Hall moved the amendment with the bill be referred to Committee on Judiciary.

Senator Russell moved to amend by referring it to Committee on Suppression of Intemperance.

Withdrawn.

Senator Hall's motion lost.

Senator Clark offered a substitute to Senate File No. 1.

Senator Gault moved to amend by striking out the words "for sale" in second line of section 1, and "as a beverage" in third line of same section.

Senator Bills moved the substitute be printed, and it and the original bill be referred back to the Committee on Suppression of Intemperance.

At 12:15 P. M., Senator Wilkin moved to adjourn till 2 o'clock this afternoon.

Senator Russell moved to amend by making the time 2:30.

Lost.

Motion carried.

Senate adjourned.

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**AFTERNOON SESSION.**

2 O'CLOCK, P. M.

Senate convened at 2 o'clock.

The President in the chair.

**MESSAGE FROM THE HOUSE.**

The following message was received from the House:

MR. PRESIDENT—I am direct to inform you that by vote of the House the Honorable Senate is invited to meet the House next Wednesday at three o'clock P. M., and participate in the consideration of resolutions of respect to the memory of the late J. M. Holbrook, an honored member of that body.

Also, I am directed to inform you that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 243, a bill for an act to legalize the acts of D. B. Harmon, as notary public in Clay county, Iowa.

I am also directed to inform you that the House has passed the following Senate bill with an amendment.

Senate File No. 57, a bill for an act authorizing the Commissioners

of the Iowa Hospital for the Insane at Independence, to use the unexpended balance of the appropriation made by Nineteenth General Assembly.

SIDNEY A. FOSTER, *Clerk.*

The question being upon the motion of Senator Bills to recommit the substitute and bill, Senator Russell moved to amend so that it shall become the special order whenever the chairman of the Committee on Suppression of Intemperance so ask, after Monday next.

Accepted.

Senator Russell withdrew his amendment.

Senator Gillett moved as an amendment to refer the bill to the Committee on Judiciary.

The question being shall the bill be committed, it was lost.

Senator Gault withdrew his amendment to the original bill.

Senator Rothert raised the following point of order:

1st. Can a or any bill be received as a substitute for a bill which has been read the first and second time, been referred to a committee, a report from said committee thereon filed, and is at the time under consideration on its engrossment?

2d. If so, can said bill be submitted to a vote on its final passage as per rule 14, without having been placed under the requirements of rules 11, 12 and 13?

The chair ruled the point not well taken, a substitute being simply an amendment. It simply strikes out all the matter after the enacting clause.

The question now being upon the amendment offered yesterday by Senator Gault:

Senator Donnan offered an amendment to the original bill, as follows: Insert after the word "mean" in the second line of section 1555, the words "alcohol, ale, wine, beer, spirituous, vinous and malt liquors and."

The question being upon the amendment of Senator Donnan, the amendment was adopted.

Senator Rothert offered an amendment to the original bill, as follows:

*Provided*, The provisions of this act shall not be in force until the General Assembly shall have provided the necessary means to reimburse the citizens of Iowa who have been engaged in the manufacture or sale of ale, beer and wine under the sanction of law.

Upon this the yeas and nays were demanded.

The roll was called.

The yeas were;

Senators Bills, Bloom, Carr, Cassatt, Graves, Hall, Henderson, Hendrie, and Rothert—9.

The nays were:

Senators Abraham, Baker, Barrett, Caldwell, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—37.

Absent or not voting:

Senators Bayless, Brown, Johnson, and Ryder—4.

So the amendment was lost.

Senator Eastman moved the following amendment to the original bill:

Whoever violates any of the provisions of this section, or any of the provisions of the statute to which this is an amendment, shall be fined in any sum not less than \$100, nor over \$300, and all costs of prosecution, and be imprisoned not less than sixty days nor over six months.

The yeas and nays were demanded.

The roll was then called.

The yeas were:

Senators Caldwell, Chubb, Duncan, Eastman, Glass, Hemenway, Hunt, Kamrar, McDonough, Marshall, Miles, Nichols, Stephens, and Sweney—14.

The nays were;

Senators Abraham, Barrett, Bayless, Bills, Bloom, Carr, Carson, Clark, Cotton, Donnan, Gault, Graves, Hall, Henderson, Hendrie, Hutchison, Larrabee, Logan, McCoy, Poyneer, Robinson, Rothert, Russell, Smith, Sudlow, Sutton, Whaley, Whiting, and Wilkin—29.

Absent or not voting:

Senators Baker, Brown, Cassatt, Chambers, Gillett, Johnson, and Ryder—7.

So the amendment was lost.

Senator Graves offered the following amendment:

Add after word "beer" it fourth line "and the use of tobacco in any form whatever is hereby expressly prohibited under the same penalties imposed for the further manufacture of wine or beer."

The yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Bayless, Bills, Carr, Graves, Hendrie, Hunt, Rothert, and Whiting—8.

The nays were:

Senators Abraham, Barrett, Bloom, Caldwell, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Glass, Henderson, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin—33.

Absent or not voting:

Senators Baker, Brown, Cassatt, Chambers, Gillett, Hall, Hemenway, Johnson, and Ryder—9.

So the amendment was lost.

Senator Gault offered the following amendment:

Strike out the words "for sale" after the word manufacture in third line section 1555, and the words "as a beverage" in same line.

The yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Bayless, Bills, Carr, Cassatt, Gault, Graves, Henderson, Rothert, Whiting, and Wilkin—10.

The nays were:

Senators Abraham, Barrett, Bloom, Caldwell, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Glass, Hall, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Sweney and Whaley—33.

Absent or not voting:

Senators Baker, Brown, Chambers, Gillett, Hendrie, Johnson and Ryder—7.

So the amendment was lost.

Senator Bills moved to strike out the words "as a beverage" in third line section 1555.

The yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Bayless, Bills, Carr, Cassatt, Gault, Graves, Hall, Henderson, Rothert and Whiting—10.

The nays were:

Senators Abraham, Caldwell, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Glass, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley and Wilkin—31.

Absent or not voting:

Senators Baker, Barrett, Bloom, Brown, Chambers, Gillett, Hendrie, Johnson and Ryder—9.

So the amendment was lost.

Senator Logan moved the previous question.

The yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Abraham, Barrett, Chubb, Donnan, Eastman, Hunt, Hutchison, Logan, McDonough, Marshall, Nichols, Poyneer, Stephens, Whaley, and Wilkin—15.

The nays were:

Senators Bayless, Bills, Bloom, Caldwell, Carr, Carson, Cassatt, Clark, Cotton, Duncan, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Kamrar, Larrabee, McCoy, Miles, Robinson, Rothert, Russell, Smith, Sudlow, Sutton, Sweney, and Whiting—29.

Absent or not voting:

Senators Baker, Brown, Chambers, Hendrie, Johnson and Ryder—6.

So the Senate refused to second the previous question.

Senator Bills moved to amend by inserting the words "or for any other purpose except to be sold according to provisions of chapter 6, title 11 of the Code," after the word beverage in the third line section 1555.

The yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Bayless, Bills, Bloom, Carr, Cassatt, Gault, Graves, Hall, Henderson, Robinson, Rothert, Russell and Whiting—13.

The nays were:

Senators Abraham, Barrett, Caldwell, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Glass, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin.—29.

Absent or not voting:

Senators Baker, Brown, Chambers, Gillett, Hendrie, Johnson, Logan, and Ryder—8.

So the amendment was lost.

Senator Bloom moved to amend by inserting after the word "repealed," in section 2, "Provided, however, that this act shall not go into effect until January 1, 1885."

The yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Bayless, Bills, Bloom, Carr, Carson, Cassatt, Graves, Hall, Henderson, Hendrie, Rother, Stephens, and Whiting—13.

The nays were:

Senators Abraham, Caldwell, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Smith, Sudlow, Sutton, Sweney, Whaley, and Wilkin—29.

Absent or not voting:

Senators Baker, Barrett, Brown, Chambers, Gault, Johnson, Logan, and Ryder—8.

So the amendment was lost.

Senator Graves moved the following amendment:

Insert after title to bill, and before the first section, the following:

"WHEREAS, For a quarter of a century the manufacture and sale of wine and beer has received from the State of Iowa the same protection and encouragement extended to other industries; and,

WHEREAS, Having every confidence in the stability of this policy, enterprising citizens of the State have invested four millions of dollars in permanent property connected with the manufacture of wine and beer, all of which is now threatened with confiscation, and its several owners branded as criminals and liable to imprisonment; therefore,

*Be it enacted by the General Assembly of the State of Iowa, That fair and adequate compensation shall be made by the State for all property rendered useless for the purposes intended, under and by virtue of the following sections."*

The yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Bayless, Bills, Bloom, Carr, Cassatt, Graves, Hall, Henderson, Hendrie, and Rother—10.

The nays were:

Senators Abraham, Barrett, Caldwell, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Hemenway, Hunt, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles,



Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—33.

Absent or not voting:

Senators Baker, Brown, Chambers, Gault, Hutchison, Johnson, and Ryder—7.

So the amendment was lost.

Senator Bills moved to amend, by inserting at the end of section 1555 the following words:

“ This act shall not apply to towns or cities having a population of 5,000 or more.”

Senator Duncan offered the following amendment to the amendment:

“ *Provided*, That said cities and towns shall pay all costs and damages arising from such sales.”

#### RESOLUTION.

Senator Larrabee introduced the following resolution:

*Resolved*, That hereafter the Senate hold one session on Saturdays, commencing at 10 A. M., and closing at 12 M.

Senator Clark moved to amend so that the resolution take effect after to-morrow.

Amendment lost.

Senator Russell moved the Senate now adjourn.

Lost.

Senator Hemenway moved that the original bill, as amended and substitute and amendments proposed, be printed and placed upon the desks in the morning.

Senator Larrabee's resolution adopted.

Motion of Senator Hemenway prevailed.

Senators Caldwell, Sutton, Stephens, Rothert and Glass, visiting committees, were granted time to present their reports.

Senator Hall moved further consideration of Senate File No. 1 be postponed till next Monday, at 2:30 o'clock, P. M.

Lost.

#### JOINT RESOLUTION.

Senator Donnan offered the following joint resolution:

*Resolved by the General Assembly of the State of Iowa:*

That we hereby express our sense of a public loss in the death of General James I. Gilbert, who was one of Iowa's most gallant soldiers and for many years was one of her honored citizens.

That we place on public record a tribute to his generous and high-minded nature, his moral worth, his lofty sentiments of patriotism and his brave leadership upon the battlefields of the country for the preservation of the unity and integrity of our government.

That this resolution be spread upon the journals of the two Houses and that an engrossed copy thereof be forwarded to the bereaved family of the deceased as a token of our sympathy and condolence in their irreparable loss.

Read a first and second time.

Senator Donnan moved the rule be suspended, the joint resolution be considered engrossed and read a third time now.

Carried.

Resolution read a third time.

The question being, shall the joint resolution pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Caldwell, Carr, Carson, Cassatt, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Smith, Sutton, Sweney, Whaley, Whiting, and Wilkin—44.

The nays were none.

Absent or not voting:

Senators Brown, Chambers, Johnson, Ryder, Stephens, and Sudlow—6.

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

Senator Graves was granted leave of absence until Tuesday.

At 6:15 P. M., on motion of Senator Cassatt the Senate adjourned.

SENATE CHAMBER. }  
DES MOINES, IOWA, February 16, 1884 }

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

Prayer by Rev. W. H. VanAntwerp.

Journal of yesterday read and approved.

Senator Logan was granted leave of absence until Tuesday.

Senator Hutchison was granted leave of absence until Tuesday.

The question being upon the amendment of Senator Duncan, offered yesterday, the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Abraham, Caldwell, Chambers, Chubb, Clark, Donnan, Duncan, Eastman, Gault, Glass, Hemenway, Hendrie, Hunt, Larrabee, McDonough, Marshall, Miles, Nichols, Stephens, Sudlow, and Wilkin—21.

The nays were:

Senators Baker, Barrett, Bayless, Bills, Bloom, Carr, Carson, Cassatt, Cotton, Gillett, Hall, Henderson, Hutchison, Johnson, Kamrar, McCoy, Robinson, Rothert, Russell, Smith, Sutton, Sweney, Whaley, and Whiting—24.

Absent or not voting:

Senators Brown, Graves, Logan, Poyneer, and Ryder—5.

So the amendment was lost.

Senator Russell offered the following amendment:

SECTION 1. That section 1555 of the Code be and the same is hereby repealed, and the following is enacted in lieu thereof.

Sec. 1555. Wherever the words intoxicating liquors occur in this chapter, the same shall be construed to mean all intoxicating liquors whatever, including ale, wine, and beer. *Provided*, That in cities having a population exceeding 5,000 inhabitants, as shown by the last preceding census, it shall be lawful for the incorporated authorities of such cities to license the manufacture and sale of ale, wine and beer, upon the payment in advance into the treasury of the city such sum of money as may be determined by the corporate authorities of such cities, not less than \$500 for each license so granted. Such license shall entitle the person to whom it is issued to keep only one shop or place for one year in which to sell or keep for sale as a beverage ale, wine and beer. Any person who shall manufacture for sale, or sell, or keep for sale as a beverage any ale, wine or beer, without having the license provided for in this act, shall on his first conviction for said offense pay a fine of not less than \$100 nor more than \$200 and costs, or be imprisoned in the county jail not less than thirty nor more than sixty days; and on the second and every subsequent conviction for said offense, he shall pay a fine of not less than \$300 nor more than \$600, or be imprisoned in the county jail not less than three months. And any person having a license for the sale of ale, wine and beer, who by himself, his agent or servant shall sell or keep with intent to sell as a beverage, any intoxicating liquors of whatever kind or nature except ale, wine and beer, shall upon his first conviction for said offense pay a fine of not less than \$100 nor more than \$300, or be imprisoned in the county jail not less than three nor more than six months, and on the second and every subsequent conviction of said offense he shall pay a fine of not less than \$500 nor more than \$1,000, or be imprisoned in the county jail not less than six months nor more than one year.

#### 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. 33, an act to legalize the acts of the incorporated town of Murray, Clarke county, Iowa.

House File No. 21, a bill for an act to legalize the incorporation ordinances and acts of the officers of the incorporated town of Belmond, Wright county, Iowa.

House File No. 63, an act to amend section 2 of chapter 156 of the laws of the Seventeenth General Assembly, as amended by chapter 193 of the laws of the Eighteenth General Assembly, in relation to the protection of game.

House File No. 194, a bill for an act to amend section 4039 of the Code of 1873, relating to the spread of small pox and other infectious diseases.

House File No. 45, a bill for an act to amend chapter 147 of the

acts of the Nineteenth General Assembly, relating to the bonding of county indebtedness.

Also, I am directed to inform you that the House has concurred in the following Senate resolution:

Senate joint resolution No. 10, relative to the death of Gen. James I. Gilbert.

SIDNEY A. FOSTER, *Clerk.*

Senator Bills withdrew his amendment.

Senator Donnan moved the hour of adjournment be postponed five minutes.

Carried.

Senator Donnan moved that House amendment to Senate File No. 57 be concurred in.

Senator Donnan moved the time of adjournment be postponed for roll call.

Carried.

The question being shall the amendment be concurred in:

The yeas were:

Senators Abraham, Barrett, Bills, Bloom, Brown, Caldwell, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Stephens, Sudlow, Sutton, Sweny, Whaley, Whiting and Wilkin—42.

The nays were none.

Absent or not voting:

Senators Baker, Bayless, Carr, Graves, Johnson, Logan, Ryder and Smith—8.

So the bill passed and the title as amended was agreed to.

Senate adjourned until Monday at 2 o'clock, P. M.

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SENATE CHAMBER, }  
DES MOINES, IOWA, February 18, 1884. }

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

Prayer by Rev. S. S. Hunting.

Journal of Saturday read and approved.

Senator Bloom moved the special order be postponed fifteen minutes.

Carried.

#### BILLS ON SECOND READING.

Senate File No. 146, a bill for an act to enable the Methodist Episcopal church of Iowa City to sell and to convey certain realty, was taken up.

Senator Bloom moved the rules be suspended, the bill be considered engrossed and read a third time now.

Carried.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Hall, Hemenway, Henderson, Hendrie, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Whaley, Whiting, and Wilkin—41.

The nays were none.

Absent or not voting:

Senators Abraham, Chubb, Gault, Graves, Hunt, Johnson, Stephens, Sudlow, and Sweney—9.

So the bill passed and the title was agreed to.

#### INTRODUCTION OF BILLS.

By Senator Hall, Senate File No. 204, a bill for an act making appropriations for State Library and providing assistants for the librarian and their compensation, etc.

Read a first and second time and placed on calendar.

By Senator Wilkin, Senate File No. 205, a bill for an act making an appropriation to complete and furnish the new capitol, and for paving the streets and grading and putting down the curbing and sidewalks around the capitol square.

Read a first and second time and referred to the Committee on Public Buildings.

By Senator Glass, Senate File No. 206, a bill for an act to locate and provide for the erection of an additional institution for the insane at or near Mason City, Cerro Gordo county, Iowa.

Read a first and second time and referred to the Committee on Hospitals for Insane.

By Senator Abraham, Senate File No. 207, a bill for an act to donate certain arms to the Grand Army of the Republic, department of Iowa.

Read a first and second time and referred to the Committee on Military.

By Senator Hendrie, Senate File No. 208, a bill for an act making appropriations for the Iowa Institution for Feeble Minded Children at Glenwood, Iowa.

Read a first and second time and referred to the Committee on Appropriations.

By Senator Eastman, Senate File No. 209, a bill for an act to repeal sections 1 and 2, chapter 210 of the acts of the Eighteenth General Assembly.

Read a first and second time and referred to the Committee on Insurance.

By Senator Eastman, Senate File No. 210, a bill for an act to repeal part of section 4008 of the Code of Iowa in reference to adultery.

Read a first and second time and referred to the Committee on Retrenchment.

By Senator Chubb, Senate File No. 211, a bill for an act to legalize the act of incorporating the Free Methodist church of Algona, Iowa, and the acts of the trustees thereof.

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

Senator Rothert moved special order be postponed ten minutes longer.

Senator Larrabee moved to amend by making it twenty minutes.

Accepted.

Motion carried.

By Senator Rothert, Senate File No. 212, a bill for an act making appropriation to pay certain accumulated claims for supplies furnished the Iowa State Penitentiary at Ft. Madison, Iowa.

Read a first and second time and referred to the Committee on Claims.

By Senator Rothert, Senate File No. 213, a bill for an act making an appropriation to pay certain accumulated claims for supplies furnished the Iowa State penitentiary at Ft. Madison, Iowa.

Read a first and second time and referred to the Committee on Claims.

By Senator Rothert, Senate File No. 214, a bill for an act to confirm the title to lots 1, 2, 5, 6, 7, 8, 9, 10, 11 and 12, in block twenty (20), in the city of Keokuk, Lee county, Iowa.

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

By Senator Logan, Senate File No. 215, a bill for an act to provide for the collecting and expending an additional road tax in the State of Iowa.

Read a first and second time and referred to the Committee on Highways.

By Senator Larrabee, Senate File No. 216, a bill for an act in relation to chattel mortgages.

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

By Senator Wilkin, joint resolution No. 11, relative to the assignment of rooms in the new capitol.

Read a first and second time and referred to the Committee on Public Buildings.

By Senator Donnan, joint resolution No. 12, agreeing to certain amendments to the constitution of the State of Iowa, proposed by the Nineteenth General Assembly.

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

By Senator Bayless, Senate File No. 217, a bill for an act regulating the settlement of the estates of decedents.

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

By Senator Cassatt, Senate File No. 218, a bill for an act to regulate the weighing of coal in mines and to establish a uniform system

of weights and measures between operators of coal mines and their employes.

Read a first and second time, 500 copies ordered printed, and referred to the Committee on Mines and Mining.

By Senator Hendrie, Senate File No. 219, a bill for an act to repeal chapter 123 of the acts of the Sixteenth General Assembly, chapter 173, of the acts of the Seventeenth General Assembly, and chapter 192 of the acts of the Eighteenth General Assembly, in relation to taxes voted in aid of the construction of railways.

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

By Senator Smith, Senate File No. 220, a bill for an act to amend section 3125 of the Code of 1873, in relation to the sale of real estate under execution.

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

By Senator Caldwell, Senate File No. 221, a bill for an act providing for the education of J. W. Hallock at the State University at the expense of the State.

Read a first and second time and referred to the Committee on Appropriations.

By Senator Robinson (by request), Senate File No. 222, a bill for an act to authorize the organization and business of township insurance companies.

Read a first and second time and referred to the Committee on Insurance.

By Senator Robinson, Senate File No. 223, a bill for an act to repeal sections 4509, 4609 and 4689 of the Code of 1873, in relation to judgments, fines and costs, and penalties for misdemeanors, and to enact substitutes therefor.

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

By Senator Robinson, Senate File No. 224, a bill for an act to repeal section 1448 of the Code, as amended by chapter 70 of the acts of the Fifteenth General Assembly, relating to damages of domestic animals, and to enact a substitute therefor.

Read a first and second time and referred to the Committee on Agriculture.

By Senator Kamrar, Senate File No. 225, a bill for an act repealing section 159 of chapter 4 of the Code of 1873, in reference to the distribution and custody of supreme court reports.

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

By Senator Kamrar, Senate File No. 226, a bill for an act repealing section 58, chapter 1, title 2, of the Code of 1873, and enacting a substitute therefor, in relation to rewards offered by the Governor.

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

By Senator Kamrar, Senate File No. 227, a bill for an act repealing chapter 58 of the laws of the Sixteenth General Assembly, amendatory of section 518 of the Code of 1873, in relation to the election of mayors of cities.

Read a first and second time and referred to the Committee on Elections.

By Senator Smith (by request) Senate File No. 228, a bill for an act in relation to recording certain instruments affecting real estate.

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

By Senator Carson, Senate File No. 229, a bill for an act making appropriations for the Institution for the Deaf and Dumb.

Read a first and second time and referred to the Committee on Appropriations.

By Senator Hemenway, from Committee on Judiciary, Senate File No. 230, a bill for an act to provide for the greater protection of the property of minors.

Read a first and second time and passed on file.

By Senator Johnson, Senate File No. 231, a bill for an act to regulate the giving of danger signals by persons operating railroad locomotives.

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

#### PETITIONS AND MEMORIALS.

Senator Logan offered a petition from citizens of Harrison county, relative to board of trustees of the Agricultural College.

Referred to Committee on Agricultural College.

Senator Gillett offered a petition from citizens of Boone and Story counties of same purport, which was referred to same committee.

Senator Brown offered a petition from citizens of Keokuk county for woman suffrage.

Referred to Committee on Constitutional Amendments.

Senator Cotton moved further suspension of the special order for five minutes.

Carried.

#### BILL ON SECOND READING.

Senator Cotton moved that House File No. 19, a bill for an act to legalize the town council of the town of Riverside and their official acts be taken up.

Carried.

#### BILL ON THIRD READING.

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

Carried.

The bill was read a third time.

The question being shall the bill pass.

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chubb, Clark, Cotton, Donnan, Dun-



can, Eastman, Gillett, Glass, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Whaley, and Wilkin—43.

The nays were none.

Absent or not voting:

Senators Chambers, Gault, Graves, Stephens, Sudlow, Sweney, and Whiting—7.

So the bill passed and the title was agreed to.

#### MESSAGE 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. 3, a bill to legalize the acts of Jas. E. Bennett, a justice of the peace in and for Jamestown township, Howard county, Iowa.

SIDNEY A. FOSTER, *Clerk.*

#### SPECIAL ORDER.

The question being upon the adoption of the amendment to Senate File No. 1, offered by Senator Russell, the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Bayless, Bills, Bloom, Carr, Cassatt, Hall, Hendrie, Johnson, Rothert, Russell, Ryder, and Whiting—12.

The nays were:

Senators Abraham, Baker, Barrett, Brown, Caldwell, Chambers, Chubb, Clark, Cotton, Donnan, Eastman, Gillett, Glass, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Smith, Stephens, Sudlow, Sutton, Whaley, and Wilkin—32.

Absent or not voting:

Senators Carson, Duncan, Gault, Graves, Henderson, and Sweney—6.

So the amendment was lost.

Senator Sutton offered the following amendment, which he said would have been offered by Senator Gault had he been able to be present:

After the word "sale" in line 6, section 1555, add, "or keep with intent to sell, or keep or establish a place to sell;" after the word "beer" in line 7, section 1555, add, "any person who shall be convicted of a violation of any of the provisions of this act shall, upon his first conviction, be punished by a fine of one hundred dollars, and shall be committed to the county jail until such fine is paid or satisfied by imprisonment; or the court may punish such first conviction by imprisonment in the county jail for thirty days without fine. And any person who, having been once convicted of a violation of

this act, is again convicted of a violation thereof, shall be punished by imprisonment in the penitentiary not less than one year nor more than three years."

After the word "all" in line 1, section 2, add, "other penalties provided in chapter 6, title 11 of the Code and all."

Senator Donnan moved the amendment and original bill be printed, the amendment being in italics.

Carried.

Senator Larrabee moved that when the Senate adjourn it be to 10 o'clock to-morrow morning.

Carried.

Senator Donnan moved that further consideration on special order, Senate File No. 1, be postponed until immediately after reading of journal to-morrow morning.

Carried.

Senator Chubb moved the Senate take a recess for five minutes.

Lost.

Senator Gault was granted leave of absence from to-day's session.

Senator Sweney was granted leave of absence till Wednesday.

#### PETITIONS, MEMORIALS, ETC.

Senator Chambers offered a petition from citizens of Cedar county from woman suffrage.

Referred to Committee on Constitutional Amendments.

Senator Donnan offered three remonstrances from citizens of Delaware county against the passage of Senate File No. 9.

Ordered passed on file with Senate File No. 9.

Senator Donnan offered a petition from W. I. Richmond and other citizens of Buchanan county for an appropriation in aid of the defense of the drive well litigation.

Referred to Committee on Claims.

Senator Bills offered a memorial from the Scott County Medical Society for additional provision for the insane.

Referred to Committee on Hospitals for Insane.

Senator Abraham offered a petition from citizens of Jefferson county for the passage of Senate File No. 74.

Referred to Committee on Military.

Senator Sutton offered a petition from citizens of Marshall county for instruction in the character of alcohol, etc.

Referred to Committee on Schools.

Senator Wilkin offered a petition from citizens of Madison and Warren counties of same purport.

Referred to same Committee.

Senator Gillett, one of same character, from citizens of Boone county.

Referred to same Committee.

Senator Caldwell, one of same character from citizens of Dallas county.

Referred to same Committee.

Senator Caldwell offered a petition from citizens of Iowa for appropriation of John Willis Hallock.

Referred to Committee on Appropriations.

Senator Hunt offered a petition from citizens of Cedar county for instruction in the character of alcohol, etc.

Referred to Committee on Schools.

Senator Hutchison offered a petition of the same character from citizens of Wapello county.

Referred to Committee on Schools.

Senator Eastman offered one of same character from citizens of Hardin county.

Referred to same Committee.

Senator Brown offered one of same character from citizens of Keokuk county.

Referred to same Committee.

Senator Bayless offered one of same character from citizens of Clayton county.

Referred to same Committee.

Senator Hall offered one of same character from citizens of Des Moines county.

Referred to same Committee.

Senator Hall offered a petition from citizens of Des Moines county for woman suffrage.

Referred to Committee on Constitutional Amendments.

Senator Bills offered a petition from citizens of Scott county for instruction in the character of alcohol, etc.

Referred to Committee on Schools.

Senator Baker offered one of same character from citizens of Wineshiek county.

Referred to same Committee.

Senator Nichols offered one of same character from citizens of Muscatine county.

Referred to same Committee.

Senator Ryder offered one of same character from citizens of Benton county.

Referred to same Committee.

Senator Hemenway offered one of same character from citizens of Black Hawk county.

Referred to same Committee.

Senator Marshall offered a petition from citizens of Chickasaw county for location of Supreme Court at Des Moines.

Referred to Committee on Judiciary.

Senator Hall moved that the Sergeant-at-Arms be directed to prohibit pages from bringing petitions to Senators.

Lost.

At 5:55 o'clock, Senator Chubb moved Senate adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER,  
DES MOINES, IOWA, February 19, 1884. }

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

Prayer by Rev. A. L. Frisbie.

Journal read and approved.

SPECIAL ORDER.

The question being upon the amendment to Senate File No. 1, offered by Senator Sutton.

Senator Donnan accepted the amendment.

Senator Clark withdrew his substitute.

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. 31, a bill to legalize the acts of the board of supervisors of Crawford county in the establishment of roads. □

Also House File No. 42, for an act to legalize the town plat of Manly Junction, Iowa.

SIDNEY A. FOSTER, *Clerk.*

REPORTS OF COMMITTEE.

Senator Chambers 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 No. 10, relative to the death of Gen. James I. Gilbert, and find the same correctly enrolled.

J. C. CHAMBERS, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 57, a bill for an act authorizing the commissioners of the Iowa Hospital for the Insane at Independence, to use the unexpended balance of the appropriation made by the Nineteenth General Assembly, and find the same correctly enrolled.

J. C. CHAMBERS, *Chairman.*

## AFTERNOON SESSION.

2:00 O'CLOCK, P. M.

## SPECIAL ORDER.

Senator Eastman offered the following amendment to the amendment to Senate File No. 1:

Amend section 1 by striking out all after the word "beer," in eighth line, and add "any person violating any of the provisions of this act, or any of the provisions of the statutes of Iowa in reference to the sale of intoxicating liquors, shall for the first conviction be fined in any sum not less than \$100 nor over \$200, and all costs, and shall be imprisoned in the jail not less than three months nor over six months. And for the second and every subsequent conviction he shall be imprisoned in the penitentiary of Iowa not less than six months nor over two years." Strike out of section 2 the words "other penalties provided in chapter 6, title 11 of the Code and all."

## 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. 172, a bill for an act authorizing the appointment of an agent to select certain lands along the line of the railroad from McGregor to Sheldon, and providing for the payment of the fees for such selection.

Also House File No. 56, a bill for an act to provide for selling, leasing and patenting the lands belonging to the Iowa State Agricultural College farm.

I am also directed to inform you that the House has adopted the following joint resolution:

Joint resolution No. 14, in relation to a branch house for disabled soldiers.

Also:

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

Senate File No. 57, a bill for an act authorizing the commissioners of the Iowa Hospital for the Insane at Independence, to use the unexpended balance of the appropriation made by the Nineteenth General Assembly.

Senate joint resolution No. 10, relative to the death of Gen. James I. Gilbert.

Memorial No. 1, relating to Hennepin Canal.

House File No. 5, a bill for an act to reward the persons who captured the Barber brothers, the reputed murderers of Marion.

SIDNEY A. FOSTER, *Clerk*.

The question being upon the adoption of the amendment of Senator Eastman.

The yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Chubb, Eastman, McDonough, and Stephens—4.

The nays were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Clark, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, McCoy, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sudlow, Sutton, Whaley, Whiting, and Wilkin—43.

Absent or not voting:

Senators Johnson, Sweeney, and Logan—3.

So the amendment was lost.

Senator Sutton withdrew his amendment.

Senator Donnan offered the following amendment:

Add to the end of section 1, as amended, and the same provision and penalties of law now in force relating to intoxicating liquors, shall in like manner be held and construed to apply to violations of this act, and to the manufacture, sale or keeping for sale, or keeping with intent to sell, or keeping or establishing a place for the sale of ale, wine and beer, and all other intoxicating liquors whatever.

Senator Bills offered the following amendment:

Section 2. Any person who shall buy any intoxicating liquors sold contrary to the provisions of chapter 6, of title 11, of the Code of Iowa, as amended by this act shall be punished as is provided in said chapter 6, title 11, of the Code of Iowa for the unlawful sale of intoxicating liquors.

Senator Sutton moved the previous question.

Withdrawn.

The question being upon the amendment of Senator Bills, the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Baker, Bayless, Bills, Bloom, Carr, Cassatt, Clark, Cotton, Gault, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Johnson, Logan, Russell, Ryder, and Whiting—21.

The nays were:

Senators Abraham, Barrett, Brown, Caldwell, Carson, Chambers, Chubb, Donnan, Duncan, Eastman, Gillett, Hutchison, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Smith, Stephens, Sudlow, Sutton, Whaley, and Wilkin—28.

Absent or not voting:

Senator Sweeney—1.

So the amendment was lost.

Senator Hall offered the following amendment, to be added to the amendment of Senator Donnan:

"Provided, that the manufacture and sales of alcohol, beer and wine, and other vinous and malt liquors, for exportation out of this State, shall not be included within the provisions hereof."

Senator Sutton moved the previous question.

Withdrawn.

The question being upon the adoption of the amendment by Senator Hall the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Baker, Bayless, Bills, Bloom, Carr, Carson, Cassatt, Chubb, Cotton, Gault, Graves, Hall, Hemenway, Henderson, Hendrie, Johnson, Logan, Rothert, Ryder, and Whiting—20.

The nays were:

Senators Abraham, Barrett, Brown, Caldwell, Chambers, Clark, Donnan, Duncan, Eastman, Gillett, Glass, Hunt, Hutchison, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Whaley, and Wilkin—29.

Absent or not voting:

Senator Sweney—1.

So the amendment was lost.

Senator Bloom offered the following amendment, to be added to the amendment of Senator Donnan:

"Druggists who now sell intoxicating beverages by virtue of the pharmacy laws of the State, are hereby and herewith prohibited from selling such liquors, at retail, to be drank on their premises. Any violation of this provision shall subject druggists to the same penalties provided for against other vendors of liquors or intoxicating beverages in this act."

Senator Sutton moved the previous question.

The question being does the Senate second the previous question the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Abraham, Caldwell, Chambers, Clark, Donnan, Duncan, Eastman, Glass, Hunt, Hutchison, Kamrar, Logan, McDonough, Marshall, Nichols, Poyneer, Sudlow, Sutton, and Wilkin—19.

The nays were:

Senators Baker, Barrett, Bayless, Bills, Bloom, Brown, Carr, Carson, Cassatt, Chubb, Cotton, Gault, Gillett, Graves, Henderson, Hendrie, \*Johnson, Larrabee, McCoy, Miles, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Whaley, and Whiting—28.

Absent or not voting:

Senators Hall, Hemenway, and Sweney—3.

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\* When Senator Johnson's name was reached he asked to be excused from voting. The question being will the Senate excuse the Senator it voted not do so.

So the Senate refused to second the previous question.

The question being upon the adoption of the amendment of Senator Bloom the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Barrett, Bayless, Bills, Bloom, Carr, Cassett, Gault, Graves, Hall, Hendrie, Johnson, Miles, Rothert, Ryder, and Whiting—15.

The nays were:

Senators Abraham, Baker, Brown, Caldwell, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Whaley, and Wilkin—34.

Absent or not voting:

Senator Sweney—1.

So the amendment was lost.

Senator Hall offered the following amendment to the bill:

Section 2. The State will compensate the owner of all property impaired or materially injured or depreciated in value in consequence of the passage of this act, to the extent in which any property used for manufacturing beer and wine from the products of the State shall be materially depreciated in value: And the Governor is hereby authorized and directed to appoint three wholly disinterested persons, who shall constitute a commission of claims to hear and determine all claims presented by parties claiming to have incurred loss and sustained injury by reason of the passage and enforcement of this act. And within one year after the passage of this act and not thereafter all such persons may present and file their claims in writing, and duly verified before such commission, who shall hear evidence and ascertain and determine the justice of such claims, the property injured and the extent of the injury thereof, and shall upon allowing any such claims file the same with the Governor of the State to be reported to the legislature for appropriation and payment. Said commission shall sit and hear said claims at the capitol, at such times as they may direct and give public notice of. They shall have power to subpoena witnesses and require the production of books, papers and records, and in these and other respects shall have the same power as the circuit court. The State shall be represented by the district attorney, and either party may have the right of appeal from the decision and determination of said commission to the supreme court. The sole and only claim that can be allowed is for the injury incurred and depreciation to property caused by changing its use and purpose as a manufacturing property.

The question being upon the adoption of Senator Hall's amendment, the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Bayless, Bills, Bloom, Carr, Cassatt, Graves, Hall, Henderson, Hendrie, Johnson, Rothert, and Whiting—12.

The nays were:

Senators Abraham, Baker, Barrett, Brown, Caldwell, Carson, Cham-



bers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Whaley, and Wilkin—37.

Absent or not voting:

Senator Sweney—1.

So the amendment was lost.

The question now being upon the adoption of the amendment of Senator Donnan, it was adopted.

Senator Donnan moved the rule be suspended, the bill be considered engrossed and read a third time now.

Upon this the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Abraham, Baker, Barrett, Brown, Caldwell, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Whaley, and Wilkin—38.

The nays were:

Senators Bayless, Bills, Bloom, Carr, Cassatt, Graves, Hall, Henderson, Hendrie, Rothert, Ryder, and Whiting—12.

Absent or not voting:

Senators Johnson, and Sweney—2.

So the motion prevailed

The bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Barrett Brown, Caldwell, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Whaley, and Wilkin—35.

The nays were:

Senators Baker, Bayless, Bills, Bloom, Carr, Cassatt, Graves, Hall, Henderson, Hendrie, Rothert, Ryder, and Whiting—13.

Absent or not voting:

Senators Johnson, and Sweney—2.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Senator Chambers, 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. 57, a bill for an act authorizing the commissioners of the Iowa Hospital for the Insane at Independence, to use

the unexpended balance of the appropriation made by the Nineteenth General Assembly.

J. C. CHAMBERS, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval joint resolution No. 10, relative to the death of Gen. James I. Gilbert.

J. C. CHAMBERS, *Chairman.*

SPECIAL ORDER.

Senate File No. 24 being the special order, the President directed it be taken up.

Senator Hutchison was granted leave of absence until Thursday afternoon.

Senator Larrabee moved the special orders upon calendar be continued.

Senator Hall moved that Senate File No. 9 be made the special order for 3 o'clock to-morrow afternoon.

Senator Rothert moved that Senate File No. 23 be made the special order immediately after reading of journal to-morrow afternoon.

At 6:30 P. M., Senator Bills moved the Senate adjourn.

Carried.

Senate adjourned.

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SENATE CHAMBER, }  
DES MOINES, IOWA, February 20, 1884. }

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

Prayer by Rev. Senator Marshall.

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. 90, a bill for an act to amend section 4062, chapter 11, title 24 of Code of 1873, in relation to Canada thistles.

House File 198, a bill for an act to legalize the incorporation of the town of Oxford Junction, in the county of Jones, State of Iowa.

House File No. 199, a bill for an act to authorize the trustees of the Iowa Hospital for Insane at Independence to purchase land.

SIDNEY A. FOSTER, *Clerk.*

Journal of yesterday read and approved.

Senators Johnson and Sweney announced that on the vote yesterday, which resulted in the final passage of Senate File No. 1, they were paired, and that had Senator Johnson been present he would have voted no and Senator Sweney would have voted yes.

Senator Donnan moved that House message relative to meeting the House in memory of the late J. M. Holbrook be taken up.

Carried.

#### RESOLUTION.

Senator Donnan offered the following resolution which was adopted:

*Resolved*, That the Senate accept the invitation of the House to be present and participate in the memorial service of the late Hon. J. M. Holbrook, in the hall of the House of Representatives, at three o'clock this afternoon.

#### BILLS ON SECOND READING.

Senate File No. 24, a bill for an act requiring city councils and boards of trustees of cities and towns organized under the general incorporation laws of Iowa, to pass annual appropriation ordinances and to limit expenditure of money by them, was taken up for consideration.

Senator Smith moved to amend the bill by inserting after the word "city," in the third line of section 5, the words "or town."

Carried.

Senator Smith moved the rule be suspended, the bill be considered engrossed, and read a third time now.

Carried.

The bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sweney, Whaley, Whiting and Wilkin—47.

The nays were:

Senator Sutton—1.

Absent or not voting:

Senators Chambers and Hall—2.

So the bill passed.

Senator Brown moved to amend title, by striking out the words "city" and "and boards of trustees."

Carried.

So the title as amended was agreed to.

2:30 P. M., special order, Senate File No. 78, a bill for an act to pre-

vent gambling by means of fictitious contracts for the buying or selling of grain or other produce, and to provide a punishment therefor, was taken up.

JOINT ASSEMBLY.

At 3 o'clock the Senate accompanied its President to the hall of the House of Representatives.

Resolutions relative to the deceased, Hon. J. M. Holbrook, late member of the House, were proposed and adopted.

Addresses in eulogy of the dead were made by Messers. Carpenter, Babb, Tuttle, Hershey, Kerr and Humphrey, on the part of the House.

Senator Donnan, on the part of the Senate, spoke as follows:

MR. SPEAKER—If one may mention enjoyment in connection with the sadness of such an occasion, then I may truly say that I have experienced a sincere pleasure in listening to the timely and beautiful remarks which have been offered in memory of your lamented associate and our departed friend.

At the rendezvous of our regiment, in 1862, I first met and formed his acquaintance. He had just been enrolled as first lieutenant of company F, in the 27th regiment, Iowa infantry volunteers. I soon learned to respect, and then admire him; and these sentiments have increased rather than diminished for more than twenty intervening years. Only old soldiers can know how those associations, formed in duties of camp and dangers of field, ripen into the closest and most enduring of earthly friendships.

He became captain of his company, devoted to the comfort, welfare and discipline of his men, and they were always ready to follow where he led—even though it were into the fiercest fire of the enemy; there to stand or fall beside him. At the desperate battle of Pleasant Hill, although painfully wounded, he remained, gallantly fighting with his company until a second severe wound, which caused the amputation of an arm, and which totally disabled him.

Returning to civil life, in 1865, he was elected to the most responsible office in his county, and was continuously re-elected for the long period of eighteen years. Confinement to official duties, the wounds he had endured, and a severe illness, so far impaired his physical health that he declined further re election. Perceiving that the election to membership of this General Assembly would be earnestly contested, Republicans urged him to take up the standard of his legislative district and carry it to no uncertain victory. To this he reluctantly consented. Not, as he said to me, because he wished for any other public station, but his people had so often elected him to an office which he did desire, that if they now asked him to take an office which he did not want he felt that he ought not to decline candidacy. So he came to legislative duty, and a sense of its high responsibility accompanied him close to the dark waters. Had he lived, his native modesty was such as to allow him to speak only the quiet words of practical wisdom, but he would have proven himself as one of the most thoughtful, candid and prudent members of the House.

Within an hour of his death I assisted to raise him upon his couch, and he seemed to have so much more strength than I expected that hope rose buoyant in my breast that yet he might survive; but it was ordered otherwise. On the second day thereafter, at the city hall of Manchester, on the anniversary day of his birth, your legislative committee, preceded by his old army comrades and by a vast concourse of his bereaved constituency, took a last, lingering, tearful glance at the mortal remains of that true man. His bier, accompanied by a beautiful floral decoration, rested beneath a canopy formed of the "grand old flag," beneath whose starry folds he had so often marched and for all the grandeur and glory thereby represented he had so bravely fought and so freely shed his blood.

He is gone! not like many a less fortunate comrade to a distant and unknown grave. He was permitted to live to see victory perch upon the standard of his country everywhere. He lived to see the midday peace and prosperity of a reunited nation. He lived to accept honorable office to which a grateful people gladly and repeatedly elected him. He lived to officially assist in the dedication of this magnificent structure, devoted to the enactment of good and wholesome laws for our grand young commonwealth.

Gone, but not to forgetfulness, for his cherished memory will remain, and whenever Iowa shall call her grand roll of heroes, of all those who have labored, or fought, or bled, or died, in the defense of human freedom or the preservation of our country, there will be none among them all whose love of humanity was more sincere or whose patriotic devotion was more unselfish than was that of Captain J. M. Holbrook.

As a citizen he was deservedly and universally esteemed. He formed his friendship slowly, but he held them steadfastly. As a neighbor and friend he was kind, obliging, faithful, reliable and generous. Many of his acts of charity and beneficence were so quietly performed that they will never be known by the public.

Politically, at least since the war, he held firmly, I may say enthusiastically, by the Republican faith. In public office and military command he uniformly acquitted himself so faithfully and honorably as to receive the commendation of all. And so we may say of him, in all the relations of life,

"None knew him but to love him,  
None named him but to praise."

His quiet career illustrates the golden value of manly deeds. It shows how real is this earthly life even though transient; earnest, even if purposes are sometimes changed; desirable, though so strangely commingled with sorrow, and sadness, and death. It awakens the tenderest sympathies at inception, oftentimes grows to grandeur in its progress, and may become sublime in its completion, even though it treads the humbler paths of duty.

Senator Sweney, also, on the part of the Senate, spoke as follows:

**MR. SPEAKER**—My acquaintance with Hon. J. M. Holbrook began at that time when the bugle called from their homes the young men to muster on the broad prairies of the west, and on the green slopes of the eastern hills, in defense of country, in that struggle which

shook to its foundation the republic. My knowledge of him was the acquaintance of one comrade with another. I soon learned to respect, admire, and love him—a love, the growth of kindly acts, generous impulses, and exalted courage.

Standing at this distance from those days and scenes which so knit comrades hearts together; standing in this chamber I am impressed with the thought and belief that of all Iowa's sons, who, with their labor or their blood, have made radiant for all time, our history, none more true or brave, ever flashed his saber in the sunlight, or led his men to battle.

In his life is illustrated the highest type of American citizenship—that, upon which the hopes of our country is based, and must remain. One who, when the country in its hour of peril called, responded, and did his whole duty as an American citizen soldier; who, when peace returned left the field of wars, returned to civil life and developed there the grandest and truest citizenship.

I sometimes go down to the arsenal on the river bank. In there hangs the old flag, torn, faded and stained, which through years of storms and sunshine, of sieges and battle, we followed together. I stand under that old flag with tearful eyes and uncovered head; with it are wrapped up and entwined memories, which while life remains to me, are undying. Memories of scenes, which are history, of comrades whom I loved. Comrades living and fallen. A few days ago the commander fell. Constantly the comrades are dropping from the line, to be mustered next, on the eternal camping ground.

But Mr. Speaker, while we speak in sorrow, may we not well remember, that though cut down in the midst of his usefulness, his life was rounded out, full and complete. He lived to see to full fruition of his highest, patriotic hopes; to see this State grow from infancy to greatness; to see his country turn from the shadows of war and the past, and with its face turned toward the risen sun of its glory sit enthroned in peace and greatness, the acknowledged sovereign of a half the world.

Humanity in all ages, while it has felt on its eyelids the sleep of death, has felt in its heart the breath of life and immortality. To one so generous and true, so ready to lay down his life for others, and that his country and its institutions should not perish from the earth, surely we can confidently look to a kind Father to give rest, and that eternal peace which is the hope and consolation of mankind.

To the bereaved family the hearts of his old comrades go out in sorrow. Let the grateful sympathy of Iowa be spoken, and may the hand of a loving and infinite Father uphold and sustain, and His everlasting arms be around them.

The Senate returned to the Senate chamber.

At 4:15 o'clock the consideration of Senate File No. 78 was resumed.

Senator Larrabee moved to amend by striking out the words, "or for future delivery" in fourth line of section 1.

Senator Carson offered the following amendment after the word "margins" in fourth line, section 1, the words, "on fictitious contracts."

Accepted.

Senator Bloom moved that the bill be referred to the Committee on Judiciary, and that they be instructed to report the same back to the Senate so that it be made the special order for Tuesday afternoon, Feb. 26th, at 2:30 o'clock.

Carried.

#### CONCURRENT RESOLUTION.

Senator Wilkin offered the following concurrent resolution:

*Resolved by the Senate, the House concurring,* That the Capitol Commissioners are hereby directed to report to the General Assembly at the earliest day practicable, an estimate of the expense of grading and placing in proper order the grounds surrounding the capitol and providing therefor appropriate walks, conveniences and ornamentalions. And they are authorized to call to their aid such competent person or persons as they may deem necessary in order to furnish reliable estimates.

Adopted.

Senator Logan, by leave, called up House File No. 10, which was read a first and second time and referred to the Committee on Public Lands.

#### REPORTS OF COMMITTEES.

Senator Caldwell presented the report of the Visiting Committee to the Hospital for Insane at Mt. Pleasant, which was ordered printed.

Senator Miles presented the report of the Visiting Committee to Institution for Deaf and Dumb.

Ordered printed.

Senator Hemenway, from the Committee on Judiciary, submitted the following report.

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 169, a bill for an act in relation to the Sixth Judicial Circuit of the State, subdividing the same, providing for the appointment and election of Judges of the Circuit Courts therein, and defining the powers and duties 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 referred to the Committee on Judicial Districts.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Senator Donnan asked leave to take up House File No. 199.

It was taken up, read a first and second time and referred to the Committee on Appropriations.

#### REPORTS OF COMMITTEES.

Senator Graves, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 88, a bill for an act to provide for the appointment of marshals in cities of the first class, beg leave to report that they have had the same under consideration, have made one amendment thereto, and have instructed me to report the same back to the Senate with the recommendation that as amended the same do pass. The amendment is as follows, viz.: After the word "State," in second line of printed bill, in section 1 (one) thereof, insert the following, viz.: "and having a population of not less than 22,800, by the United States census of 1880."

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 47, a bill for an act regulating the grades, width and alignment of streets, and the recording of plats of additions to, or subdivisions of, lands in incorporated cities and towns, beg leave to report that they have had the same under consideration, have made sundry amendments thereto, and have instructed me to report the same back to the Senate with the recommendation that as amended the same do pass. After the word "situate," in line two of section 2, insert the words "or if there be no such officer from the committee of the city council or board of trustees thereof, having charge of the streets or alleys therein." And after the word "engineers," in first line of section five, insert the words "or committee of city council or board of trustees as aforesaid."

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 92, a bill for an act to amend section 1 of chapter 95, of the acts of the Sixteenth General Assembly relating to loans for cities and 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.

J. K. GRAVES, *Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By Senator Poyneer for Senator Hutchison, Senate File No. 232, a bill for an act to legalize certain ordinances of the town of Eddyville.

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

#### REPORT OF COMMITTEE.

Senator Chambers, from the Committee on Penitentiary submitted the following report:



MR. PRESIDENT—Your Committee on Penitentiary, to whom was referred Senate File No. 79, a bill for an act to establish an institution for females, to be known as the Iowa industrial school and reformatory prison for females, beg leave to report 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 same be referred to the Committee on Reform Schools.

J. C. CHAMBERS, *Chairman.*

Ordered passed on file.

At 6:20 o'clock, on motion of Senator Gault the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, February 21, 1884. }

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

Prayer by Rev. C. M. Brink.

Journal of yesterday read and approved.

PETITIONS, MEMORIALS, ETC.

Senator Abraham offered a petition from citizens of Henry county for woman suffrage.

Referred to Committee on Constitutional Amendments.

Senator Stephens offered a petition of same character from citizens of Union county.

Referred to same Committee.

Senator Caldwell offered a petition from citizens of Iowa for protection of sheep and other domestic animals.

Referred to Committee on Agriculture.

Senator Caldwell offered a petition from 225 citizens of Audubon, Shelby and Cass counties for the education of J. W. Hallock.

Referred to Committee on Appropriations.

Senator Sudlow offered a petition from citizens of Iowa for the protection of sheep and domestic animals.

Referred to Committee on Agriculture.

Senator Miles offered a petition from citizens of Iowa for instruction in the character of alcohol, etc.

Referred to Committee on Schools.

Senator Henderson offered a petition of same character from citizens of Linn county.

Referred to same Committee.

Senator Nichols offered a petition from Norton Seminary, of Milton, and teachers of Muscatine county of same character.

Referred to same Committee.

Senator Nichols offered a petition from citizens of Alataessa for equal suffrage.

Referred to Committee on Constitutional Amendments.

Senator Robinson offered a petition from the State Horticultural Society for instruction in the elementary principles of botany and chemistry.

Referred to Committee on Normal Schools.

Senator Sutton offered a petition from over 3,000 citizens of Iowa for instruction in the character of alcohol, etc.

Referred to Committee on Schools.

Senator Carr offered a petition from citizens of Davis and adjoining counties for protection of sheep and domestic animals.

Referred to Committee on Agriculture.

Senator Brown offered a petition from citizens of Keokuk county for woman suffrage.

Referred to Committee on Constitutional Amendments.

Senator Hall offered a petition from citizens of Des Moines county for a reformatory prison for women.

Referred to Committee on Reform Schools.

Senator McDonough offered a petition from citizens of Decatur county on same subject.

Referred to same Committee.

Senator McDonough offered a petition from citizens of Iowa for the protection of sheep and other domestic animals.

Referred to Committee on Agriculture.

Senator Hunt offered a petition from citizens of Adams county for woman suffrage.

Referred to Committee on Constitutional Amendments.

Senator Hunt offered a petition from citizens of Cass county for a reformatory prison for women.

Referred to Committee on Penitentiary.

#### INTRODUCTION OF BILLS.

By Senator Whaley, Senate File No. 15, a bill for an act to amend section 4611 of the Code, in relation to the liberation of poor convicts.

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

By Senator Graves, Senate File, No. 234, a bill for an act to amend chapter 9, title 11 of the Code of 1873, in relation to bank statements.

Read a first and second time and referred to the Committee on Banks and Banking.

By Senator Eastman, Senate File No. 235, a bill for an act to repeal section 10 of chapter 70, of the laws of the Sixteenth General Assembly, and enact a substitute therefor.

Read a first and second time and referred to the Committee on Retrenchment.

By Senator Nichols, Senate File No. 236, a bill for an act to legalize the incorporation and certain acts of the town of West Liberty, Muscatine county, Iowa.

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

By Senator Gault, Senate File No. 237, a bill for an act to legalize the incorporation of the town of Cincinnati, in Appanoose county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town.

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

By Senator Sudlow, Senate File No. 238, a bill for an act amending sections 835, 836, 837, 843, 853, 857, 865, 866, 871, 883, 886, 890, 906, 908, 913, 914, and 916 of the Code, relating to the assessment and collection of taxes and security of the revenue, and repealing section 73 of the Code.

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

By Senator Robinson, Senate File No. 239, a bill for an act to provide for the teaching of the elementary principles of botany and chemistry in the common schools of the State.

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

By Senator Miles, Senate File No. 240, a bill for an act repealing section 4461, and enacting a substitute therefor.

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

By Senator Chubb, Senate File No. 241, a bill for an act to establish a uniform inch gauge of cream.

Read a first and second time and referred to the Committee on Agriculture.

By Senator Caldwell, Senate File No. 242, a bill for an act to repeal section 4018, chapter 9, title 24, of the Code, and to enact a substitute therefor.

Read a first and second time and referred to the Committee on State University.

By Senator Hendrie, Senate File No. 243, a bill for an act to repeal section 1214, chapter 2, title 10, of the Code, in relation to drains and ditches, and to enact a substitute therefor.

Read a first and second time and referred to the Committee on Internal Improvements.

By Senator Logan, Senate File No. 244, a bill for an act for the determination of vacancies of State officers.

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

By Senator Hall, Senate File No. 245, a bill for an act to amend section 489, title 4, chapter 10, Code, by providing for the approval of ordinances and resolutions, or orders, for the appropriation or payment of money by mayors of cities and towns.

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

By Senator Hall, Senate File No. 246, a bill for act relating to claims for injuries against cities.

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

By Senator Hall, Senate File No. 247, a bill for an act to amend

section 1, chapter 162, acts of Seventeenth General Assembly, providing for the construction of sewers, by striking out a portion thereof.

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

By Senator Hall, Senate File No. 248, a bill for an act to suppress the sale of fish in spawning season.

Read a first and second time and referred to the Committee on Fish and Game.

By Senator Kamrar, Senate File No. 249, a bill for an act in relation to election of warden of the Ft. Madison Penitentiary.

Read a first and second time and referred to the Committee on Elections.

By Senator Cassatt, Senate File No. 250, a bill for an act relating to conductors on steam railways.

Read a first and second time and referred to the Committee on Railways.

By Senator Cassatt, Senate File No. 251, a bill for an act concerning conductors on steam railways.

Read a first and second time and referred to the Committee on Railways.

By Senator Chubb, Senate File No. 252, a bill for an act to amend section 1112 of the Code of 1873, relating to the membership money of county and district agricultural societies.

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

By Senator Rothert, Senate File No. 253, a bill for an act to provide for union depots.

Read a first and second time and referred to the Committee on Railways.

By Senator Rothert, Senate File No. 254, a bill for an act making appropriations for the improvement of the Iowa Penitentiary at Fort Madison.

Read a first and second time and referred to the Committee on Appropriations.

By Senator Rothert, joint resolution No. 13, for the relief of the heirs of John Elder.

Read a first and second time, ordered not printed, and referred to the Committee on Public Buildings.

By Senator Eastman, joint resolution No. 14, in reference to duty on wool and the tariff.

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

#### CONCURRENT RESOLUTION.

Seator Graves introduced the following concurrent resolution:

*Be it resolved by the Senate, the House concurring,* That a joint session of this General Assembly be held in the hall of the House of Representatives, on February 22d instant, at 3 o'clock, P. M., to wit-

nes; the presentation of the portrait of Ex-Governor and United States Senator, James W. Grimes to the State of Iowa.

Adopted.

#### HOUSE MESSAGES.

Senate concurrent resolution relating to printing of Inaugural and Dedicatory addresses was taken up, and on motion of Senator Hall the subject-matter was referred to Committee on Printing, with request that they report by bill or otherwise so that such a number may be printed as they deem proper.

#### SPECIAL ORDER.

Senator Bills moved that Senate File No. 18, be made the special order for 2:15 o'clock, P. M., next Thursday.

Carried.

Senator Hall moved that Senate File No. 9, be made the special order for 4 o'clock this P. M.

Carried.

#### HOUSE MESSAGES.

House File No. 90, relative to Canada thistles, was taken up, read a first and second time, and referred to Committee on Agriculture.

House File No. 198, relative to legalizing the incorporation of the town of Oxford Junction, Jones county, Iowa, was taken up, read a first and second time, and referred to Committee on Judiciary.

House File No. 172, relative to authorizing the appointment of an agent to select certain lands along the line of the railroad from McGregor to Sheldon, was taken up, read a first and second time, and referred to Committee on Public Lands.

House File No. 56, relative to providing for selling, leasing and patenting the lands belonging to the Iowa State Agricultural College Farm, was taken up, read a first and second time, and referred to Committee on Agricultural College.

House Joint Resolution No. 14, relative to a Branch House for disabled soldiers, was taken up, read a first and second time, and referred to Committee on Military.

House File No. 243, relating to legalizing the acts of D. B. Harmon, as notary public, in Clay county, was taken up, read a first and second time, and referred to Committee on Judiciary.

House File No. 31, relative to legalizing the acts of the board of supervisors of Crawford county in the establishment of roads, was taken up, read a first and second time, and referred to Committee on Judiciary.

House File No. 42, relative to legalizing the town plat of Manly Junction, Iowa, was taken up, read a first and second time, and referred to Committee on Judiciary.

House File No. 3, relative to legalizing the acts of Jas. E. Bennett, a justice of the peace in and for Jamestown township, Howard county,

Iowa, was taken up, read a first and second time, and referred to Committee on Judiciary.

House File No. 41, relating to selling or concealing mortgaged property, was taken up, read a first and second time, and referred to Committee on Judiciary.

House File No. 45, relative to amending chapter 147 of the acts of the Nineteenth General Assembly, relating to the bonding of county indebtedness, was taken up, read a first and second time, and passed on file.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 59, a bill for an act providing for holding terms of the district and circuit courts at Avoca, in the county of Pottawattamie, in the thirteenth judicial district of State of Iowa, and defining the territorial jurisdiction of said court, and restricting that of the corresponding court to be held at Council Bluffs in said county of Pottawattamie.

And I am directed to present to you for signature enrolled bill of House File No. 19, a bill for an act to legalize the town council of the town of Riverside, and their official acts.

And the House has indefinitely postponed Senate File No. 140, a bill for an act to provide for the superintendence of the janitor force of the new capitol during the session of the Twentieth General Assembly.

SIDNEY A. FOSTER, *Clerk.*

House File No. 33, relative to legalizing the acts of the incorporated town of Murray, Clarke county, Iowa, was taken up, read a first and second time and referred to the Committee on Judiciary.

House File No. 21, relative to legalizing the incorporation ordinances and acts of the officers of the incorporated town of Belmont, Wright county, Iowa, was taken up, read a first and second time, and referred to the Committee on Judiciary.

House File No. 63, relating to amending section 2, of chapter 156, of the laws of the Seventeenth General Assembly, etc., was taken up, read a first and second time and referred to the Committee on Judiciary.

House File No. 194, relative to amending section 4039 of the Code of 1873, relating to spread of small pox, was taken up and referred to Committee on Medicine, Surgery and Hygiene.

House File No. 59, providing for holding terms of the circuit court at Avoca, Pottawattamie county, Iowa, etc., was taken up, read a first and second time and referred to the Committee on Judiciary.

House File No. 74, relative to protecting and preserving the fish in the permanent lakes and ponds within the State of Iowa, was taken

up, read a first and second time and referred to the Committee on Fish and Game.

## 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. 108, a bill for an act to amend section 2078, chapter 2, of the Code, relative to the legal rate of interest, beg leave to report that they 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 Banks and Banking.

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 20, a bill for an act to amend section 791, title 5, chapter 10, of the Code, relating to exemptions of property 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 not pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 43, a bill for an act to amend section 312, of chapter 2, title 4, of the Code, relative to the erection of public buildings, beg leave to report that they have had the same under consideration, and after amending it by striking out the last word "twenty," in section 2, and substituting therefor the word "fifteen," have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 46, a bill for an act to amend section 12, chapter 2, of the Code of 1873, relating to stationery beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 49, a bill for an act making appropriation to the Iowa Prisoners Aid Association, beg leave to report that they have had the same under consideration, and have instructed me

to report the inclosed substitute back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 37, a bill for an act to prevent the use of free passes on the railroads by public officers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Railroads.

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 28, a bill for an act to amend chapter 147 of the acts of the Nineteenth 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.

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committte on Ways and Means, to whom was referred Senate File No. 187, a bill for an act to amend sections 1487 and 1488, chapter 3, title 11, Code of 1873, relating to bounty on wild animals, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 16, a bill for an act to pay postage on public documents, letters and papers, beg leave to report that they have had the same under consideration, and have instructed me to report the inclosed substitute back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 167, a bill for an act to legalize the official acts of John Cook, a justice of the peace in and for Clinton 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.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was re-



ferred Senate File No. 90, a bill for an act to relinquish and reconvey to the United States all lands and rights to lands, granted to the State of Iowa by the acts 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 the State of Iowa," approved May 12, 1864, which have not been earned pursuant to the provisions of said act, beg leave to report that they have had the same under consideration, and a majority of your 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.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 196, a bill for an act to repeal section 230 of the Code and to enact a substitute therefor, in relation to jurors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 72, a bill for an act to legalize and correct errors in the proceedings and acts incorporating the town of Baldwin, in Jackson county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 164, a bill for an act to exempt from judicial sale the pension money paid to any person by the United States government, and certain of the proceeds and accumulations 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.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred joint resolution No. 10½, in relation to the 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 said joint resolution be adopted.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 50, a bill for an act to legalize certain ordinances of the town of Vail, beg leave 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.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 27, a bill for an act to legalize the levy of certain taxes of the independent school district of Monticello, in Jones county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that, in the opinion of the committee, the statute referred to is only directory, and that the levy of said taxes is good.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 220, a bill for an act to amend section 3125 of the Code, in relation to the sale of real estate under exemption, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the words "one hundred," in the third line from the bottom, be stricken out, and that the word "sixty" be inserted in its stead, and that as amended it do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 216, a bill for an act in relation to chattel 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.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 82, a bill for an act to make bonds and undertakings for the security of minor heirs liens upon real estate, amendatory of Code, chapter 5, title 15, beg leave to report that they 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 committee have reported a bill covering the same ground.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT**—Your Committee on Judiciary, to whom was referred Senate File No. 100, a bill for an act to legalize the incorporation of the town of Fonda, in the county of Pocahontas, Iowa, and the ordinances, and the elections, and acts of the officers thereof, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Senator Eastman, from the Committee on Retrenchment and Reform, submitted the following report:

**MR. PRESIDENT**—Your Committee on Retrenchment and Reform, to whom was referred Senate File No. 55, a bill for an act repealing chapter 50 of the laws of 1874, chapter 70 of the laws of 1876, chapter 80 of the laws of 1878, and chapter 156 of the laws of 1880, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

E. W. EASTMAN, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT**—Your Committee on Retrenchment and Reform, to whom was referred Senate File No. 94, a bill for an act to amend section 368, chapter 7, title 4, Code of 1873, relating to the compensation of surgeons or physicians in coroner's inquests, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

E. W. EASTMAN, *Chairman.*

Ordered passed on file.

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

**MR. PRESIDENT**—Your Committee on Schools, to whom was referred Senate File No. 97, a bill for an act to provide for the exclusive use of the English language in the 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 be indefinitely postponed.

J. G. HUTCHISON, *Chairman.*

Ordered passed on file.

Also:

**MR. PRESIDENT**—Your Committee on Schools, to whom was referred Senate File No. 162, a bill for an act conferring additional powers upon the electors of school districts and presenting the duties of certain officers 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 not pass.

J. G. HUTCHISON, *Chairman.*

Ordered passed on file.

Senator Brown, 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. 136, a bill for an act to amend section 382, chapter 9, title 4, Code of Iowa, relative to the division of township, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate recommending the accompanying substitute therefor, and that the substitute be adopted, and when so adopted it do pass.

BROWN, *Chairman.*

Ordered passed on file.

Senator Kamrar, 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 Senate File No. 186, a bill for an act to amend sections 277 and 3800 of the Code, and to make other provisions in relation to county surveyors, beg leave to report that they have had the same under consideration, and have instructed me to report the following substitute back to the Senate, with the recommendation that it do pass.

J. L. KAMRAE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 154, a bill for an act to repeal sections 3781, 3783 and 3787, title 23, chapter 2, of the Code, and section 1 of chapter 184, of the laws of the Eighteenth General Assembly, and enacting a substitute therefor, relating to the fees of the clerk of the 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 indefinitely postponed.

J. L. KAMRAE, *Chairman.*

Ordered passed on file.

Senator Rothert, from the Committee on Railways submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 10, a bill for an act to amend section 1061, chapter 1, of the Code of 1873, in relation to corporations for pecuniary profits, beg leave to report 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.

HENRY W. ROTHERT, *Chairman.*

Ordered passed on file.

Senator Graves, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 42, a bill for an act granting additional powers to cities and incorporated towns, with reference to

the construction of sewers, and to provide for the payment of the costs of the same, and to amend chapter 162 of the acts of the Seventeenth General Assembly, beg leave to report that they have had the same under consideration, have made sundry amendments thereto, and have instructed me to report the same back to the Senate with the recommendation that as amended the same do pass.

These amendments are as follows, to wit:

In the first line (printed bill), and running into the second line of the title, strike out the words "cities and incorporated towns," and insert in lieu thereof "certain cities of the first class." In the first line of section 9 (printed bill), strike out altogether the word "such," after the word "any," and after the word "city," in the same line, strike out the words "or incorporated town," and insert in lieu thereof the words "of the first class."

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 7, a bill for an act granting additional powers to cities and incorporated towns with reference to the improvements of streets, highways, avenues or alleys; to provide a system for the payment of said improvements, and to repeal chapter 51, of the acts of Thirteenth General Assembly, beg leave to report that they have had the same under consideration, have made sundry amendments thereto, and have instructed me to report the same back to the Senate with the recommendation that, as amended, the same do pass. Said amendments are as follows, to-wit: in the title strike out the words "cities and incorporated towns," after the word "to," in first line of printed bill, and insert the words "certain cities of the first class" in lieu thereof. And, in the last line of the title strike out, in printed bill the word "Thirteenth" and insert in lieu thereof the word "Fifteenth."

In the first line of section 1, after the word "that" in printed bill, strike out all to the word "be" in second line, and insert in lieu thereof, the words "chapter 51 of the Fifteenth General Assembly." After the words "that cities" in first line of section 2, printed bill, insert the words "of the 1st class having a population of not less than 18,000, nor more than 18,200, by the national census of 1880." In line 18, of section 4, printed bill, strike out the word "sixty" and insert in lieu thereof "ninety." In line 19 of same section, strike out the word "three" and insert "four." In line 20 of same section, strike out the word "four" and insert "six," and the word "five" and insert "eight" in lieu thereof, strike out the whole of section 7 printed bill, and insert in lieu thereof as a substitute therefor the following hereto appended, and marked exhibit "F."

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Senator Abraham, from the Committee on Hospitals for the Insane, submitted the following report:

MR. PRESIDENT—Your Committee on Hospitals for the Insane, to whom was referred Senate File No. 107, a bill for an act to amend section 1384, chapter 2, title 11, of the Code of Iowa, in relation to

care for the insane, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

ABRAHAM, *Chairman.*

Ordered passed on file.

Senator Caldwell, from the Committee on Medicine, Surgery and Hygiene, submitted the following report:

MR. PRESIDENT—Your Committee on Medicine, Surgery and Hygiene, to whom was referred Senate File No. 132, a bill for an act to repeal sections 5 and 6, chapter 151, acts of the Eighteenth General Assembly, relating to the registration of births and deaths, 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 not pass.

T. J. CALDWELL, *Chairman.*

Ordered passed on file.

Senator Miles, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate File No. 144, a bill for an act to repeal section 1091 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 Private Corporations.

LEWIS MILES, *Chairman.*

Bill so referred.

Also:

MR. PRESIDENT—Your Committee on Mines and Mining to whom was referred Senate File No. 93, a bill for an act to amend sections 2, 3, 4, 7, and 11, and to repeal sections 8, 9, 10, 13, 14, and 19, of chapter 202, acts of Eighteenth General Assembly, and to enact substitutes therefor, relating to mines and the operating of mines, beg leave 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.

LEWIS MILES, *Chairman.*

Ordered passed on file.

Senator Miles moved that Senate File No. 93 be made the special order for 2:15 o'clock next Wednesday afternoon, and so continue until disposed of.

Senator Hutchison moved to amend by substituting Friday in place of Wednesday.

Amendment lost.

Motion carried.

Five hundred copies of the substitute were ordered printed.

#### REPORTS OF COMMITTEES.

Senator Wilkin, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred joint resolution No. 11, relative to the assignment of rooms in the new Capitol, beg leave to report 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 same be amended so as to assign rooms 19 and 20 in the basement story to the State Board of Health, and that when so amended the joint resolution do pass.

ELI WILKIN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred the concurrent resolution offered by Senator Eastman, relative to the removal of the confectionery stand near the east entrance of the Capitol, beg leave to report 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 consideration thereof be indefinitely postponed.

ELI WILKIN, *Chairman.*

Ordered passed on file.

Senator Stephens submitted the report of the visiting committee to the State Normal School.

Ordered printed.

Senator Glass submitted the report of the visiting committee to the Reform School at Eldora.

Ordered printed.

Senator Barrett submitted the report of the visiting committee to the Asylum for Feeble Minded Children at Glenwood.

Ordered printed.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has concurred in Senate concurrent resolution relative to the presentation to the State of Iowa of the portrait of Ex-Governor and United States Senator J. W. Grimes.

SIDNEY A. FOSTER, *Clerk.*

#### BILL ON SECOND READING.

Senate File No. 81, a bill for an act to provide for the publication of the annual proceedings of the Iowa Improved Stock Breeders' Association, was taken up and the report of the committee adopted.

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

Carried.

The bill was read a third time.

The question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown,

Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—47.

The nays were none.

Absent or not voting:

Senators Logan, Russell, and Ryder—3.

So the bill passed and the title was agreed to.

Substitute for Senate File No. 9, a bill for an act establishing the Supreme Court at the capital of the State, and fixing the terms thereof, was taken up.

Senator Hall moved the substitute be adopted.

Senator Kamrar moved to amend by inserting after the word court in the fourth line of page 2, "to be paid out of the contingent fund of the court, on the order of the chief justice."

Lost.

Senator Whaley moved to amend by striking out "of 1873" after the word Code.

Carried.

Senator Robinson moved to amend by striking out in third and fourth line of section 2, the words, "and they shall receive the same compensation as is allowed to bailiffs authorized in the District Court," and insert, "and they shall receive as compensation two dollars per day, to be paid out of the contingent fund of the court on the order of the chief justice."

Carried.

Senator Brown moved to amend as follows: In section one add, after the word "ordered," the words, "or unless the cause is continued for further consideration."

Lost.

Senator Bills moved to amend by adding to the end of line one the words, "after the first day of September, 1885, the Judges of the Supreme Court shall reside at the seat of government."

#### REMONSTRANCES.

Pending discussion, Senator Marshall, by leave, offered a remonstrance from citizens of Chickasaw county against locating the Supreme Court at Des Moines.

Senator Johnson offered a remonstrance from citizens of Jackson county of the same character.

Senator Robinson moved to amend the amendment offered by Senator Bills by adding to section 1 the following: "All Judges of the Supreme Court hereafter elected or appointed, shall, during their terms of office, reside at the seat of government."

Pending discussion at 6 o'clock, Senator Clark moved that the Senate adjourn, and that this special order continue after reading the journal to-morrow.

Carried.

Senate adjourned.



SENATE CHAMBER.  
DES MOINES, IOWA, February 22, 1884. }

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

Prayer by Rev. J. E. Rouse.

Pending reading of the journal, Senator Hall moved further reading be dispensed with.

Carried.

SPECIAL ORDER.

The special order being the substitute for Senate File No. 9 it was taken up.

The question being upon the amendment of Senator Robinson, offered yesterday, it was lost.

Amendment of Senator Bills lost.

Senator Graves offered a substitute.

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. 104, a bill for an act to prohibit the selling or giving of fire arms to minors.

Also, House File No. 96, a bill for an act to legalize the ordinances of the town of Neola, Iowa.

Also, House File No. 150, a bill for an act to amend section 1464 of chapter 3, of the Code, in relation to the time of taking up strays.

I am also directed to inform you that the House has concurred in the following Senate joint resolution:

Joint resolution No. 3, relative to requesting our representatives in Congress to use their influence to enact laws regulating and controlling railroads engaged in inter-state commerce.

SIDNEY A. FOSTER, *Clerk.*

REMONSTRANCES.

Senator Graves presented a remonstrance, signed by 2,000 citizens of Dubuque county, against the location of the supreme court at Des Moines.

Senator Sutton offered the following amendment to the substitute: "That Marshalltown, Keokuk, Ft. Dodge and Clarinda, be added to the places where terms of the supreme court shall be held, at such times and for such counties, as said court shall direct."

Senator Larrabee presented a remonstrance from citizens of Allamakee county against the location of the supreme court at Des Moines.

Senator Donnan moved that this matter be referred to a special committee consisting of Senators Rotherbert, Hall, Bills, Graves, Sutton, Carson, Clark, Hutchison and Whiting.

At 3 o'clock, P. M., the President requested the Senate to accompany him to the hall of the House of Representatives.

#### JOINT ASSEMBLY.

Lieutenant-Governor Manning took the chair and said:

#### *Senators and members of the House of Representatives:*

You have met in pursuance of a concurrent resolution, passed by the two houses of this legislature, to witness the presentation to the State of Iowa of a portrait of one of her most illustrious and distinguished sons, the Hon. James W. Grimes.

Governor Sherman and Senator Graves then stepped to the front of the portrait, which had been placed in position immediately in front of the clerk's desk, the Governor standing at the left and the Senator to the right of the picture.

Senator Graves said:

GOVERNOR SHERMAN—Mrs. James W. Grimes, of Burlington, has requested me to present, through you, to the State of Iowa, this portrait of her late husband. This duty is a pleasant one, as it gives our commonwealth the familiar features of one who deeply loved her; largely shaped her destiny, and devoted his life to her best interests and the Nation's welfare and prosperity.

This portrait, painted by one of our most gifted artists of national fame, George A. Baker, Esq., of New York, presents the life-like features of Senator Grimes with almost perfect fidelity, and we now view that beloved face as we saw it in life.

Although to the older citizens his name is as a household word, yet those whose residence dates from a recent period may not be so intimately familiar with his public life and services, and hence it seems appropriate now briefly to recount them:

James W. Grimes was born and reared amidst the granite hills of New Hampshire. He entered Dartmouth College in 1832, when sixteen years of age, and came to this section of country to live in 1836, settling in Burlington, which ever after remained his home.

He was Assistant Librarian of the Legislative Assembly of Wisconsin Territory, which assembled in Burlington, in 1838, at which time he was also a justice of the peace and a member of the Burlington bar. He was a member of the first and sixth sessions of the Legislative Assembly after Iowa Territory had been formed, and a member of the fifth session of the General assembly after Iowa had become a State.

He was a delegate to the Whig National Convention of 1848, which nominated Gen. Zachary Taylor as its candidate for President of the

United States. In 1854 he was nominated by the Whigs of Iowa as their candidate for Governor, and after making a brilliant canvass of the State was triumphantly elected.

He was largely instrumental in securing the geological survey of our State, and the establishment of many of our existing public institutions. He was of infinite service in developing the latent resources of this country, and the earnest friend of railroads, turnpikes and other needed public improvements. He was an enthusiastic friend to our educational interests, and the library at Burlington stands as a living monument to his thoughtful foresight and generosity.

He was bitterly opposed to slavery, and fought the Kansas-Nebraska bill with unflinching energy. In 1859 he took his seat in the United States Senate, in obedience to the wishes of the people of Iowa. As a member of the Naval Committee, and its chairman from 1864, he proved a veritable Titan, and literally wore his life away in promoting the efficiency of our navy. The arsenal at Rock Island was located mainly through his efforts. He was the firm friend and confident of our martyred Lincoln, and believed the surest way to save the nation was to vigorously enforce its laws.

He was the father of Republicanism in Iowa, and by his vote and his voice on the floor of our National Senate, aimed to uphold the banner of his faith at all times and under all circumstances. He was always faithful to his convictions of right, truth and justice, and under this impulse was brave enough to vote against the impeachment of Andrew Johnson. For this act he was, in the heat of the hour, bitterly assailed, but he bore the censure with that same degree of Christian fortitude which marked his entire life. A careful examination of the evidence of that trial, as revealed by the dispassionate pages of history, will convince every reader that Senator Grimes voted right, and in accordance with the evidence; yet in those days he must indeed have been a true man, who, rising above political clamor, could so vote despite the appeals of his fellow men, influenced by the bitterness of the hour, which seemed most imperatively to demand a victim for sacrifice. To me his whole course and final vote on that trial stands out as the truest and grandest of his whole life. Worn out with public duties he visited Europe in 1869, hoping with rest and quiet to regain his shattered health. Here he remained until finding himself unable to return to the path of duty, he forwarded his resignation as Senator to the Governor of Iowa, and became a private citizen. Returning home, he became suddenly ill and died on the night of February 7th, and was buried in Aspen Grove Cemetery, Burlington, February 11, 1871.

This briefly is the history of Senator Grimes' eventful life.

He had a genius for public affairs, which, coupled with practical wisdom and indomitable energy, made him one of the invaluable giants of those earlier days, when what now constitutes the State of Iowa was being opened up to civilization and cultivation. The impress of his mind is indelibly stamped upon our public institutions. No dishonor ever attached to his name and it stands to-day as it always stood, the synonym for sterling honesty.

His voice was ever raised in defense of the right, and as constant

as the polar star in pointing out to the people, the sure and safe path to peace and prosperity.

In a republic like ours where all men exercise political influence and power, the prevalence of correct views and principles on political subjects is essential to the welfare of the State.

Senator Grimes occupied no uncertain ground upon any subject. Imbued with clearly defined and well grounded convictions, he proclaimed his views boldly and never permitted party ties, or any other consideration, to warp his personal judgment.

His efforts to stem and abridge the tide of slavery, at a time when many of the faithful faltered, and stood appalled at the lawless condition of affairs along the southern and western borders of Iowa, is of itself sufficient to canonize his memory amongst the friends of freedom everywhere.

His efforts in aid of our Union soldiers; the herculean task he performed in strengthening the naval resources of our Government; the progressive steps he ever favored to crush treason and make it odious, and his inspiring words of assurance as to the final result of the bloody conflict when words were so sorely needed, entitle his memory to the grateful homage of the people, and the citizens of Iowa will prize and cherish this portrait, and guard it with zealous care.

Senator Grimes was a statesman in the truest sense of the word. His great object was to make the world brighter and purer and better. He fought in the political arena for principle always. The spoils of victory nor its laurels never challenged his attention, save as they might serve for renewed effort in the cause of truth, justice and humanity. Such men merit the public gratitude, whatever be their political positions, and I am proud to know that so brave and true a man was born in my own native State, and added so largely to the prosperity and renown of Iowa, the State of our adoption. The story of his life has been written and should be carefully read by the youth of our State, in whose welfare he ever manifested deep interest. The influence of such lives elevate humanity, brighten and illumine the world, leaving sacred memories which become more bright and radiant as time wears on, and continue to grow in beauty as we grow in years.

His life, bright and pure, yet brief, should guide us "as an angel's wing through the opening cloud," in our journey through life to the great shores of eternity.

Though he has gone to his reward and we shall meet him no more on earth, yet his noble efforts in behalf of his fellow men still live and will continue to live forever!

Governor Sherman, on behalf of the State, accepted the portrait in the following language:

SENATOR—I have listened with peculiar and solemn interest to your eloquent remarks in presenting this portrait of the late Governor and Senator Grimes, than whom the State has furnished no greater or more distinguished man. I do but voice the sentiment of all our people when I say we are glad in its possession, and I beg you will convey to Mrs. Grimes their grateful acknowledgments for her generous and magnificent gift. It is ordered that this portrait have conspicuous position in the executive rooms of the capitol of

Iowa, there to remain, as well a pleasure to those who knew him in life and were personally cognizant of his great service to the State and his conspicuous abilities as a man and statesman, in thus beholding the features once so familiar to the people, and to satisfy the great desire of the many thousand Iowans who knew him only through his written history and have longed to see the semblance of his form preserved, but also to testify the appreciation of the State in the memory of one of the most illustrious citizens.

All you have said of him, warm and glowing though the words have been, does not yet overstep the high meed of praise due his memory. James W. Grimes was a very giant in mental and political stature, and his leadership during the stirring events of the years 1854-1859, comprising as they did the most thrillingly important in the history of the State and nation, and in respect to all public affairs, was everywhere conceded. No man in high official position ever labored with more earnest or zealous care for the betterment of the people, and the whole people, than did Governor Grimes; and well may it be said of him that no matter the requirement, whether as citizen or Governor of his State or Senator of the United States he was always at his post, armed for the occasion and equal to the emergency. He was indeed a leader of men. He occupies in history the enviable position of having been the first elected Governor of this now great Commonwealth who hold the advanced ideas relative to the equality of all men before the law and in support of their equal rights thereunder, and in denial of the color-line as the basis of the elective franchise. His vigorous protests against color discrimination and in combating the destructive idea of the right of any State to dissolve its connection with the Federal Union—a doctrine now repudiated by the entire nationality—remains to the memory of the people the most beautiful segment on the wreath with which his admiring countrymen encircled his brow. Uncompromising in his convictions of right, he was fearless and resolute in denunciation of that which he believed to be wrong. A generous antagonist, a bold, manly warrior who met the foe always in the front, and despised the tricks of the coward who stabs his opponent in the back. Governor Grimes was high in the esteem of the whole country. Such was his character and his manly attributes, and this the memory he has left behind. No words of mine can add to the lustre of his fame. His name is written on the pages of his country's history, on the tablet of the affections of the people whom he knew and loved so well, and I am content to leave him, in full view, in the high position his great genius and public services merit him.

On behalf of the citizens of the State, I accept this gift and render the generous donor our grateful thanks for this portrait of our foremost fellow citizen, Governor James W. Grimes, late United States Senator from Iowa.

When Governor Sherman had closed Senator Hall arose and spoke as follows:

MR. PRESIDENT—It is with a degree of diffidence and hesitation that I take occasion to express my sentiments, my high respect for the distinguished statesman and citizen whose memory is in this manner after a decade so vividly recalled to the consideration of the

Representatives of the State he served so well. I feel, however, unable to speak in sufficient eulogy of the man, or of his history and his works. I feel further, Mr. President, that owing to the fierce differences between parties and the political consideration prevailing during the earlier periods of my life, that I may perchance not be able to do him the justice which I feel in my heart should be done him. In earlier years I was not taught, in the fierce contest between political parties, to look upon him with favorable consideration. But maturer years, experience, and the mellowing results of maturity have taught me that it is safe and also well to look for great qualities, great faculties and pure motives in those whom we regard politically as our enemies. Mr. President, looking back to-day to the fierce times and the fiercer struggles of the past, I deem it may be appropriate that some words should come from the representative of the county which was his home from the time he first set foot in Iowa until his death, and that a tribute should be paid his memory by one who there once regarded him as a political adversary. I knew him intimately, and I watched as all young men anxious to keep acquainted with the history and progress of their country or its course should do, his political life and variety and usefulness of his works. And perhaps it may be well at the outset to point out that the life of a great man that has closed in death, and is slowly receding upon the sea of time, is like a continent or an island with its curious outlines, with its many grand features, many of which after all are not fully appreciated or fully understood. But the first fact which will strike any one who undertakes to consider the life of James W. Grimes, is that he was a typical American, that he was wholly a self-made man, and that what he was and what he is, has been due to his own efforts and exertions, and the grand and glorious opportunities presented in our free and glorious land; where every avenue to grandeur and position is open to all who have the will and energy to avail themselves of them. Upon this occasion, if there be any one thought that may be impressed upon us; if the youth of the land may be induced to behold and consider the stature of such a man, beginning as he did, growing as he did, and ending as he did; if there be anything on earth that can arouse and justify the efforts, zeal and intellectual endeavor, such a life as this ought to be an incentive. Perhaps no other man ever had the opportunity and used it with the avail that Senator Grimes did to form and mould the State and its institutions. As has been said by the speaker who preceded me, he was one of the living men in the Territorial legislation and early Territory of Iowa; and it is utterly impossible to look back to those times without finding the handiwork still preserved of this distinguished man; and when you come to the later history of the State in its foundations and in all of its superstructure, and its institutions, the same thing is true. And afterward when he passed away from the positions of trust in the State and took the high and distinguished place he did in the Senate of the United States in 1859 up to the time of his death, you find the same master hand finishing and moulding and forming the condition and affairs of the National Government. I doubt, Mr. President, if any man occupied the position of Senator of the United States whoever impressed himself in a greater degree

upon the Government in all directions and in all its parts than did Senator Grimes. He seems to have been a man of equally balanced mind, and of universal application and capacity whether in regard to the navy or the army, or the foreign relations of the Government, the courts of the country, the internal commerce, or whatever subject came before the country, the distinguished Senator made himself master of the subject, took a controlling part in its administration, and left his impress on almost every page of the history of the Nation.

But not stopping to tire you with the subject so interesting to you all, it may not be inappropriate and out of time for me to refer to another fact in his history which marked him far above his fellow men. I refer to that remarkable courage and bravery by which he was able to modify and change his long cherished opinions. You all are aware that in early life Senator Grimes had been an old line Whig, under the leadership of Clay. He had favored a protective policy, yet as years passed on his judgment became modified by experience and learning, and without the slightest hesitation, fearlessly and boldly, in the face of the objection and denunciation from many of his own party and associates, he placed himself on a more liberal platform, not in favor of free trade, but a middle ground that should reconcile itself more equitably to all conditions of society and all classes of men. And then again, in the last years of his life did he manifest the same great moral bravery in what was unquestionably one of the most remarkable scenes in our history. I refer to the impeachment trial of Andrew Johnson, President of the United States—the first, and, I trust, the last that shall ever occur in the history of this country.

Senator Grimes himself had voted for the act of Congress that restricted the tenure of office appointment in the hands of President Johnson. He had opposed the President in all of his extraordinary exercise of power. He was opposed to him politically, and it was but natural he should consider the extreme action on the part of the President as naturally productive of like extreme proceedings on the part of the Congress of the United States. It was at the time the great Executive Department of the United States was at issue with the Legislative Department of the United States. It was at a time when the country had just come out from under the darkness of one civil war, and now stood almost face to face with another. Senator Grimes at that trial laid aside, as it were, the garments of the Legislator and took those of the Judge, being a member of the High Impeachment Court. He listened to the arguments during the progress of that trial, and it has been said that he pronounced one of the most profound opinions that was pronounced by any man in the Senate, and that opinion stands to-day as a monument to his statesmanship as high as any that can be erected to him by human hands. Finally the vote was reached. Two days before the vote the Senator received a stroke of paralysis, and for a while his life was despaired of; but, determined to do his duty under the most solemn circumstances ever devolving upon men; against the protest of his physician and the wishes of his wife, he went into the portals of the Capitol to perform his duty—even though it should cost him his life he went there—

and when his name was called, the Chief Justice of the United States, Mr. Chase, stated, "The Senator from Iowa need not rise from his chair on account of his ill-health," but he insisted on rising and did rise, and when the solemn question was put: "What say you, Mr. Senator?" a hush of profound silence swept across the Senate, and he answered, "Not guilty." That vote of Senator Grimes required a courage that never finds an occasion on the battle field. On the battle field they have the stimulus of patriotism of country, and all to urge them on to deeds of courage and valor, but in the chambers of still debate, when political considerations, friendships, prosperity and future hope are in the balance, it requires more courage for a man to perform his conscientious duty sometimes, and it never was performed in a more purely unselfish and, in my judgment, more sublime manner than when he cast that vote which cost him years of life that would otherwise have been his. And to-day I doubt whether those who condemned him in those hours of struggles do not to-day respect him a hundred times more than they would but for that.

I desire to say in regard to the distinguished statesman in all the relation of life he lived quietly, modestly, without pretension, a plain, unassuming citizen, always ready to do his duty and do it faithfully, and it is well we are able to recall to our minds and consideration the life of this man, whose name is a household word in all this land; and I for one, though long opposed to him politically, trust his name may ever continue to be such.

At the close of Senator Hall's remarks the joint convention dissolved.

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### AFTERNOON SESSION.

4:15 O'CLOCK P. M.

Consideration of Senate File No. 9 resumed.

Senator Sweney moved to amend the amendment of Senator Donnan, so that this committee may consider the city of Osage among the places for locating the supreme court.

Senator Sweney's name was added to the special committee named in the amendment of Senator Donnan.

Upon the question of the adoption of the amendment the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Barrett, Bayless, Bills, Bloom, Carson, Cassatt, Cotton, Donnan, Gillett, Graves, Hendrie, Hutchison, Johnson, Larrabee, Logan, Marshall, Rothert, Whaley, and Whiting—19.

The nays were:

Senators Baker, Brown, Caldwell, Carr, Chambers, Chubb, Clark,



Duncan, Eastman, Gault, Glass, Hall, Hemenway, Henderson, Hunt, Kamrar, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, and Wilkin—30.

Absent or not voting:

Senator Abraham.—1.

So the amendment was lost.

Senator Sutton withdrew his amendment.

Senator Whaley moved to insert the word "Butler" after the word "Bremer," in the substitute.

Carried.

The question being upon the adoption of the substitute the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Baker, Barrett, Bayless, Bills, Bloom, Carson, Cassatt, Cotton, Donnan, Gillett, Graves, Hutchison, Johnson, Larrabee, Logan, Marshall, Rothert, and Whiting—18.

The nays were:

Senators Brown, Caldwell, Carr, Chambers, Chubb, Clark, Duncan, Eastman, Gault, Glass, Hall, Hemenway, Henderson, Hendrie, Hunt, Kamrar, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin.—31.

Absent or not voting:

Senator Abraham—1.

So the amendment was lost.

Senator Hall moved that the original substitute be adopted.

Carried.

Senator Hall moved the rules be suspended, the bill be considered engrossed and read a third time now.

Upon this the yeas and nays were demanded, and the roll was called.

The yeas were:

Senators Bloom, Brown, Caldwell, Carr, Chambers, Chubb, Clark, Duncan, Eastman, Gault, Glass, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Kamrar, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—34.

The nays were:

Senators Baker, Bayless, Bills, Carson, Cotton, Donnan, Gillett, Graves, Johnson, Larrabee, Logan, Marshall, and Rothert—13.

Absent or not voting:

Senators Abraham, Barrett, and Cassatt—3.

So the motion prevailed.

The bill was read a third time.

On the question shall the bill pass?

The roll was called.

The yeas were:

Senators Brown, Caldwell, Carr, Chambers, Chubb, Clark, Duncan, Eastman, Gault, Glass, Hall, Hemenway, Henderson, Hunt, Hutchison, Kamrar, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson,

Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—32.

The nays were:

Senators Baker, Bayless, Bills, Bloom, Carson, Donnan, Gillett, Graves, Hendrie, Johnson, Larrabee, Logan, Marshall, and Rothert—14.

Absent or not voting:

Senators Abraham, and Barrett—2.

So the bill passed and the title was agreed to.

#### PETITIONS AND MEMORIALS.

Senator Larrabee offered a memorial from citizens of Fayette county in reference to normal schools.

Referred to Committee on Normal Schools.

Senator Carson offered a petition from citizens of Pottawattamie county asking relief for Joseph Spaulding.

Referred to Committee on Claims.

Senator Ryder offered a petition from citizens of Benton county for a reformatory prison for women.

Referred to Committee on Reform Schools.

Senator Miles offered a petition from miners of Appanoose county for a uniform screen law for screening and weighing coal.

Referred to Committee on Mines and Mining.

Senator Hutchison offered a petition from citizens of Wapello county for woman suffrage.

Referred to Committee on Constitutional Amendments.

Senator Duncan offered two petitions from citizens of Iowa of same purport.

Referred to same Committee.

Senator Dunean offered a petition from citizens of Iowa for the exclusive use of the English language in the common schools.

Referred to Committee on Schools.

Senator Chubb offered a petition from citizens of Kossuth county for woman suffrage.

Referred to Committee on Constitutional Amendments.

Senator Gault offered a petition from citizens of Iowa for a uniform screen law for screening and weighing coal.

Referred to Committee on Mines and Mining.

Senator Gault offered a petition from citizens of Appanoose county for woman suffrage.

Referred to Committee on Constitutional Amendments.

#### INTRODUCTION OF BILLS.

By Senator Clark, Senate File No. 255, a bill for an act to repeal section 3826, chapter 3, title 23 of the Code of 1873, as to compensation of visiting committees to Hospitals for the Insane, and providing a substitute therefor.

Read a first and second time and referred to the Committee on Hospitals for Insane.

By Senator Ryder, Senate File No. 256, a bill for an act to amend section 808, Code of 1873.

Read a first and second time and referred to the Committee on Railways.

By Senator Chambers, Senate File No. 257, a bill for an act to appropriate funds to carry on the work at the additional penitentiary at Anamosa.

Read a first and second time and referred to the Committee on Appropriations.

By Senator Chambers, Senate File No. 258, a bill for an act to change the name of the Additional Penitentiary at Anamosa, provide for a matron for the female convicts thereof, to authorize the purchase of certain lands and to provide for the house rent of the deputy warden.

Read a first and second time and referred to the Committee on Penitentiary.

By Senator McCoy, Senate File No. 259, a bill for an act to legalize the incorporation of the Knoxville Junction Coal Company.

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

By Senator Carson, Senate File No. 260 a bill for an act for the relief of Joseph Spaulding.

Read a first and second time and referred to the Committee on Claims.

By Senator Russell, Senate File No. 261, a bill for an act to repeal section 1729 of the Code, and to enact a substitute therefor in relation to powers of school directors.

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

By Senator Hendrie, Senate File No. 262, a bill for an act fixing the term of office of mayors of cities of the second class, organized under the general incorporation laws of the State.

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

By Senator Hendrie, Senate File No. 263, a bill for an act to provide for the payment of fees in State cases before mayors of incorporated towns and cities of the second class.

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

#### BILL ON SECOND READING.

Senate File No. 23, a bill providing for the election of assessors for State and county purposes in cities organized and existing under special charters, was on motion of Senator Rothert taken up for consideration.

Senator Rothert offered the following amendment, which was adopted:

Insert after the word "charters" in the second line of section 1, the following: "having a population of not less than 12,000 nor more than 13,000, as shown by the census of Iowa, 1880."

Senator Rother moved the rule be suspended, the bill be considered engrossed and read a third time now.

Carried.

The bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Baker, Barrett, Bayless, Bills, Bloom, Brown, Carr, Carson, Chubb, Clark, Cotton, Duncan, Gault, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sutton Sweney, Whaley, Whiting, and Wilkin—38.

The nays were:

Senators Donnon, and Eastman—2.

Absent or not voting:

Senators Abraham, Caldwell, Cassatt, Chambers, Gillett, Glass, Hemenway, Johnson, and Sudlow—9.

So the bill passed and the title was agreed to.

Senator Russell moved that Joint Resolution No. 10, in relation to the lien of judgments in federal courts be taken up.

Carried.

Senator Russell moved that the rule be suspended, the resolution be considered engrossed and read a third time now.

Carried.

The resolution was read a third time.

The question being shall the resolution pass?

The yeas were:

Senators Baker, Barrett, Bayless, Bills, Bloom, Brown, Carr, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Gault, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—40.

The nays were:

Senator Eastman—1.

Absent or not voting:

Senators Abraham, Caldwell, Cassatt, Gillett, Glass, Logan, Rothert, Ryder, and Smith—9.

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

Senator Brown moved that Senate File No. 34, a bill for an act to amend chapter 89, acts of the Nineteenth General Assembly so as to make the same apply to incorporated towns be taken up.

Senator Hemenway moved to amend so that concurrent resolution relative to the printing of the journals of the Senate and House of Representatives be taken up immediately after.

Accepted.

Motion prevailed.

Senator Brown offered the following amendment to Senate File No. 34: "containing not less than 1,500 inhabitants."

Lost.

Senator Robinson offered the following amendment:

SEC. 2. That section 9 of said chapter be and the same is hereby

amended by inserting the words "and incorporated towns," after the word "cities," in the fourth line thereof. And that section 2 be made section 3.

Adopted.

Senator Brown moved the rule be suspended, the bill be considered engrossed and read a third time now.

Carried.

The bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bills, Bloom, Brown, Carr, Carson, Chambers, Chubb, Donnan, Duncan, Gillett, Glass, Hall, Henderson, Hendrie, Hutchison, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Russell, Ryder Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting and Wilkin—32.

The nays were:

Senators Clark, Cotton, Eastman, Gault, and Glass—5.

Absent or not voting:

Senators Abraham, Baker, Bayless, Caldwell, Cassatt, Graves, Hem-enway, Hunt, Johnson, Kamrar, Larrabee, Poyneer, Rothert, and Smith—14.

So the bill passed.

Senator Brown moved that to the end of title there be added the words "and granting additional powers thereto."

Carried.

And the title as amended was agreed to.

Senator Kamrar was granted leave of absence until Tuesday.

Senator Cotton submitted a report of the visiting committee to the Hospital for the Insane at Independence. Ordered printed.

Senator Russell moved to take up Senate File No. 50, a bill for an to legalize the ordinances of the town of Vail.

Carried.

Senator Carr was granted leave of absence until Tuesday.

#### REPORT OF COMMITTEE.

Senator Wilkin, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred Senate File No. 205, a bill for an act making an appropriation to complete and furnish the new Capitol, and for paving the streets, and for grading and putting down the curbing and sidewalks around the Capitol Square, beg leave to report that they have had the same under consideration, and that the committee favor the passage of the bill, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Appropriations.

ELI WILKIN, *Chairman.*

Ordered passed on file.

The substitute for Senate File No. 50 was adopted.

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

Carried.

The bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Baker, Barrett, Bayless, Bills, Bloom, Brown, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—45.

The nays were none.

Absent or not voting:

Senators Abraham, Caldwell, Johnson, Kamrar, and Smith—5.

So the bill passed and the title was agreed to.

Senators Gault and Bloom were excused until Tuesday.

Senator Miles was excused until Monday.

Senator Ryder moved to adjourn till 3 o'clock P. M. Monday.

Senator Carson was excused until Wednesday.

#### REPORT OF COMMITTEE.

Senator Glass, from the Committee on State University, submitted the following report:

MR. PRESIDENT—Your Committee on State University, to whom was referred Senate File No. 59, a bill for an act for an appropriation in aid and support of the State University of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed, for the reason that the same matter is contained in a bill herewith attached and reported by this committee, and reference of said committee's bill is asked to be made to Committee on Appropriations.

JOHN D. GLASS, *Chairman.*

Ordered passed on file.

#### INTRODUCTION OF A BILL.

By Senator Glass, for committee, Senate File No. 264, a bill for an act for an appropriation in aid and support of the State University of Iowa.

Read a first and second time and referred to the Committee on Appropriations.

Senator Rothert moved that the resolution relative to pardon of E. J. Bruce be made the special order for Wednesday, immediately after disposal of Senate File No. 93.

Upon this the yeas and nays were demanded, and the roll was called.

The yeas were:

Senators Bills, Bloom, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, Johnson, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Whaley, Whiting, and Wilkin—36.

The nays were:

Senators Bayless, Brown, Hemenway, Logan, and Marshall—5.

Absent or not voting:

Senators Abraham, Baker, Barrett, Caldwell, Carr, Glass, Kamrar, Larrabee, and Sweney—9.

So the motion prevailed.

Senator Ryder renewed his motion to adjourn.

Lost.

Senator Hunt moved to adjourn till 10 o'clock to-morrow.

Carried.

Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, February 23, 1884. }

The Senate met pursuant to adjournment, and was called to order by Senator Donnan.

Prayer by Rev. C. J. Miller.

Journal of yesterday read and approved.

#### PETITIONS AND MEMORIALS.

Senator Duncan offered a petition from citizens of Iowa for the exclusive use of the English language in the common schools.

Referred to Committee on Schools.

Senator Donnan presented a memorial from Hon. Reuben Noble, regarding right of appeal from justice court.

Referred to Committee on Judiciary.

Senator Carson offered a petition from citizens of Iowa for holding term of court at Avoca, Iowa.

Referred to Committee on Judicial Districts.

#### INTRODUCTION OF BILLS.

By Senator McCoy, Senate File No. 265, a bill for an act relating to taxes voted by townships, cities and towns in aid of the construction of railroads under the provisions of chapter 123 of the laws of the Sixteenth General Assembly, or said chapter as subsequently amended.

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

By Senator Clark, Senate File No. 266, a bill for an act to amend section 1558 of the Code of 1873, relating to civil damages for selling intoxicating liquors.

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

By Senator Brown, Senate File No. 267, a bill for an act to repeal sections 1377 and 1381, of chapter 1, title 11, of Code of 1873, and to enact substitutes therefor, in relation to the support of the poor.

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

By Senator Rothert, Senate File No. 268, a bill for an act to legalize conveyances.

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

By Senator Sutton, Senate File No. 269, a bill for an act to amend section 2, chapter 39, acts Tenth General Assembly, in relation to the division of counties into supervisor districts.

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

Senator Gault presented a memorial regarding a claim for maps said to have been furnished the State in 1849.

Referred to Committee on Claims.

#### HOUSE MESSAGES.

House File No. 104, relating to prohibiting the selling or giving of fire-arms to minors, was taken up, read a first and second time and referred to Committee on Judiciary.

House File No. 96, relating to legalizing the ordinances of the town of Neola, Iowa, was, on motion of Senator Carson, taken up for consideration.

The bill was read a first and second time.

Senator Carson moved the rules be suspended, the bill be considered engrossed and read a third time now.

Carried.

The bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Baker, Barrett, Bills, Bloom, Brown, Caldwell, Carson, Cassatt, Chambers, Clark, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweeney, Whiting, and Wilkin—40.

The nays were:

Senator Eastman—1.

Absent or not voting:

Senators Abraham, Bayless, Carr, Chubb, Hutchison, Johnson, Kamrar, Poyneer, and Whaley—9.

So the bill passed and the title was agreed to.

House File No. 150, relating to the time of taking up strays, was



taken up, read a first and second time and referred to Committee on Agriculture.

Senator Chubb was granted leave of absence until Tuesday.

#### BILLS ON SECOND READING.

Senate File No. 68, a bill for an act to provide for the appointment of marshal in cities of the first class, was, on motion of Senator Smith, taken up for consideration.

Senator Smith moved the adoption of the amendment reported by the committee. Carried.

Senator Smith moved the rule be suspended, the bill be considered engrossed and read a third time now.

Carried.

The bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Baker, Barrett, Bayless, Bills, Caldwell, Carson, Chambers, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Graves, Hall, Henderson, Hendrie, Hunt, Larrabee, Logan, McCoy, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Smith, Stephens, Sudlow, Sutton, Whiting, and Wilkin—34.

The nays were:

Senators Hemenway, and Sweney—2.

Absent or not voting:

Senators Abraham, Bloom, Brown, Carr, Cassatt, Chubb, Gillett, Glass, Hutchison, Johnson, Kamrar, McDonough, Ryder, and Whaley—14.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 198, a bill for an act to legalize the incorporation of the town of Oxford Junction, Jones 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.

H. C. HEMENWAY, *Chairman.*

On motion of Senator Hemenway this bill was taken up.

Senator Chambers moved the rule be suspended, the bill be considered engrossed and read a third time now.

Carried.

The bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Baker, Barrett, Bills, Bloom, Brown, Caldwell, Carson, Cassatt, Chambers, Clark, Cotton, Donnan, Duncan, Gault, Gillett,

Glass, Hall, Hemenway, Henderson, Hendrie, Hunt, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Smith, Sudlow, Sutton, Sweney, Whiting, and Wilkin—38.

The nays were:

Senator Eastman—1.

Absent or not voting:

Senators Abraham, Bayless, Carr, Chubb, Graves, Hutchison, Johnson, Kamrar, Ryder, Stephens, and Whaley—11.

So the bill passed and the title was agreed to.

#### REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 161, a bill for an act relating to the disposition of concealed weapons found upon persons convicted of carrying 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, with the recommendation that the substitute be adopted, and when adopted that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 71, a bill for an act to amend chapter 165 of the acts of the Seventeenth General Assembly, relating to the execution of the sentence of death, 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 accompanying substitute, with the recommendation that the substitute be adopted, and when adopted that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 78, a bill for an act to prevent gambling by means of fictitious contracts for the buying or selling of grain or other produce, and to provide a punishment 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.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 142, a bill for an act to revise the school laws of the State of Iowa and to repeal certain sections thereof, and to enact substitutes 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 accompanying substitute and recommend that the substitute be adopted, and when adopted, that it do pass, and have ordered that the substitute be printed.

J. G. HUTCHISON, *Chairman*.

'Ordered passed on file.

Senator Whiting, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT—Your Committee on Public Lands, to whom was referred House File No. 10, a bill for an act authorizing the Governor to convey back to the government of the United States certain lands heretofore granted by the State of Iowa to the Sioux City & St. Paul Railroad Company, 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.

C. E. WHITING, *Chairman*.

Ordered passed on file.

Senator Barrett, from the Committee on Judicial Districts, submitted the following report:

MR. PRESIDENT—Your Committee on Judicial Districts, to whom was referred Senate File No. 169, a bill for an act in relation to the Sixth Judicial Circuit of the State, subdividing the same, providing for the appointment and election of judges of circuit courts therein, and defining the powers and duties 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.

O. M. BARRETT, *Chairman*.

Ordered passed on file.

Senator Eastman, from the Committee on Reform Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Reform Schools, to whom was referred Senate File No. 177, a bill for an act making appropriations for the Boys' Reform School at Eldora, Iowa, beg leave to report that they have had the same under consideration, and recommend the amending of section 1, line 5, by inserting after the words, "detail hall," the following: "And for setting steam engine and heating apparatus, and supplying necessary kitchen ware," and have instructed me to report the same back to the Senate with the recommendation that the amendment be adopted, and that the bill, as amended, do pass.

E. W. EASTMAN, *Chairman*.

Ordered passed on file.

Senator Marshall, from the Committee on Agricultural College, submitted the following report:

MR. PRESIDENT—Your Committee on Agricultural College, to whom was referred Senate File No. 84, a bill for an act to provide for the investment of the endowment fund of the Iowa State Agricultural College and Farm, beg leave to report that they have had the same under consideration, and have instructed me to report the same

back to the Senate with the recommendation that the bill, as amended by your committee, be printed and referred to the Judiciary Committee.

C. A. MARSHALL, *Chairman*.

Bill as amended ordered printed, and referred to Committee on Judiciary.

Senator Larrabee presented a memorial from the Allamakee county Agricultural Society, relating to Agricultural College.

Referred to Committee on Agricultural College.

Senator Chubb, 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. 74, a bill for an act to protect and preserve the fish in the permanent lakes and ponds 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.

C. C. CHUBB, *Chairman*.

Ordered passed on file.

#### BILLS ON SECOND READING.

Senate File No. 119, a bill for an act to amend subdivision 19 of section 303 of the Code, was taken up for consideration.

Senator Larrabee moved the rule be suspended, the bill be considered engrossed, and read a third time now.

Carried.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carson, Cassatt, Chambers, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hunt, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Sudlow, Sutton, Sweney, Whiting and Wilkin—39.

The nays were none.

Absent or not voting:

Senators Abraham, Carr, Chubb, Hendrie, Hutchison, Johnson, Kamrar, Ryder, Smith, Stephens, and Whaley—11.

So the bill passed and the title was agreed to.

Senate File No. 4, as amended, a bill for an act to provide a fund for which to pay for sheep or other domestic animals killed or injured by dogs, was taken up.

Senator Sudlow moved to amend, by substituting the word "three," in line 2, section 1, in place of "six."

Carried.

Senator Eastman moved to amend, by inserting the words "not his own."

Withdrawn.

Senator Sudlow moved the session be prolonged until this matter be disposed of.

Senator Logan moved to amend, by substituting twenty minutes.

Accepted and carried.

On motion of Senator Carson Senate Files Nos. 7 and 42, were made special orders for Saturday forenoon next at half past ten o'clock.

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

Carried.

The bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bills, Brown, Caldwell, Chambers, Clark, Cotton, Duncan, Eastman, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Sudlow, Sutton, Sweney, Whiting, and Wilkin—34.

The nays were:

Senator Donnan—1.

Absent or not voting:

Senators Baker, Bayless, Bloom, Carr, Carson, Cassatt, Chubb, Gault, Hutchison, Johnson, Kamrar, Ryder, Smith, Stephens, and Whaley—15.

So the bill passed and the title was agreed to.

Senator Brown moved that when the Senate adjourns it be until Tuesday at 2 o'clock.

Lost.

Senators Bills, Rothert, and Logan were excused until Tuesday.

Senator Russell moved the time for adjournment be postponed five minutes.

Carried.

Senator Russell moved that Senate File No. 196, a bill for an act to repeal section 280 of the Code, and to enact a substitute therefor, in relation to jurors, be taken up.

Carried.

Senator Russell moved the rule be suspended, the bill be considered engrossed, and be read a third time now.

Carried.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Caldwell, Cassatt, Clark, Cotton, Donnan, Duncan, Eastman, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Rothert, Russell, Sudlow, Sutton, Sweney, Whiting, and Wilkin—30.

The nays were:

Senators Brown, Robinson, and Smith—3.

Absent or not voting:

Senators Baker, Bayless, Bills, Bloom, Carr, Carson, Chambers,

Chubb, Gault, Gillett, Hutchison, Johnson, Kamrar, Poyneer, Ryder, Stephens, and Whaley—17.

So the bill passed and the title was agreed to.

On motion of Senator Abraham Senate File No. 37 was referred to Committee on Railways.

Senator Clark moved to reconsider the vote on Senate File No. 196.

Consideration of motion postponed until Monday.

At 12:25 o'clock, on motion of Senator Duncan, the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, February 25, 1884. }

Senate met pursuant to adjournment, and was called to order by Senator Larrabee.

Prayer by Rev. E. C. Jones.

Journal of Saturday read, corrected and approved.

#### PETITIONS, MEMORIALS, ETC.

Senator Abraham presented two petitions from citizens of Henry county for woman suffrage.

Referred to Committee on Constitutional Amendments.

Senator Abraham presented a petition from citizens of Iowa for instruction in the character of alcohol, etc.

Referred to Committee on Schools.

Senator Duncan presented ten petitions from citizens of Iowa for the exclusive use of the English language in the common schools.

Referred to Committee on Schools.

Senator Hemenway presented a petition from citizens of Waterloo for submission of constitutional amendment for woman suffrage.

Referred to Committee on Constitutional Amendments.

Senator Barrett presented a petition from citizens of Osceola county for a law establishing uniformity in the text-books.

Referred to Committee on Schools.

#### INTRODUCTION OF BILLS.

By Senator Dounan, Senate File No. 270, a bill for an act to provide for certain deficiencies to Co. I, 4th Regiment of the State Militia for expenses incurred in preventing anticipated riots in 1877.

Read a first and second time and referred to the Committee on Claims.

By Senator Logan, Senate File No. 271, a bill for an act providing for the purchase of land for the use of the Iowa State Agricultural Society.

Read a first and second time and referred to the Committee on Agriculture.

By Senator Sutton, Senate File No. 272, a bill for an act relating to the liabilities of sureties upon instruments in writing, and to protect such sureties from hindering and delaying creditors.

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

By Senator Logan, Senate File No. 273, a bill for an act to establish and maintain an additional school for the instruction and training of teachers of common schools, in addition to the State Normal School at Cedar Falls, Black Hawk county.

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

By Senator McCoy, Senate File No. 274, a bill for an act to amend section 3639 of the Code, relating to evidence.

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

By Senator Abraham, Senate File No. 275, a bill for an act to protect bridges on public highways.

Read a first and second time and referred to the Committee on Roads and Highways.

By Senator Johnson, Senate File No. 276, a bill for an act to legalize the acts of Thos. W. Darling as Notary Public.

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

By Senator Russell, Senate File No. 277, a bill for an act to regulate admission to practice as attorneys and counselors in the courts of this State.

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

By Senator Hendrie, Senate File No. 278, a bill for an act to abolish the railroad commission system.

Read a first and second time and referred to the Committee on Railways.

By Senator Donnan, Senate File No. 279, a bill for an act to pay expenses incurred in escorting the remains of the late J. M. Holbrook to Manchester, and for the allowance of the full salary to his widow.

Read a first and second time.

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

Carried.

The bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Brown, Caldwell, Cassatt, Chambers, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whiting, and Wilkin—41.

The nays were none.

Absent or not voting:  
Senators Bills, Bloom, Carr, Carson, Chubb, Gault, Rothert, Ryder,  
and Whaley—9.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has adopted the following joint resolution, in which the concurrence of the Senate is asked.

Joint resolution No. 16, in relation to leins of judgments rendered by the United States Court.

SIDNEY A. FOSTER, *Clerk.*

COMMUNICATIONS ON PRESIDENT'S TABLE.

Communication in relation to cost of State Printer and State Binder from the Auditor of State, was taken up and 500 copies printed and referred to the Committee on Printing.

Senator Clark moved to take up motion for reconsideration of Senate File No. 196.

Carried.

Senator Russell moved that the vote by which the rule was suspended on this bill be reconsidered.

Carried.

Senator Russell offered the following amendment: Add after the word "order," in fifth line, the following: "In all other counties trial jurors shall be summoned to appear on the morning of the first day of the term, unless the judge shall otherwise order."

Adopted.

Senator Russell offered the following amendment: Add to end of section: "Provided, this act shall not interfere with published orders of the judge for the summoning of jurors for the years 1884 and 1885."

Adopted.

Senator Russell moved the rules be suspended, the bill be considered engrossed and read a third time now.

Carried.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bayless, Brown, Caldwell, Cassatt, Clark, Cotton, Donnan, Duncan, Eastman, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Larrabee, Logan, McCoy, McDonough, Miles, Nichols, Poyneer, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whiting, and Wilkin—35.

The nays were none.

Absent or not voting:

Senators Barrett, Bills, Bloom, Carr, Carson, Chambers, Chubb,



Gault, Gillett, Kamrar, Marshall, Robinson, Rothert, Ryder, and Whaley—15.

So the bill passed and the title was agreed to.

Senator Wilkin moved to take up joint resolution No. 11, relative to assignment of rooms in the new Capitol.

Carried.

The following amendment, reported by the Committee on Public Buildings, was adopted: So as to assign rooms 19 and 20 in the basement story to the State Board of Health.

Senator Wilkin moved that the rules be suspended, the resolution be considered engrossed and read a third time now.

Carried.

The joint resolution was read a third time.

On the question shall the resolution pass?

The yeas were:

Senators Abraham, Barrett, Bayless, Brown, Caldwell, Cassatt, Clark, Cotton, Donnan, Duncan, Eastman, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whiting, and Wilkin—37.

The nays were none.

Absent or not voting:

Senators Baker, Bills, Bloom, Carr, Carson, Chambers, Chubb, Gault, Gillett, Kamrar, Rothert, Ryder, and Whaley—13.

So the resolution was adopted.

On motion of Senator Wilkin, Senate File No. 148, a bill for an act to appoint a custodian of the capitol, and provide for the care and management of the State property at the seat of government with amendments reported by the committee was taken up for consideration.

Senator Donnan moved that the bill be considered by section.

Carried.

First amendment of committee: Fill the first blank occurring in section 1 by inserting therein the word "ten."

Adopted.

Second amendment: Fill the second blank in section 1 by inserting the words "ten thousand."

Adopted.

Third amendment: Insert after the word "fences" the word "trees."

Adopted.

Senator Donnan moved that the word "shall" in section 1 be stricken out and the word "may" inserted.

Carried.

Senator Sweney moved to amend by striking out \$2,200 and inserting \$1,800.

Senator Robinson moved to amend the amendment by striking out \$1,800 and inserting \$1,200.

On the amendment of Senator Robinson the yeas and nays were demanded.

The roll was then called.

The yeas were:

Senators Abraham, Barrett, Bayless, Brown, Caldwell, Clark, Cotton, Donnan, Duncan, Glass, Graves, Hendrie, Hunt, Johnson, Logan, McCoy, McDonough, Marshall, Miles, Robinson, Stephens, Sudlow, Sweney, and Whiting—24.

The nays were:

Senators Eastman, Hemenway, Henderson, Hutchison, Larrabee, Nichols, Poyneer, Russell, Smith, and Wilkin—10.

Absent or not voting:

Senators Baker, Bills, Bloom, Carr, Carson, Cassatt, Chambers, Chubb, Gault, Gillett, Hall, Kamrar, Rothert, Ryder, Sutton, and Whaley—16.

So the amendment was adopted.

Senator Hall moved to strike out section 3.

Carried.

Senator Brown moved to insert the word "council" after the word "executive" in 12th line of section 4.

Senator Sweney moved to insert the words "belonging to the State of Iowa" after the word "buildings" in 13th line of 4th section.

Senator McCoy moved to strike out section 4.

Carried.

Senator Hall moved that the bill be referred to Committee on Public Buildings, with instructions to consult with Capitol Commissioners, and if necessary to report a joint resolution upon the matter.

Carried.

#### REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Agriculture to whom was referred Senate File No. 155, a bill for an act to protect stock breeders, beg leave to report that they have 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. M. C. LOGAN, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Insurance to whom was referred Senate File No. 158, a bill for an act to amend sections 1, 2 and 3, of chapter 211 of the Eighteenth 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.

HIRSH Y. SMITH, *Chairman.*

Ordered passed on file.

Senate File No. 5, a bill for an act to amend section 3072 of the Code of 1873, in relation to the exemption of soldiers' pensions, with

report of committee recommending indefinite postponement was taken up and report adopted.

Senate File No. 14, a bill for an act to exempt from judicial sale homesteads and other lands purchased with pension money or the proceeds thereof, amendatory of Code, chapter 8, title 13, relating to homesteads, with report of committee recommending indefinite postponement, was taken up and report adopted.

#### BILL ON THIRD READING.

Senate File No. 32, a bill for an act to amend chapter 65 of the Seventeenth General Assembly, amending section 4171 of the Code, relating to fugitives from justice, with report of committee recommending amendments, and that thus amended it do pass, was taken up and amendments adopted.

Senator Sweney moved that the vote by which the bill was ordered engrossed be reconsidered.

Carried.

Senator Sweney moved the rules be suspended, the bill be considered, engrossed, and read a third time now.

Carried.

Bill read a third time.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Caldwell, Cassatt, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Russell, Smith, Sutton, and Whiting—32.

The nays were:

Senators Brown, Poyneer, Robinson, Stephens, Sweney, and Wilkin—6.

Absent or not voting:

Senators Bills, Bloom, Carr, Carson, Chambers, Chubb, Gault, Kammrar, Rothert, Ryder, Sudlow, and Whaley—12.

So the bill passed and the title was agreed to.

#### BILLS ON SECOND READING.

Senate File No. 36, a bill for an act to amend chapter 161, laws of Eighteenth General Assembly, relating to the election of township officers, with report of committee recommending it do pass, was taken up and considered.

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

Carried.

Bill read a third time.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Brown, Caldwell, Cassatt, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Graves,

Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Smith, Stephens, Sudlow, Sutton, Sweney, Whiting, and Wilkin—37.

The nays were none.

Absent or not voting:

Senators Bills, Bloom, Carr, Carson, Chambers, Chubb, Gault, Johnson, Kamrar, Rothert, Russell, Ryder, and Whaley—13.

So the bill passed and the title was agreed to.

Senator Sutton moved to withdraw Senate File No. 64.

Senator Hemenway moved to amend by taking up Senate File No. 164.

Carried.

Senate File No. 164, a bill for an act to exempt from judicial sale the pension money paid to any person by the United States Government and certain of the proceeds and accumulations thereof, with report of committee recommending it do pass, was taken up and considered.

Senator Clark was granted leave of absence until Friday.

Senator Hall moved to amend by inserting in the second line of section 2, after the words, "paid for," "in whole or in part."

Senator Sutton moved to amend the amendment by inserting the words, "any considerable" after the word "in" in the amendment.

Withdrawn.

The amendment of Senator Hall was lost.

Senator Brown moved to amend, by inserting the word "also," after the word "shall," in the fourth line, section 2, and to strike out all of the section after the word "homestead" in the fifth line, same section.

Carried.

Senator Hall moved to amend, by inserting after the words "paid for," in the second line of section 2, the words "with means of which fifty per cent or upward shall be pension money."

Lost.

Senator McCoy moved the rule be suspended, the bill be considered engrossed, and read a third time now.

Carried.

The bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Brown, Caldwell, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whiting, and Wilkin—37.

The nays were none.

Absent or not voting:

Senators Bills, Bloom, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Eastman, Kamrar, Ryder, Rothert, and Whaley—13.

So the bill passed and the title was agreed to.

Senator Sutton withdrew Senate File No. 64.

Senate File No. 118, a bill for an act to license and regulate the sale of beer, wine and other spirituous and malt liquors, was made a special order for half past 2 o'clock next Friday afternoon.

Senate File No. 89, a bill for an act to repeal section 746, chapter 7, title 5, of the Code, in relation to the removal and suspension from office of county and township officers, and to enact a substitute therefor, with report of committee recommending it do pass, was taken up and considered.

Senator Hall moved the rule be suspended, the bill be considered engrossed, and read a third time now.

Carried.

The bill was read a third time.

The question shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Brown, Caldwell, Chambers, Cotton, Donnan, Duncan, Gault, Glass, Graves, Hall, Henderson, Hendrie, Hutchison, Johnson, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whiting, and Wilkin—33.

The nays were none.

Absent or not voting:

Senators Baker, Bayless, Bills, Bloom, Carr, Carson, Cassatt, Chubb, Clark, Eastman, Gillett, Hemenway, Hunt, Kamrar, Rothert, Ryder, and Whaley—17.

So the bill passed and the title was amended, by striking out the word "and," after the word "officers," and adding to end of title the words "and to provide for the removal of appointees," and as amended was agreed to.

Senate File No. 111, a bill for an act concerning the appointment of counsel for defendants in criminal cases, with report of committee recommending it do not pass, was taken up and report adopted.

Senate File No. 113, a bill for an act to reimburse Samuel Chandler, sheriff of Fremont county, and Daniel Farrell, sheriff of Mills county, for money expended in arresting Polk Wells, Wm. Norris, and Wilson, the Riverton bank robbers, with report of committee recommending it do pass, was taken up and considered.

Senator Brown moved to amend, by striking out the word "two," in line second, and inserting the word "one."

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

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your that the House has passed S. F. No. 68, a bill for an act to provide for the appointment of marshals in cities of the first class.

SIDNEY A. FOSTER, *Clerk.*

Senator Hall moved to amend the amendment by fixing the sum at \$1,500.

Adopted.

The motion of Senator Hunt prevailed.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Brown, Caldwell, Cassatt, Chambers, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Larrabee, Logan, McCoy, Marshall, Miles, Nichols, Poyner, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whiting, and Wilkin—38.

The nays were:

Senator McDonough—1.

Absent or not voting:

Senators Bills, Bloom, Carr, Carson, Chubb, Clark, Eastman, Karrar, Rotherth, Ryder, and Whaley—11.

So the bill passed and the title was agreed to.

At 5:55 o'clock, on motion of Senator Caldwell, the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, February 26, 1884. }

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

Prayer by Rev. G. M. Davis.

Journal read and approved.

#### PETITIONS AND MEMORIALS.

Senator Smith presented a petition from citizens of Iowa for uniformity in text books.

Referred to Committee on Schools.

Senator McCoy presented a petition from citizens of Iowa for a law relating to screening and weighing coal.

Referred to Committee on Mines and Mining.

Senator Cassatt presented four petitions from citizens of Iowa relating to mines and mining.

Referred to same Committee.

Senator Sweney presented a petition from citizens of Iowa relating to life insurance.

Referred to Committee on Insurance.

## INTRODUCTION OF BILLS.

By Senator Whiting (by request) Senate File No. 280, a bill for an act in relation to ditches, drains, levees, embankments and changes in water courses.

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

By Senator Bayless, Senate File No. 281, a bill for an act to establish and maintain a school for the instruction and training of teachers of common schools.

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

By Senator Nichols, Senate File No. 282, a bill for an act to provide for the appointment of a State Veterinarian and defining his duties.

Read a first and second time and referred to the Committee on Agriculture.

By Senator Hutchison (by request), Senate File No. 283, a bill for an act to amend paragraph 2, of section 796, chapter 1, title 6 of the Code of 1873, in regard to the assessment of taxes.

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

By Senator McDonough, Senate File No. 284, a bill for an act to amend chapter 136 laws of the Sixteenth General Assembly in relation to county school superintendents, as regards their qualifications.

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

By Senator Larrabee, Senate File No. 285, a bill for an act to amend chapter 58 acts of the Seventeenth General Assembly.

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

## CONCURRENT RESOLUTION.

Senator Chubb offered the following concurrent resolution, which was referred to Committee on Agriculture:

*Resolved by the Senate, the House concurring,* That there be established and maintained by the Agricultural College at Ames a department to be known as the "Dairy Department," to be under the supervision of a competent professor, whose duties it shall be to conduct a series of experiments in regard to ascertaining the best methods of manufacturing butter and cheese. Also, as to the value of different foods for dairy purposes, and the adaptability of different grasses to the soil and climate of the State.

It shall be the duty of said department to give special scientific and practical instruction to pupils entering therein. Also to analyze free of charge specimens of faulty milk or milk products and advise as to remedies for the same.

It shall be the duty of the professor in said department to attend the meetings of Dairymen's Associations when practicable, and render such assistance and instructions as will in his judgment best tend

to develop the dairy industry and improve the quality of dairy products.

It shall further be his duty to publish yearly in cheap pamphlet from the results of experiments and such other and further information and instruction as will best tend toward the developments of this industry.

By Senator Chambers, Senate File No. 286, a bill for an act for an appropriation for the State Fish Commission.

Read a first and second time and referred to the Committee on Fish and Game.

By Senator Sweney, Senate File No. 287, a bill for an act to legalize the incorporation of the town of St. Ansgar, in Mitchell county, Iowa, the election of officers and all acts done and ordinances passed by the council of said town.

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

#### RESOLUTION.

Senator Smith offered the following resolution which was adopted:

*Resolved*, That on Thursday, February 28th, at 2:30 P. M., the Senate proceed to elect a President *pro tem*.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 349, a bill for an act to legalize the incorporation of Broomhall Coal Company, in Keokuk county, Iowa.

Also, has amended and passed as amended Senate File No. 48, a bill for an act to amend section 1160 of the Code, in relation to insurance companies.

Also, that the House has concurred in Senate joint resolution No. 10½, in relation to the liens of judgments in federal courts.

SIDNEY A. FOSTER, *Chief Clerk*.

#### HOUSE MESSAGE.

House File No. 349, relating to legalizing the incorporation of the Broomhall Coal Company, in Keokuk county, Iowa.

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

On motion of Senator Larrabee message accompanying House File No. 48, was returned to the House for correction.

#### 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. 44, a bill for an act to amend subdivision 1, of section 969, of chapter 2, of title 8 of the Code, relating to the levy of taxes for highways and bridges, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means to whom was referred Senate File No. 201, a bill for an act to amend section 797, title 6, of the Code of 1873, in relation to exemption in the assessment of taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

LARRABEE, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 163, a bill for an act to amend section 3730 of the Code, relative to taking depositions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 91, a bill for an act limiting and restricting the right of action against municipal corporations in certain cases, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the accompanying substitute, with recommendation that the substitute be adopted, and when adopted that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 131, a bill for an act to amend section 4421, 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.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Agriculture, to whom was

referred Senate File No. 241, a bill for an act to establish a uniform inch or gauge of cream, beg leave to report that they have had the same under consideration and have instructed me to report the same to the Senate with the recommendation that it do pass.

T. M. C. LOGAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred the special message of the Governor, with the report of Prof. M. Stalker, of the Agricultural College, attached, giving the results of his investigation of the diseases among the live stock 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.

T. M. C. LOGAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 150, a bill for an act to amend section 1464, of chapter 3 of the Code, in relation to the time of taking up strays, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

T. M. C. LOGAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 90, a bill for an act to amend section 4062, chapter 11, title 24, Code of 1873, in regard to Canada thistles, beg leave to report that they 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.

T. M. C. LOGAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 224, a bill for an act to repeal section 1448 of the Code, as amended by chapter 70 of the acts of the Fifteenth General Assembly, relating to damages to domestic animals, 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.

T. M. C. LOGAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred concurrent resolution No. 12, H. R., instructing the Secretary of State to have printed Gov. Sherman's biennial, inaugural, and pleuro-pneumonia messages in foreign languages, 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.

T. M. C. LOGAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred joint resolution No. 2, H. R., a memorial and joint resolution of the General Assembly of the State of Iowa, relating to the prevention and suppression of pleuro-pneumonia in neat cattle, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

T. M. C. LOGAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 252, a bill for an act to amend section 1112 of the Code of 1873, relating to the membership money of county and district Agricultural Societies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the words, "entry fees or," and substituting in lieu thereof the word "for," and that as so amended, that it do pass.

T. M. C. LOGAN, *Chairman*.

Ordered passed on file.

Senator Cotton, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate File No. 227, a bill for an act repealing chapter 58 of the laws of the Sixteenth General Assembly, amendatory of section 518 of the Code of 1873, in relation to the election of mayors of 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.

W. A. COTTON, *Chairman*.

Ordered passed on file.

Senator Whiting, from the Committee on Public Lands, submitted the following report:

MR. PRESIDENT—Your Committee on Public Lands, to whom was referred House File No. 172, a bill for an act authorizing the appointment of an agent to select certain lands along the line of the railroad from McGregor to Sheldon, and providing for the payment of the fees for such selection, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. E. WHITING, *Chairman*.

Ordered passed on file.

Senator Abraham, from the Committee on Hospitals for the Insane, submitted the following report:

MR. PRESIDENT—Your Committee on Hospitals for the Insane, to

whom was referred Senate File No. 133, a bill for an act to amend section 1408, chapter 2, title 11, of the Code of Iowa, relating to the care 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.

ABRAHAM, *Chairman.*

Ordered passed on file.

Senator Chubb, 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. 63, a bill for an act to amend section 2, of chapter 156, of the laws of the Seventeenth General Assembly, as amended by chapter 193 of the laws of the Eighteenth General Assembly, in relation to the protection of game, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. C. CHUBB, *Chairman.*

Ordered passed on file.

Senator McCoy presented the report of the visiting committee to the Girls' Department of Iowa Reform School.

Ordered printed.

Senator Chambers, 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. 68, an act to provide for the appointment of marshals in cities of the first class.

Also:

Joint resolution No. 3, in relation to the interest of the people of Iowa and of the country require that the National Congress assume the power granted in the Federal Constitution, of regulating commerce between the States, by the prompt enactment of laws regulating and controlling the transportation of freight and passengers on all lines of railroads within the United States engaged in inter-State commerce.

And find the same correctly enrolled.

J. C. CHAMBERS, *Chairman.*

The special order being Senate File No. 78, a bill for an act to prevent gambling by means of fictitious contracts for the buying or selling of grain or other produce, and to provide a punishment thereof, and it having been referred to Committee on Judiciary and returned from said committee with the recommendation that it do pass, was taken up.

Senator Bloom moved the rule be suspended, the bill be considered engrossed and read a third time now.

Senator Glass offered the following amendment: Add after the word "any" in 3rd line, section 1, the words "mercantile or."

Senator McCoy offered the following amendment: In 6th line strike out after the words "prohibited" up to and including the word "prohibitory" in 9th line.

## MESSAGE FROM THE HOUSE.

The following message was received from the House.

MR. PRESIDENT—I am directed to present you for signature, Senate File No. 68, a bill for an act to provide for the appointment of marshals in cities of the first class.

The same having been signed by the Speaker.

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

House File No. 96, a bill for an act to legalize the ordinances of the town of Neola, Iowa.

House File No. 198, a bill for an act to legalize the incorporation of the town of Oxford Junction, in the county of Jones, State of Iowa.

SIDNEY A. FOSTER, *Clerk.*

## REPORT OF COMMITTEE.

Senator Chambers, 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. 68, an act to provide for the appointment of marshals in cities of the first class.

J. C. CHAMBERS, *Chairman.*

Senator Hall offered a substitute for the bill.

Upon the amendment offered by Senator McCoy, the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Brown, Carr, Chambers, Cotton, Donnan, Gillett, Hall, Henderson, Hutchison, McCoy, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—20.

The nays were:

Senators Abraham, Bayless, Bills, Bloom, Caldwell, Chubb, Duncan, Gault, Glass, Graves, Hemenway, Hendrie, Johnson, Kamrar, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, and Rothert—21.

Absent or not voting:

Senators Baker, Barrett, Carson, Cassatt, Clark, Eastman, Hunt, Larrabee, and Logan—9.

So the amendment was lost.

Amendment of Senator Glass adopted.

Senator Larrabee moved to amend by inserting the words, "either of" after the word "by," in line 14, section 1, and to substitute the word "to" for the word "in," after the word "parties" in same line.

Carried.

Senator Hall moved to amend by inserting the word "pretended" after the word "the" in third line of same section.

Carried.

Senator Larrabee moved to amend by striking out the words, "for future delivery" in fourth line of same section, and insert the words, "on pretended contract."

Lost.

Senator Smith moved to amend by striking out the words, "or" and "for," and after the word, "margins" in fourth line of same section the words, "without any intention of future delivery."

Carried.

Senator Hall moved to amend by inserting after the word, "whatever," in thirteenth line of same section, the words, "for present or future delivery."

Carried.

Senator Hall moved to amend by inserting after the word "delivery" in thirteenth line, same section, "or receipt."

Carried.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

In relation to liens of judgments rendered by the United States courts.

SIDNEY A. FOSTER, *Clerk.*

Senator Nichols moved to amend by striking out the word, "five" in the fourth line of section 2, and inserting the word, "one."

Carried.

Senator Bloom moved to strike out the words, "one thousand," in line four, section 2, and insert "five hundred."

Carried.

Senator Hall moved to strike out section 3.

Carried.

Senator Brown offered a substitute for the bill which was declared out of order by the President.

The question being upon the substitute offered by Senator Hall, the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Barrett, Chubb, Graves, Hall, Henderson, Hutchison, Larrabee, Logan, McCoy, Poyneer, Russell, Ryder, Smith, Stephens, Whaley, Whiting, and Wilkin—17.

The nays were:

Senators Abraham, Baker, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Cotton, Donnan, Duncan, Gault, Glass, Hemenway, Hendrie, Hunt, Kamrar, McDonough, Marshall, Miles, Nichols, Robinson, Rothert, Sudlow, Sutton, and Sweny—28.

Absent or not voting:

Senators Carson, Cassatt, Chambers, Clark, Eastman, Gillett, and Johnson—7.

Substitute was lost.

Motion of Senator Bloom prevailed, and the bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Chubb, Cotton, Donnan, Duncan, Gault, Glass, Hall, Hemenway, Henderson, Hendrie, Hunt, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Stephens, Sudlow, Sutton Sweney, Whaley, and Wilkin—36.

The nays were:

Senators Hutchison, Logan, and Ryder—3.

Absent or not voting:

Senators Carson, Cassatt, Chambers, Clark, Eastman, Gillett, Graves, Johnson, Russell, Smith, and Whiting—11.

So the bill passed.

Senator Johnson moved to amend the title by adding the words, "on margins" after the word "produce" in third line.

Carried.

So the bill passed and the title as amended was agreed to.

At 6:15, on motion of Senator Gault the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, February 27, 1884. }

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

Prayer by Rev. M. Jacobs.

Journal of yesterday read and approved.

PETITIONS, MEMORIALS, ETC.

Senator Smith presented a petition, from citizens of Polk county, in relation to life insurance companies.

Referred to Committee on Insurance.

Senator McCoy presented two petitions, from citizens of Mahaska county, on same subject.

Referred to same committee.

Senator Russell presented a petition, from citizens of Greene county on same subject.

Referred to same committee.

Senator Sudlow presented a petition, from citizens of Jasper county, on same subject.

Referred to same committee.

Senator Hall presented a petition, from citizens of Des Moines county, on same subject.

Referred to same committee.

Senator Eastman presented a petition of same character from citizens of Hardin county.

Referred to same committee.

Senator Nichols offered a petition of same character from citizens of Muscatine county.

Referred to same committee.

Senator Henderson offered a petition of same character from citizens of Linn county.

Referred to same committee.

Senator Glass offered a petition of same character from citizens of Cerro Gordo county.

Referred to same committee.

Senator Graves offered a petition of same character from citizens of Dubuque county.

Referred to same committee.

#### INTRODUCTION OF BILLS.

By Senator Donnan, Senate File No. 288, a bill for an act making an appropriation to the Benedict Home.

Read a first and second time and referred to the Committee on Appropriations.

By Senator Hemenway, Senate File No. 289, a bill for an act repealing section 131, Code, and enacting a substitute therefor.

Read a first and second time and referred to the Committee on Printing.

By Senator Hemenway (from Judiciary Committee), Senate File No. 290, a bill for an act authorizing boards of supervisors to purchase, keep up, and maintain bridges over streams dividing their respective counties.

Passed on file.

By Senator Eastman (by request), Senate File No. 291, a bill for an act to authorize the sale of Agricultural College lands before the expiration of the lease.

Read a first and second time and referred to the Committee on Agricultural College.

By Senator Eastman, Senate File No. 292, a bill for an act to better provide for the maintenance of the Girls' Reform School at Mitchellville.

Read a first and second time and referred to the Committee on Appropriations.

By Senator Russell, Senate File No. 293, a bill for an act to prevent accidents at railway crossings.

Read a first and second time and referred to the Committee on Railways.

Senator Smith moved to postpone special order fifteen minutes.

Carried.

By Senator Smith, Senate File No. 294, a bill for an act to amend section 3948 of the Code, to punish the acceptance of bribes by marshals, deputy marshals, policemen, and other public officers of cities and towns.



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

By Senator Larrabee, Senate File No. 295, a bill for an act to amend chapter 104 of the laws of the Seventeenth General Assembly.

Read a first and second time.

Senator Larrabee moved the rules be suspended, the bill be considered engrossed and read a third time now.

Carried.

The bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Cassatt, Chambers, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Larrabee, Logan, McCoy, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweeney, Whaley, Whiting, and Wilkin—41.

The nays were none.

Absent or not voting:

Senators Abraham, Baker, Carson, Chubb, Clark, Hall, Johnson, Kamrar, and McDonough—9.

So the bill passed and the title was agreed to.

#### REPORTS OF COMMITTEES.

Senator Rothert, from the Committee on Railways, submitted the following report.

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 181, a bill for an act to authorize railway corporations to condemn lands for additional depot grounds, beg leave to report that they 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 "necessary" before the words "additional depot grounds," where they first occur in section 1, and that when so amended it do pass.

HENRY W. ROTHERT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 231, a bill for an act to regulate the giving of danger signals by persons operating railroad locomotives, beg leave to report that they 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.

HENRY W. ROTHERT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 278, a bill for an act to abolish the railroad commissioner system, beg leave to report that they 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.

HENRY W. ROTHERT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 176, a bill for an act concerning bells and steam whistles on locomotives, beg leave to report 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 so adopted that it do pass.

HENRY W. ROTHERT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 250, a bill for an act relating to conductors on steam railways, beg leave to report that they 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 "or cards or any game," where they occur in the second section between the words "any game" and "of chance," so as to read "who plays any game of chance," and when so amended it do pass.

HENRY W. ROTHERT, *Chairman.*

Ordered passed on file.

Senator Glass, from the Committee on State University, submitted the following report:

MR. PRESIDENT—Your Committee on State University, to whom was referred Senate File No. 126, a bill for an act to provide for a geological survey of the State of Iowa, and the publication of the same, including paleontology, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

JOHN D. GLASS, *Chairman.*

Ordered passed on file.

Senator Bills, from the Committee on Private Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Private Corporations, to whom was referred Senate File No. 144, a bill for an act to repeal section 1091 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 the substitute herewith returned be adopted in place of said bill, and that said substitute after being so adopted do pass.

JOHN C. BILLS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Private Corporations, to whom was referred Senate File No. 77, a bill for an act to tax tel-

ephone companies and to provide for their assessment within the State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

JOHN C. BILLS, *Chairman*.

Ordered passed on file.

Senator Whaley, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred House joint resolution No. 14, in relation to a branch home for disabled soldiers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

WHALEY, *Chairman*.

Ordered passed on file.

Senator Baker, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims to whom was referred Senate File No. 121, a bill for an act appropriating \$645.24 for the payment of claims due John H. Gear and the Burlington Gas Light 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.

H. A. BAKER, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 209, a bill for an act to repeal sections 1 and 2, chapter 210, of the acts of the Eighteenth 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.

HIRAM Y. SMITH, *Chairman*.

Ordered passed on file.

Senator Miles moved special order Senate File No. 93, a bill for an act to amend sections 2, 3, 4, 7 and 11, and to repeal sections 8, 9, 10, 13, 14 and 19, of chapter 202, acts of the Eighteenth General Assembly, and to enact substitutes therefor, relating to mines and the operating of mines, with substitute recommended by the committee, be taken up.

Carried.

Senator Donnan moved the substitute be taken up by sections.

Carried.

Senator Robinson moved to amend section 1 in reference to time of office, so that it should commence on first day of May of each even numbered year.

Senator Miles moved to strike out "May" and insert "April."

Accepted and adopted.

Senator Wilkin moved to amend by inserting after the word

"State," in 2d line, section 2, the words "whenever required by the Governor and".

Lost.

Senator Miles moved to amend by striking out the word "the," in 18th line, section 2, and inserting the words "any coal."

Carried.

Also, amended by striking out the words "where a fatal accident occurs."

Senator Russell moved to amend by striking out all the words after the words "required to," in 9th line, section 2, to the words "the inspector" in 10th line of same section, and inserting the following, "under such assistance to said inspector as may be necessary to enable him to make thorough inspection of such mines and".

Lost.

Senator Smith moved the words "State House," in line 6, section 4, be stricken out, and "Capitol" inserted.

Carried.

Senator Sweney moved to substitute the word "at" for the word "in," in same line.

Lost.

Senator Miles moved to amend section 8 by inserting after the word "shaft," in 24th line the words "or slope," and strike out the word "shaft" immediately thereafter.

Carried.

Senator Miles moved to amend section 11, line 11, by striking out the word "car" and substitute the word "train."

Carried.

Senator Miles moved to amend section 12 by adding to the end thereof the following, "except the conductor in charge of the train."

Adopted.

Senator Hall moved to amend by adding after the word "injured," in 13th line, section 14, the following words, "against the person guilty of such failure or neglect."

Lost.

Senator Miles moved to amend section 15 by inserting after the word "slope" the following words, "except as provided in section 12."

Carried.

Senator Miles moved to amend section 18 by striking out the words "where required," in 2d line.

Carried.

Senator Miles moved to amend section 19 by adding at its close the following, "except where different penalties are herein provided."

Carried.

Senator Chubb moved to add the following, "and the mines shall not be worked until the provisions of this act are complied with."

Lost.

Senator Cassatt moved to amend by substituting the word "act" in lieu of the word "section," in line 32, section 8.

Carried.

Senator Miles moved to strike out the word "actual," in section 14, line 14.

Carried.

The question being upon the substitute as thus amended, it was adopted.

Senator McCoy moved the rule be suspended, the bill be considered engrossed and the bill read a third time now.

Carried.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sweney, Whaley, Whiting, and Wilkin—48.

The nays were none.

Absent or not voting:

Senators Clark and Sutton—2.

So the bill passed and the title was agreed to.

#### SPECIAL ORDER.

The special order being the concurrent resolution relative to the pardon of E. J. Bruce, it was taken up.

The majority and minority reports were read.

At 6:30 o'clock, Senator Bills moved to adjourn.

Withdrawn.

The question being upon the adoption of the resolution offered by the majority of the committee.

The yeas were:

Senators Abraham, Bills, Bloom, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Cotton, Donnan, Duncan, Gillett, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sutton, Whaley, and Wilkin—36.

The nays were:

Senators Baker, Bayless, Brown, Eastman, Gault, Glass, Marshall, Sudlow, Sweney, and Whiting—10.

Absent or not voting:

Senators Barrett, Clark, Graves, and Logan—4.

So the resolution was adopted.

At 7 o'clock the Senate adjourned.

SENATE CHAMBER, }  
DES MOINES, IOWA, February 28, 1884. }

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

Prayer by Rev. A. P. Coff.

Journal of yesterday read and approved.

#### PETITIONS AND MEMORIALS.

Senator Donnan offered a memorial of E. F. Bullard, asking for the enactment of a law protecting the pre-emption rights of settlers upon public lands whose declaratory statements had been filed prior to July 12, 1866, and for other purposes.

Ordered printed, and referred to Committee on Public Lands.

Senator Kamrar offered a petition relating to life insurance.

Referred to Committee on Insurance.

Senator Sutton offered a petition for woman suffrage.

Referred to Committee on Constitutional Amendments.

#### INTRODUCTION OF BILLS.

By Senator Henderson, Senate File No. 296, a bill for an act to amend section 4, chapter 47, of the acts of the Sixteenth General Assembly, relating to extension of city limits.

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

By Senator Chubb, Senate File No. 297, a bill for an act to establish and maintain a school for the instruction and training of teachers of common schools.

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

By Judiciary Committee, Senate File No. 298, a bill for an act to amend section 2882 of the Code, in relation to the lien of judgments.

Read a first and second time, ordered not printed, and passed on file.

By Senator Sweney, Senate File No. 299, a bill for an act to appropriate funds to aid the Farmers' Protective Association of Iowa in defending against suits relating to barb wire and to test the validity of said patents.

Read a first and second time and referred to the Committee on Agriculture.

By Senator Poyneer, Senate File No. 300, a bill for an act to amend section 120, of chapter 8, title 2, Code of 1878, in reference to the executive council, relating to the providing of supplies of State officers.

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

SPECIAL ORDER.

Senate File No. 18, a bill for an act to repeal section 28, of chapter 60, of the acts of the Fifteenth General Assembly, relating to the assessment and taxation of savings banks, and to provide a substitute therefor, together with the report of committee recommending it do pass, was taken up for consideration.

Pending discussion, 2:30 o'clock having arrived, the time fixed for the

ELECTION OF PRESIDENT PRO TEM.

Senator Graves placed in nomination Senator Gillett.

Senator Hall seconded the nomination.

Senator Hall moved to proceed to ballot.

Carried.

The roll was called.

Those voting for Senator Gillett were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Donnan, Duncan, Eastman, Gault, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—47.

Absent or not voting:

Senators Clark, Cotton, and Gillett—3.

The President announced that all Senators present having voted for Senator Gillett for President *pro tem.*, he was declared duly elected.

The President appointed Senators Graves and Hall to wait upon Senator Gillett and conduct him to the chair.

Senator Poyneer was granted leave of absence until Monday.

Senator Bloom was granted leave of absence until Tuesday.

The President *pro tem.* was introduced to the Senate, and took the chair.

Consideration of Senate File No. 18 resumed.

MESSAGE FROM THE HOUSE.

The following message was received from the House.

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

Joint resolution relating to the subject of inter-State commerce.

Joint resolution in relation to liens of judgments in federal courts.

SIDNEY A. FOSTER, *Clerk.*

Senator Carson offered the following amendment:

Add after the word "provided," in the seventh line, the following: "Whenever any part of such shares, not to exceed the par value thereof, is permanently invested in bonds of the United States, as a guaranty fund for the security of the depositors of such bank, then and in that event such shares shall be taxed at their value in excess of the amount so invested."

Senator Hemenway offered the following amendment:

To strike out section 28 and insert the following in lieu thereof:

"The capital and surplus of all savings banks organized and doing business under this act, and all real estate, and all personal property, other than moneys and credits, belonging to such banking corporation shall be listed by the principal accounting officers of such bank for assessment of taxes in the township, town or city where such bank is located, and no such property, nor any share in the capital stock of such bank, shall be taxed elsewhere. All taxes levied upon such property shall be paid by the bank. All funds deposited in such bank shall be assessed to the depositors thereof, and the bank shall in no manner have any responsibility therefor."

Senator Smith moved to postpone further consideration until next Wednesday at 2:30 o'clock P. M., and that the amendment be printed.

Senator Russell moved to amend by referring the matter to the Committee on Judiciary in the meantime.

Carried.

Senator Bills moved that the Senate adjourn.

Lost.

Senator Hall moved that Senate File No. 10, a bill for an act to amend section 1061, chapter 1, of the Code of 1873, in relation to corporations for pecuniary profit, together with the report of the Committee on Railways recommending a substitute to be adopted in lieu thereof, be taken up.

Carried.

Senator Bills offered a resolution as a substitute, which was declared out of order.

Senator Brown moved to adjourn.

Lost.

Substitute reported by the committee adopted.

Senator Hall moved the rule be suspended, the bill be considered engrossed and read a third time now.

Carried.

The bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hutchison, Larrabee, Logan, McDonough, Marshall, Miles, Nichols, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—41.

The nays were:

Senator Hunt—1.



Absent or not voting:

Senators Brown, Clark, Gault, Glass, Johnson, Kamrar, McCoy, and Poyneer—8.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Senator Chambers, 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 No. 10½, in relation to the liens of judgments in federal courts, and find the same correctly enrolled.

J. C. CHAMBERS, *Chairman*.

On motion of Senator Cotton the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, February 29, 1884. }

Senate met pursuant to adjournment and was called to order by the President, *pro tem.*, Gillett.

Prayer by Rev. D. M. Hartsough.

Journal read and approved.

#### PETITIONS, MEMORIALS, ETC.

Senator Johnson presented a memorial and joint resolution, No. 15, in reference to United States postal telegraphic service.

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

#### INTRODUCTION OF BILLS.

By Senator Logan, Senate File No. 301, a bill for an act making appropriation for the State Fish Hatchery at Anamosa, and additional Hatchery in Dickinson county.

Read a first and second time and referred to the Committee on Agriculture.

By Senator Nichols, Senate File No. 302, a bill for an act to amend section 969 of the Code, relating to the working of the highways.

Read a first and second time and referred to the Committee on Roads and Highways.

By Senator Carr, Senate File No. 303, a bill for an act to legalize the levy of certain taxes in Van Buren county.

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

## RESOLUTION.

Senator Bills introduced the following resolution:

*Resolved*, That the Committee on Railways is requested to report Senate File Nos. 19 and 21.

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

Senator Larrabee moved to postpone further consideration for one hour.

Carried.

## INTRODUCTION OF BILLS.

By Senator Wilkin (by request), Senate File No. 304, a bill for an act to amend chapter 151, laws of the Eighteenth General Assembly, relating to State and local boards of health.

Read a first and second time and referred to the Committee on Medicine, Surgery and Hygiene.

Senate File No. 48, in relation to insurance companies, with amendment by the House, was taken up, and on motion of Senator Larrabee passed on file.

## BILL ON SECOND READING.

2:30 o'clock being the hour named for consideration of Senate File No. 118, a bill for an act to license and regulate the sale of beer, wine and other spirituous and malt liquors, together with the report of the Committee on Suppression of Intemperance recommending it do not pass, was taken up.

Senator Russell was granted leave of absence until Monday.

The question being shall the bill be engrossed, the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bills, Carr, Cassatt, Graves, Hall, Henderson, Johnson, Ryder, and Whiting—10.

The nays were:

Senators Abraham, Baker, Brown, Caldwell, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Nichols, Robinson, Smith, Stephens, Sudlow, Sweney, Whaley, and Wilkin—32.

Absent or not voting:

Senators Barrett, Bloom, Hendrie, Miles, Poyneer, Rothert, Russell, and Sutton—8.

So the bill was ordered not engrossed.

Senate File No. 108, a bill for an act to amend section 2078, chapter 2, of the Code, relative to the legal rate of interest, was on motion of Senator Duncan referred to the Committee on Retrenchment and Reform.

On motion of Senator Whaley joint resolution No. 14, relative to branch Soldiers' Home, was taken up.

Senator Whaley moved that the rule be suspended, the resolution be considered engrossed and read a third time now.

Carried.

The resolution was read a third time.

The question being shall the resolution pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Ryder, Smith, Stephens, Sudlow, Sweney, Whaley, Whiting, and Wilkin—41.

The nays were none.

Absent or not voting:

Senators Bloom, Cassatt, Chambers, Hendrie, Johnson, Poyneer, Rothert, Russell, and Sutton—9.

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

Senate File No. 37, a bill for an act to prevent the use of free passes on the railroads by public officers, was on motion of Senator Abraham referred to Committee on Railroads.

Senate File No. 169, a bill for an act relating to the sixth judicial circuit of the State, subdividing the same, providing for the appointment and election of judges of circuit courts therein, and defining the powers and duties thereof, with report of the committee recommending it do pass, was on motion of Senator Cassatt taken up.

Senator Cassatt moved the rule be suspended, the bill be considered engrossed, and read a third time now.

Carried.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bills, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—44.

The nays were none.

Absent or not voting:

Senators Bayless, Bloom, Donnan, Hendrie, Poyneer, and Russell—6.

So the bill passed and the title was agreed to.

#### RESOLUTION.

Senator Graves offered the following, which was unanimously adopted:

*Be it resolved*, That the Senate welcomes with outstretched hands the presence here to-day of Iowa's war Governor, Hon. Samuel J. Kirkwood, whose, able, prompt, and patriotic action at critical periods in our Nation's history placed the name of Iowa high upon

the roll of loyal States, and won for him the lasting gratitude of the people, which has ripened into deathless fame and will endure forever. We are glad of this opportunity to extend our heartiest congratulations to the sterling patriot, and cordially invite him to occupy the post of honor beside our worthy President.

Senators Graves and Bills were appointed a committee to wait upon Governor Kirkwood and escort him to the place assigned him.

The President, *pro tem.*, introduced Governor Kirkwood to the Senate, who briefly and gratefully addressed the Senate.

On motion of Senator Nichols Senate File No. 13, a bill for an act to repeal sections 857, 865 and 866 of the Code, etc., was made the special order for next Wednesday, immediately after the disposal of Senate File No. 18.

On motion of Senator Sutton Senate File No. 98 was made a special order for next Thursday, immediately after the reading of the journal.

The hour for the consideration of the resolution offered by Senator Bills having arrived, Senator Bayless offered as an amendment to add the following: "at as early a day as practicable."

Accepted.

Resolution as amended adopted.

On motion of Senator Logan House joint resolution No. 2, relating to the prevention and suppression of pleuro-pneumonia in neat cattle, with the recommendation of the Committee on Agriculture that it do pass, was taken up.

Senator Logan moved the rule be suspended, the resolution be engrossed, and read a third time now.

Carried.

The resolution was read a third time.

On the question shall the joint resolution pass?

The yeas were:

Senators Abraham, Baker, Bayless, Bills, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Robinson, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin.—40.

The nays were none.

Absent or not voting:

Senators Barrett, Bloom, Cassatt, Henderson, Hendrie, Johnson, Nichols, Poyneer, Rothert, and Russell—10.

So the joint resolution passed and the title was agreed.

#### 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. 174, a bill for an act repealing section 851, chapter 1, title 6, and section 868, chapter 2, title 6, of the Code of 1873, and enacting substitutes 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.

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 128, a bill for an act establishing a State Board of Charities, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

LARRABEE, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 225, a bill for an act repealing section 159, chapter 4 of the Code, in reference to the distribution and custody 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.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 194, a bill for an act to prevent riotous mobs, and the lynching of persons in this State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the accompanying substitute, with the recommendation that the substitute be adopted, and when adopted that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 104, a bill for an act to prohibit the selling or giving of fire-arms to minors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that said bill be amended by striking out the word "knowingly," in the second line of section 1, and adding to said section 1 the words as follows: "under the age of sixteen years"; and that as amended it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 219, a bill for an act to repeal chapter 123 of the acts of the Sixteenth General Assembly, chapter 173 of the acts of the Seventeenth General Assembly, and chapter 192 of the acts of

the Eighteenth General Assembly, in relation to taxes voted in aid of the construction of railways, beg leave to report that they 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. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 172, a bill for an act to repeal section 1923 of the Code, and enact a substitute therefor, in relation to chattle 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.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 51, a bill for an act relating to evidence in cases of prosecution for certain crimes, repealing section 4560 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 indefinitely postponed.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 228, a bill for an act in relation to recording certain instruments affecting real estate, beg leave to report that they have had the same under consideration, and a majority of your committee have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 193, a bill for an act to amend section 217, chapter 9, of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass, and that the title be amended so as to read: "A bill for an act to amend section 217 of the Code, relating to the suspension of attorneys from practice."

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 11, a bill for an act to protect all citizens in their civil and legal rights, beg leave to report that they have had the same under consideration, and have instructed me to report the same

back to the Senate with the recommendation that said bill be amended by striking out of section 2, after the word "shall," in the last line of the first page, "all to," and including the word "also," in the third line from the top of the second page. Also, strike out all of section 2, after the word "misdemeanor," in fifth line from the top of second page. Also, strike out the publication clause. And as so amended that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 178, a bill for an act to repeal chapter 2, of the laws of the Eighteenth General Assembly, and parts of chapter 165, of the Seventeenth General Assembly, and enact substitutes 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.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 156, a bill for an act for an act to amend section 2841 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 said bill be amended by inserting the words "in like manner" after the word appeal, in the first section in the fourth line from the bottom of said section. Also, add to section one the words, "and upon the same condition," and that so amended it do pass.

H. C. HEMENWAY, *Committee.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 166, a bill for an act to amend section 3102 of the Code, relating to the possession of property during the period of redemption, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the the recommendation that it be amended by adding to section one the words, "to be held subject to the owners right of redemption," and that as amended that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 217, a bill for an act regulating the settlement of the estates of decedents, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 277, a bill for an act to regulate admission to practice as attorneys and counselors 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 said bill be amended by inserting the word “of” between the words *proof* and *the* in the 4th line of section 5; also, strike out all of section five after the word “State” in the 7th line of said section 5, and that as amended it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 261, a bill for an act to repeal section 1729 of the Code and to enact a substitute therefor in relation to powers of school directors, beg leave to report that they have 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. G. HUTCHISON, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 222, a bill for an act to authorize the organization and business of township 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.

HIRAM Y. SMITH, *Chairman.*

Ordered passed on file.

Senator Chambers, from the Committee on Penitentiary, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiary, to whom was referred that part of the Governor's message relative to the application for pardon of Finis Allen, who is now confined in the Ft. Madison penitentiary under a sentence for life, beg leave to report 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 concurrent resolution be adopted.

J. C. CHAMBERS, *Chairman.*

Ordered passed on file.

#### CONCURRENT RESOLUTION.

*Resolved by the Senate, the House concurring,* That the Governor is hereby recommended to pardon Finis Allen, who is now confined in Fort Madison Penitentiary under a life sentence.



## REPORTS OF COMMITTEES.

Senator Chambers, from the Committee on Penitentiary, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiary, to whom was referred that part of the Governor's message relating to the application for pardon of William Dilly, of Johnson county, beg leave to report that they have had the same under consideration, and a majority have instructed me to report the same back to the Senate with the recommendation that the pardon be not granted.

J. C. CHAMBERS, *Chairman.*

Ordered passed on file.

Senator Chubb, 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. 286, a bill for an act for an appropriation for the State Fish 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 referred to the Committee on Appropriations, and that it be approved.

C. C. CHUBB, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate File No. 248, a bill for an act to protect the fish in the waters of the State, and punishing the sale thereof in the spawning season, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding the following words, to-wit: "Provided, that this act shall not apply to fish taken from ponds in this State formed by freshets and overflows, where such fish would perish," after the word "fish" at the end of section 1, and when so amended that it do pass.

C. C. CHUBB, *Chairman.*

Ordered passed on file.

Senator Caldwell, from the Committee on Medicine, Surgery and Hygiene, submitted the following report:

MR. PRESIDENT—Your Committee on Medicine, Surgery and Hygiene, to whom was referred Senate File No. 203, a bill for an act to provide for the inspection of mineral or petroleum oils for illuminating purposes, to regulate the sale of the same, to provide for the appointment of inspector and deputy inspectors, and prescribing penalties for violating any of the provisions of this act, and to repeal all laws in conflict with the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that the committee have drafted a new bill.

T. J. CALDWELL, *Chairman.*

Ordered passed on file.

Senator Caldwell, from this committee, introduced the following bill as the aforesaid substitute:

Senate File No. 305, a bill for an act to provide for the inspection and to regulate the sale of petroleum and its products, and to repeal chapter 172 of the acts of the Seventeenth General Assembly, and section 3901 of the Code.

Read a first and second time and placed on calendar.

Senator Caldwell, from the Committee on Medicine, Surgery and Hygiene, submitted the following report:

MR. PRESIDENT—Your Committee on Medicine, Surgery and Hygiene, to whom was referred Senate File No. 114, a bill for an act to regulate the sale of petroleum and to repeal chapter 172 of the laws of 1878, and section 3901 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, for the reason that the committee have drafted a substitute therefor.

T. J. CALDWELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Medicine, Surgery and Hygiene, to whom was referred House File No. 194, a bill for an act to amend section 4039 of the Code of 1873, relating to the spread of small pox and other infectious diseases, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out all after the words "public conveyances," in twelfth line in first section, and inserting in lieu thereof "knowing such persons to be infected with diphtheria, small pox, or scarlet fever, he shall be punished by a fine of not more than \$100, or by imprisonment in the county jail not more than thirty days," and when so amended, have instructed me to report the same back to the Senate with the recommendation that it do pass.

T. J. CALDWELL, *Chairman.*

Ordered passed on file.

On motion of Senator Chubb Senate File No. 248, a bill for an act to protect the fish in the waters of the State and punishing the sale thereof in the spawning season, was referred to Committee on Appropriations.

#### REPORT OF COMMITTEE.

Senator Eastman, from the Committee on Reform Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Reform Schools, to whom was referred Senate File No. 79, a bill for an act to establish an institution for females, to be known as "The Iowa Industrial School and Reformatory and Prison for Females," beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation it do not pass. Committee further report that a substitute has been prepared and submitted to them, establishing a reformatory at or near

Des Moines, instead of Mitchellville. As it changes the place the committee do not feel authorized to recommend it as a substitute, and are not sufficiently advised to recommend it, but report it to the Senate, by request, as a separate bill, and ask it to be considered.

E. W. EASTMAN, *Chairman*.

Ordered passed on file.

#### INTRODUCTION OF BILL.

Senator Eastman, from this committee, introduced the following bill:

Senate File No. 306, a bill for an act to establish an institution for females, to be known as the "Iowa Reformatory for Females."

Read a first and second time and referred to the Committee on Penitentiary.

#### REPORT OF COMMITTEE.

Senator McCoy, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was recommended concurrent resolution to provide for the printing of the Governor's inaugural address and dedicatory address of Hon. John A. Kasson, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that 20,000 copies of the same be printed in the English language, which includes the 6,000 provided for by law in reference to Governor's inaugural.

BEN MCCOY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Printing, to whom was referred the State Auditor's report of the amount expended by the State of Iowa for State Printing for a period of five years, from January, 1879, to January, 1884, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that 300 copies of the same be printed; and recommend that the Auditor's report on same be referred to Committee on Retrenchment.

BEN MCCOY, *Chairman*.

Ordered passed on file.

On motion of Senator Marshall, Senate File No. 12, relating to a uniform series of text-books, was made a special order for 2:30 o'clock P. M. next Tuesday.

Senate File No. 116, a bill for an act in relation to powers and duties of mayors of cities and incorporated towns, with the report of the Committee on Municipal Corporations recommending be indefinitely postponed, was taken up, and on motion of Senator Cotton the report was adopted.

## BILL ON SECOND READING.

Senate File No. 152, a bill for an act to legalize certain acts of the First Universalist Society of Dubuque, with report of Committee on Municipal Corporations recommending it do pass, was taken up.

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

Carried.

The bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Robinson, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—37.

The nays were none.

Absent or not voting:

Senators Abraham, Baker, Bloom, Cassatt, Hendrie, Johnson, Logan, Nichols, Poyneer, Rothert, Russell, Ryder, and Smith—13.

So the bill passed and the title was agreed to.

Senate joint resolution No. 7, relative to a monument to Col. Kinsman, with the report of the Committee on Military, was passed on file.

Senate File No. 8, relating to increase of appropriation for clothing funds for the Iowa Institution for Feeble Minded Children, was on motion of Senator Hemenway referred to Committee on Appropriations.

Senate File No. 22, a bill for an act requiring railway companies doing business in the State of Iowa to erect and maintain comfortable passenger depots at all intersections and crossings of other railways, with the report of the Committee on Railways, who report substitute and recommend it be adopted, was taken up and substitute was adopted.

Senator Caldwell moved the rule be suspended, the bill be considered engrossed, and read a third time now.

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

Carried.

Senator Glass offered the following amendment:

Strike out in section 1 the words "if such crossing and intersections are upon the same grade."

Senator Larrabee offered an amendment as follows:

"And at crossings not on the same grade, whenever it is so ordered by the Board of Railroad Commissioners."

Adopted.

The substitute as amended was adopted.

Senator Caldwell moved the rule be suspended, the bill considered engrossed, and read a third time now.

Carried.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Henderson, Hutchison, Johnson, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Robinson, Rothert, Ryder, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—40.

The nays were none.

Absent or not voting:

Senators Bloom, Cassatt, Hemenway, Hendrie, Hunt, Logan, Nichols, Poyneer, Russell, and Smith—10.

So the bill passed and the title was agreed to.

On motion of Senator Hutchison Senate File No. 293, a bill for an act authorizing boards of supervisors to purchase, keep up and maintain bridges over streams dividing their respective counties, was taken up.

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

Carried.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Glass, Graves, Hall, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Robinson, Ryder, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—40.

The nays were none.

Absent or not voting:

Senators Bills, Bloom, Cassatt, Gillett, Hendrie, Nichols, Poyneer, Rothert, Russell, and Smith—10.

So the bill passed and the title was agreed to.

Senator Cotton was granted leave of absence until Monday.

Senators McDonough and Sutton were granted leave of absence until Tuesday.

At 5:50 o'clock, on motion of Senator Hemenway, the Senate adjourned until 10 o'clock to-morrow morning.

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SENATE CHAMBER,  
DES MOINES, IOWA, March 1, 1884 }

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

Prayer by Rev. W. J. Young.

Journal of yesterday read and approved.

## PETITIONS AND MEMORIALS.

Senator Larrabee offered two petitions from A. Y. Whitman and others, and J. W. Pergies and others, relative to conviction for larceny.

Referred to Committee on Judiciary.

Senator Glass offered a petition from citizens of Franklin county, relative to insurance.

Referred to Committee on Insurance.

Senator Hall offered one of same character, which was referred to same committee.

Senator Henderson offered one of same character.

Referred to same Committee.

## INTRODUCTION OF BILLS.

By Senator Bills, Senate File No. 307, a bill for an act to establish a Board of Charities, and to define its powers and duties.

Read a first and second time and referred to the Committee on Hospitals for Insane.

By Senator Bayless, Senate File No. 308, a bill for an act to repeal section 2, chapter 68, of the acts of the Fifteenth General Assembly, and to enact a substitute therefor.

Read a first and second time and referred to the Committee on Retrenchment.

By Senator Brown, Senate File No. 309, a bill for an act to regulate the weighing of coal, and to establish a uniform system of weights and measures.

Read a first and second time and referred to the Committee on Mines and Mining.

By Senator Hemenway, Senate File No. 310, a bill for an act to provide for the government of the College for the Blind.

Read a first and second time and referred to the Committee on College for the Blind.

By Senator Ryder, Senate File No. 311 a bill for an act making appropriations for the College for the Blind at Vinton.

Read a first and second time and referred to the Committee on Appropriations.

## RESOLUTIONS.

Senator Duncan offered the following resolution:

*Resolved by the Senate,* That bills of a local nature, and legalizing acts, shall be special orders for the sessions of the Senate held upon Saturday mornings.

Adopted.

Senator Graves offered the following resolution:

*Resolved,* That the Secretary of State be and he is hereby instructed to cause 2,500 additional copies of the rules of the Twentieth General Assembly to be printed for the use of said body.

Adopted.

Senator Robinson offered the following resolution:

*Resolved by the Senate,* That the Committee on Printing be instructed to investigate the facts and to report to the Senate as soon as practicable, as follows:

1. The number of copies of the Code, and of the session laws of the Fifteenth and subsequent General Assemblies now in possession of the State, and subject to distribution for the use of public officers.
2. The probable time when the present supply of such copies of the Code and session laws will be exhausted.
3. The necessity, if any, for a revision of the laws, and providing of copies of the same for the use of public officers in the State.

Adopted.

#### REPORTS OF COMMITTEES.

Senator Chambers, 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, joint resolution No. 10 $\frac{1}{2}$ , in relation to the liens of judgments in Federal Courts.

Also, joint resolution No. 8, that the interests of the people of Iowa, and of the country, require that the National Congress assume the power granted in the Federal Constitution, of regulating commerce between the States, by the prompt enactment of laws regulating and controlling the transportation of freight and passengers on all lines of railroads within the United States engaged in inter-State commerce.

J. C. CHAMBERS, *Chairman.*

#### SPECIAL ORDER—BILLS ON SECOND READING.

Senate File No. 7, a bill for an act granting additional powers to cities and incorporated towns with reference to the improvements of streets, highways, avenues or alleys; to provide a system for the payment of said improvements, and to repeal chapter 51 of the acts of the Thirteenth General Assembly, with report of the Committee on Municipal Corporations recommending amendments and it do pass, was taken up.

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

Senator Eastman moved to amend by striking out the words, "they shall levy a special tax upon adjacent property," in section 1.

Lost

Senator Hemenway moved to amend by striking out in section 1, the words, "with a population of not less than 18,000, nor more than 18,200," and inserting "Council Bluffs."

Senator Carson moved this same special order be postponed until Friday at half past 2 o'clock.

Carried.

On motion of Senator Graves, Senate File No. 144 was recommitted to Committee on Private Corporations.

#### INTRODUCTION OF BILLS.

By Senator Wilkin, Senate File No. 312, a bill for an act to compensate Addie Hayden, for certain services rendered at the request of the Governor, and appropriating money to pay for the same.

Read a first and second time, not ordered printed, and referred to Committee on Claims.

By Senator Larrabee, Senate File No. 313, a bill for an act to amend section 3902 of the Code, relating to penalty for larceny.

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

#### RESOLUTION.

Senator Rothert offered the following resolution:

*Resolved*, That a Special Committee of five be appointed to examine into the advantages and benefits to the State arising from the action past and present of the State Board of Health, taking into consideration the expenses of said board and to report by bill or otherwise such changes, if any, in the present laws as may in the judgment of said committee be deemed necessary.

Referred to the Committee on Medicine, Surgery and Hygiene.

Senators Donnan, Hutchison and Whaley, were excused until Tuesday.

Senator Hemenway was excused until Wednesday.

Senator Cassatt was excused until his return.

Senator Smith introduced a substitute for Senate File No. 130, which was ordered printed.

#### REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 130, a bill for an act to establish a separate insurance department, to include the supervision of banks, to provide for the appointment of commissioner thereof and define his duties, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that the substitute herewith returned be adopted, and that when so adopted, that it do pass.

HIRAM Y. SMITH, *Chairman.*

Ordered passed on file.

At 12:10 o'clock P. M., Senate adjourned.



SENATE CHAMBER,  
DES MOINES, IOWA, March 8, 1884. }

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

Prayer by Senator Marshall.

Journal of Saturday read and approved.

#### PETITIONS AND MEMORIALS.

Senator Donnan offered a petition from citizens of Manchester, Delaware county, for passage of Senate File No. 138.

Passed on file.

#### INTRODUCTION OF BILLS.

By Senator Smith, Senate File No. 315, a bill for an act to provide for taking enumeration of the inhabitants of the State and compiling statistics of its population, wealth and resources, amendatory of chapter 8, title 11, of the Code.

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

By Senator Donnan, Senate File No. 316, a bill for an act to authorize mayors of incorporated towns and cities to appoint suitable persons to perform the duties of marshal.

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

By Senator Barrett, Senate File No. 317, a bill for an act to provide for the assessment and taxation of lands within the State of Iowa granted to railroad companies or corporations, which are earned and not patented.

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

By Senator Chubb, from Committee on Fish and Game, Senate File No. 318, a bill for an act for the protection and preservation of quail.

Read a first and second time and passed on file.

By Senator Henderson, Senate File No. 319, a bill for an act to amend sections 4130 and 4132 of the Code.

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

#### REPORTS OF COMMITTEES.

Senator Clark, 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. 233, a bill for an act to amend section 4611 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 substitute herewith be adopted, and when adopted that it do pass.

T. E. CLARK, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate File No. 173, a bill for an act to suppress the evils of intemperance, and to provide revenue for municipal purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

T. E. CLARK, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate File No. 266, a bill for an act relating to civil damages for selling 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.

T. E. CLARK, *Chairman.*

Ordered passed on file.

Senator Eastman, from the Committee on Retrenchment and Reform, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred Senate File No. 210, a bill for an act to repeal part of section 4008 of the Code of Iowa, in reference to adultery, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

E. W. EASTMAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred Senate File No. 235, a bill for an act to repeal section 10, chapter 70, of the laws of the Sixteenth General Assembly, 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.

E. W. EASTMAN, *Chairman.*

Ordered passed on file.

Senator Baker, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred petition of Mrs. Clara Conboy, beg leave to report 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 committee do not find that the State is liable.

H. A. BAKER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate File No. 260, a bill for an act for the relief of Joseph Spaulding, beg leave to report that they 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. A. BAKER, *Chairman*.

Ordered passed on file.

Senators Hall, Rothert and Bills were granted leave of absence until to-morrow.

#### BILLS ON SECOND READING.

Senate File No. 62, a bill for an act to amend title 23, chapter 1, section 3777, of the laws of Iowa, with report of Committee on Judiciary, recommending it do not pass, was taken up, and Senator Robinson moved that it be indefinitely postponed.

Upon this the yeas and nays were demanded, and the roll was called.

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Brown, Caldwell, Carr, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Hendrie, Johnson, Logan, Marshall, Miles, Robinson, Russell, Ryder, Smith, Sweney, Whiting, and Wilkin—27.

The nays were:

Senators Henderson, Hunt, and McCoy—3.

Absent or not voting:

Senators Bills, Bloom, Carson, Cassatt, Chambers, Glass, Graves, Hall, Hemenway, Hutchison, Kamrar, Larrabee, McDonough, Nichols, Poyneer, Rothert, Stephens, Sudlow, Sutton, and Whaley—20.

So the bill was indefinitely postponed.

Senate File No. 102, a bill for an act to limit the liabilities of railroad and sleeping-car companies, and for the better protection of their passengers, with the report of the Committee on Railways recommending amendments and that it do pass, was taken up for consideration.

Senator Marshall moved the amendments be adopted.

Lost.

Senator Marshall moved that the bill be engrossed, and it was so ordered.

Senate File No. 124, a bill for an act to repeal section 2445 of the Code, and to enact a substitute therefor, with the report of the Committee on Judiciary recommending it do pass, was taken up for consideration.

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

Carried.

The bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Brown, Carr, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Henderson, Hendrie, Hunt, Johnson, Logan, McCoy, Marshall, Miles, Robinson, Russell, Ryder, Smith, Sweney, and Whiting—29.

The nays were:

Senator Wilkin—1.

Absent or not voting:

Senators Bills, Bloom, Caldwell, Carson, Cassatt, Chambers, Graves, Hall, Hemenway, Hutchison, Kamrar, Larrabee, McDonough, Nichols, Poyneer, Rothert, Stephens, Sudlow, Sutton, and Whaley—20.

So the bill passed and the title was amended by adding the words "in reference to the notice of the appointment of referees," and as thus amended was agreed to.

Report of Committee on Penitentiary, relating to the pardon of Finis Allen, with concurrent resolution recommending he be pardoned, was taken up on motion of Senator Clark.

Senator Clark moved the adoption of the resolution.

Senator Sweney moved indefinite postponement.

Senator Cotton moved further consideration be postponed till Tuesday, March 11, when it shall be a special order after reading of the journal.

Carried.

Senate File No. 123, a bill for an act to repeal section 2316 of the Code, and to enact a substitute therefor, was on motion of Senator Donnan, made a special order immediately after resolution for pardon of Finis Allen be disposed of.

Carried.

Senate File No. 100, a bill for an act to legalize the incorporation of the town of Fonda, in the county of Pocahontas, Iowa, and the ordinances and the elections, and acts of the officers thereof, with the report of Committee on Judiciary recommending it do pass, was, on motion of Senator Robinson, taken up for consideration.

Senator Robinson moved the rule be suspended, the bill be considered engrossed and read a third time now.

Carried.

The bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bayless, Brown, Caldwell, Carr, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Henderson, Hendrie, Hunt, Johnson, Logan, McCoy, Marshall, Miles, Robinson, Russell, Ryder, Smith, Stephens, Sweney, Whiting, and Wilkin—31.

The nays were none.

Absent or not voting:

Senators Baker, Bills, Bloom, Carson, Cassatt, Chambers, Graves, Hall, Hemenway, Hutchison, Kamrar, Larrabee, McDonough, Nichols, Poyneer, Rothert, Sudlow, Sutton, and Whaley—19.

So the bill passed and the title was agreed to.

Senate File No. 167, a bill for an act to legalize the official acts of John Cook, a justice of the peace in and for Clinton county, Iowa, with the report of Committee on Judiciary recommending it do pass, was, on motion of Senator Cotton, taken up for consideration.

Senator Cotton moved the rule be suspended, the bill be considered engrossed and read a third time now.

Carried.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bayless, Brown, Caldwell, Carr, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Henderson, Hendrie, Hunt, Logan, McCoy, Marshall, Miles, Robinson, Russell, Ryder, Smith, Stephens, Sweney, Whiting, and Wilkin—29.

The nays were none.

Absent or not voting:

Senators Baker, Bills, Bloom, Carson, Cassatt, Chambers, Gault, Graves, Hall, Hemenway, Hutchison, Johnson, Kamrar, Larrabee, McDonough, Nichols, Poyneer, Rothert, Sudlow, Sutton, and Whaley—21.

So the bill passed and the title was agreed to.

Senate File No. 230, a bill for an act to provide for the greater protection of the property of minors, reported by the Judiciary Committee, was on motion of Senator McCoy taken up for consideration.

Senator McCoy moved the rule be suspended, the bill be considered engrossed and read a third time now.

Carried.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bayless, Brown, Caldwell, Carr, Chubb, Clark, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Henderson, Hendrie, Hunt, Johnson, Logan, McCoy, Marshall, Miles, Robinson, Russell, Ryder, Smith, Stephens, Sweney, Whiting, and Wilkin—30.

The nays were none.

Absent or not voting:

Senators Baker, Bills, Bloom, Carson, Cassatt, Chambers, Eastman, Graves, Hall, Hemenway, Hutchison, Kamrar, Larrabee, McDonough, Nichols, Poyneer, Rothert, Sudlow, Sutton, and Whaley—20.

So the bill passed and the title was agreed to.

Senate File No. 47, a bill for an act regulating the grades, width and alignment of streets, and the recording of plats of additions to, or subdivisions of, lands in incorporated cities and towns, with the report of the Committee on Municipal Corporations, recommending amendments and it do pass, was on motion of Senator Smith taken up for consideration.

The amendments were adopted.

Senator Smith offered a substitute to the bill as amended, which was adopted.

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

Carried.

The bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Brown, Caldwell, Carr, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Henderson, Hendrie, Hunt, Johnson, Logan, McCoy, Marshall, Miles, Robinson, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—32.

The nays were none.

Absent or not voting:

Senators Bills, Bloom, Carson, Cassatt, Chambers, Graves, Hall, Hemenway, Hutchison, Kamrar, Larrabee, McDonough, Nichols, Poyneer, Rothert, Sudlow, Stephens, and Whaley—18.

So the bill passed and the title was agreed to.

Senate File No. 241, a bill for an act to establish a uniform inch or guage of cream, with report of Committee on Agriculture recommending it do pass, was taken up and considered.

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

Carried.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Brown, Caldwell, Carr, Chubb, Clark, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Henderson, Hendrie, Hunt, Logan, McCoy, Marshall, Miles, Robinson, Russell, Smith, Sutton, Sweney, Whiting, and Wilkin—29

The nays were none.

Absent or not voting:

Senators Bills, Bloom, Carson, Cassatt, Chambers, Cotton, Graves, Hall, Hemenway, Hutchison, Johnson, Kamrar, Larrabee, McDonough, Nichols, Poyneer, Stephens, Sudlow, and Whaley—19.

So the bill passed.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 14, bill for an act to repeal section 1555, chapter 6, title 11, of the Code, and to enact a substitute therefor, relating to intoxicating liquors.

SIDNEY A. FOSTER, *Clerk.*

Senator Smith moved to strike out the preamble to Senate File No. 241.

Carried.

The title of the bill was agreed to.

## HOUSE MESSAGES.

Senator Donnan moved to take up House message.

Carried.

On motion of Senator Donnan House File No. 14 was made the special order for 2:15 o'clock to-morrow afternoon. □□

Senate File No. 91, a bill for act limiting and restricting the right of action against municipal corporations in certain cases, with the report of the Committee on Judiciary reporting substitute, with the recommendation that the substitute be adopted, and when adopted that it do pass, was taken up for consideration.

Senator Wilkin moved that the substitute be adopted.

Senator Eastman moved to strike out that part which relates to giving sixty days notice.

Senator Wilkin moved that further consideration be postponed, and it be made a special order for Thursday next, immediately after disposal of Senate File No. 98.

Carried.

Senator Larrabee was granted leave of absence until his return.

On motion of Senator Smith the Senate rdjourned.

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SENATE CHAMBER,        }  
DES MOINES, IOWA, March 4, 1884. }

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

Prayer by Rev. I. N. Wooten.

Journal of yesterday read and approved.

## PETITIONS, MEMORIALS, ETC.

Senator Cotton presented a petition from citizens of Clinton county, relative to mutual insurance companies.

Referred to Committee on Insurance.

Senator Miles presented a remonstrance from citizens of Iowa against abolishing independent school districts.

Referred to Committee on Schools.

Senator Rothert presented a petition from Mrs. Sawyer for relief.

Referred to Committee on Claims.

Senator Russell presented a petition from citizens of Iowa for the passage of the "Bolter bill."

Referred to the Committee on Schools.

Senator Carson presented a remonstrance against passage of bill to prevent use of dogs by sportsmen.

Referred to Committee on Fish and Game.

Senator Poyneer presented a remonstrance from citizens of Iowa against abolishing the independent school districts.

Referred to Committee Schools.

Senator Sutton presented a remonstrance from citizens of Iowa against the passage of bill to prevent use of dogs by sportsmen.

Referred to Committee on Fish and Game.

Senator Kamrar presented a petition from citizens of Iowa relative to insurance.

Referred to Committee on Insurance.

Senator Kamrar presented a petition of J. B. Johnson and twenty-eight others, for the re-establishment of Bancroft county.

Referred to committee on County and Township Organizations.

Senator Rothert presented a petition from citizens of Iowa for passage of a law preventing the sale and circulation of obscene literature.

Referred to Committee on Judiciary.

#### INTRODUCTION OF BILLS.

By Senator Carson, Senate File, No. 320, a bill for an act to enable counties in certain cases to straighten portions of the public highways.

Read a first and second time and referred to the Committee on Roads and Highways.

By Senator Carson, Senate File No. 321, a bill for an act to require the trustees of public institutions and owners of buildings to provide fire escapes in certain cases.

Read a first and second time and referred to the Committee on Public Buildings.

By Senator Wilkin, Senate File No. 322, a bill for an act to provide for the better protection of the funds of independent districts and district townships.

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

#### BILLS ON SECOND READING.

At 2:15 o'clock, the hour fixed for special order, House File No. 14, a bill for an act to repeal section 1555, chapter 6, title 11 of the Code, and to enact a substitute therefor relating to intoxicating liquors, was taken up.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Brown, Caldwell, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Hunt, Hutchison, Kamrar, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin—34.



The nays were:

Senators Bayless, Bills, Bloom, Carr, Cassatt, Henderson, Hendrie, Johnson, Rothert, Ryder, and Whiting—11.

Absent or not voting:

Senators Baker, Graves, Hall, Hemenway, and Larrabee—5.

So the bill passed and the title was agreed to.

Senator Bloom asked leave to read the following telegram:

IOWA CITY, February 29, 1884.

To MOSES BLOOM, *Senator*: How will three hundred law-abiding Iowa priests obtain altar wine? Ask the Senate.

EMMONDS.

#### INTRODUCTION OF BILLS.

By Senator Brown, Senate File No. 323, a bill for an act requiring fences to be built along the lines of railways, and to keep the same in repair.

Read a first and second time and referred to the Committee on Agriculture.

By Senator Brown, Senate File No. 324, a bill for an act to establish and maintain a school for the instruction and training of teachers of common schools.

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

By Senator Henderson, Senate File No. 325, a bill for an act to repeal section 4509 of the Code, in relation to satisfaction of fine and cost by imprisonment, and to enact a substitute therefor.

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

By Senator Ryder, Senate File No. 326, a bill for an act to legalize the incorporation of the town of Garrison, in Benton county, Iowa.

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

By Senator McCoy, Senate File No. 327, a bill for act to amend section 277 of the Code, and granting the powers thereof to official short-hand reporters.

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

#### BILLS ON SECOND READING.

On motion of Senator Chubb, the special order was postponed.

House File No. 74, a bill for an act to protect and preserve the fish in the permanent lakes and ponds within the State of Iowa, was taken up and considered.

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

Senator Glass moved to amend by inserting after the word, "device," the words, "except by hook and line."

Senator Barrett moved to amend by striking out the words, "other device," and insert, "in any other manner except by hook and line."  
Accepted.

Lost.

Senator Sweney moved to amend by inserting after the word, "fish" in first line, the words, "except pickerel."

Lost.

Motion of Senator Chubb carried, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—44.

The nays were:

Senator Cassatt—1.

Absent or not voting:

Senators Graves, Hall, Hemenway, Larrabee, and Rothert—5.

So the bill passed and the title was agreed to.

Senator Marshall called up the special order.

Senator Clark moved a reconsideration of the vote by which Senate File No. 102 was yesterday ordered engrossed.

#### MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has passed the following bills:

Senate File No. 279, a bill for an act to pay expenses incurred in escorting the remains of the late Hon. J. M. Holbrook to Manchester, and for the allowance of the full salary to his widow.

Also Senate File No. 295, a bill for an act to amend chapter 104, of the laws of the Seventeenth General Assembly.

SIDNEY A. FOSTER, *Clerk.*

Motion of Senator Clark to reconsider prevailed.

Senator Gillett moved to reconsider the vote by which the Senate refused to adopt the report of the committee.

Carried.

The question being shall the report of the committee be adopted, it was adopted.

Senator Marshall moved the rule be suspended, the bill be considered engrossed and read a third time now.

Carried.

The bill was read a third time.

On the question shall the bill pass?

Senator Smith moved that the bill be indefinitely postponed.

Carried.

At 3:25 o'clock Senate File No. 12 (special order), a bill for an act to establish a uniform series of text books for the public schools of the State of Iowa and to provide school books for the children of the poor, with the report of Committee on Schools reporting substitute, and also recommending its adoption as a substitute for Senate File No. 150, was taken up for consideration.

Senator Eastman moved to strike out all after the word "quorum," in sixth line, section 1.

#### REPORT OF COMMITTEE.

Senator Chambers, 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. 14, a bill for an act to repeal section 1555, chapter 6, title 11, of the Code, and to enact a substitute therefor, relating to intoxicating liquors, and find the same correctly enrolled.

J. C. CHAMBERS, *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:

House File No. 14, a bill for an act to repeal section 1555, chapter 6, title 11, of the Code, and to enact a substitute therefor, relating to intoxicating liquors.

SIDNEY A. FOSTER, *Clerk.*

#### REPORT OF COMMITTEE.

Senator Chambers, 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 House File No. 14, a bill for an act to repeal section 1555, chapter 6, title 11, of the Code, and to enact a substitute therefor, relating to intoxicating liquors.

J. C. CHAMBERS, *Chairman.*

Senator Rothert moved to adjourn.

Senator Marshall moved to amend by adjourning till to-morrow morning at 10 o'clock, and that this bill be the special order till disposed of.

Senator Hutchison moved to amend by adjourning till 2 P. M., to-morrow, and this be the special order till disposed of.

Accepted.

Senator Hendrie was granted leave of absence till he returned.

Senate adjourned.

SENATE CHAMBER, }  
DES MOINES, IOWA, March 5, 1894. }

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

Prayer by Rev. C. W. Blodgett.

Journal of yesterday read and approved.

Senator Graves desired the journal to show that had he been present he should have voted against House File No. 14.

#### CONTINUATION OF SPECIAL ORDER.

Senator Johnson moved to amend section 1, line 7, by striking out 1,000 and inserting 500.

At 2:50 o'clock Senator Bills called up special order, Senate File No. 18.

Senator Hutchison moved that Senate File No. 18 be postponed until immediately after disposal of Senate File No. 12.

Senator Sutton moved to amend by inserting "not later than four o'clock."

Amendment of Senator Sutton lost.

Amendment of Senator Hutchison prevailed.

#### REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 18, a bill for an act to repeal section 28, chapter 60, of the acts of the Fifteenth General Assembly, relating to the assessment and taxation of the property of savings banks, and to provide a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said bill be amended by striking out the words "deposited therein," in the last line of the first page, and insert in lieu thereof the words "of the bank." Also, after the word "securities," in the top line of the second page, add the words "belonging thereto"; and as amended that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

The question being upon the amendment of Senator Johnson, the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Baker, Bloom, Cassatt, Cotton, Henderson, Johnson, Logan, McCoy, Robinson, Rothert, Ryder, Sweney, and Wilkin—13.

The nays were:

Senators Abraham, Barrett, Bayless, Bills, Brown, Caldwell, Carr, Chambers, Chubb, Clark, Donnan, Duncan, Eastman, Gault, Glass, Graves, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, McDonough, Marshall, Miles, Nichols, Poyneer, Russell, Smith, Stephens, Sudlow, Sutton, Whaley, and Whiting—33.

Absent or not voting:

Senators Carson, Gillett, Hall, and Hendrie—4.

So the amendment was lost.

Senator Donnan moved to amend by striking out all of the first nine sections, and inserting in lieu thereof the following:

SECTION 1. On and after the 1st day of January, 1885, it shall be lawful in any of the counties of this State, for the county superintendent of schools to call a county convention, to be composed of one delegate from each sub-district and each independent district in the county, of which convention the superintendent shall be the presiding officer. Such convention may adopt a series of books for exclusive use in the schools of such county for a term not exceeding five years.

Upon this the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Baker, Barrett, Bayless, Bills, Carr, Cassatt, Chubb, Cotton, Donnan, Graves, Henderson, Johnson, Logan, McCoy, Rother, Ryder, Whaley, and Whiting—18.

The nays were:

Senators Abraham, Bloom, Brown, Caldwell, Carson, Chambers, Clark, Duncan, Eastman, Gault, Gillett, Glass, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, and Wilkin—30.

Absent or not voting:

Senators Hall and Hendrie.—2.

So the amendment was lost.

Senator Johnson moved to adjourn.

Lost.

Senator Nichols moved that Senate File No. 13 be made the special order immediately following disposal of Senate File No. 18, and continue so till disposed of.

Carried.

Senator Baker offered a substitute.

Upon this the yeas and nays were demanded, and the roll was called.

The yeas were:

Senators Baker, Barrett, Bayless, Bills, Cassatt, Donnan, Graves, Hemenway, Henderson, Johnson, Logan, Ryder, Whaley, Whiting, and Wilkin—15.

The nays were:

Senators Abraham, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Duncan, Eastman, Gillett, Glass, Hunt, Hutchison, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles,

Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, and Sweney—31.

Absent or not voting:

Senators Gault, Hall, Hendrie, and Rothert—4.

So the substitute was lost.

Senator Sutton moved Senate File No. 98 be special order to immediately follow disposal of Senate File No. 18.

Carried.

The question being upon the adoption of the amendment of Senator Eastman, the yeas and nays were demanded, and the roll was called.

The yeas were:

Senators Abraham, Barrett, Bayless, Bills, Brown, Caldwell, Carr, Carson, Chambers, Clark, Donnan, Duncan, Eastman, Gillett, Glass, Graves, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McDonough, Marshall, Miles, Poyneer, Robinson, Russell, Smith Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—37.

The nays were:

Senators Baker, Bloom, Chubb, Cotton, McCoy, Nichols, and Ryder.—7.

Absent or not voting:

Senators Cassatt, Gault, Hall, Henderson, Hendrie, and Rothert—6.

So the amendment was agreed to.

Senator Larrabee offered the following amendment:

Add to section 10 the following: "and provided that no district shall be compelled to adopt the series of books selected by the committee whenever by a unanimous vote the board of directors of any district may so decide."

Lost.

Senator Johnson moved that the enacting clause be stricken out.

Upon this the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Baker, Barrett, Bayless, Bills, Bloom, Carr, Cassatt, Chubb, Cotton, Donnan, Graves, Hemenway, Henderson, Johnson, Larrabee, Logan, McCoy, Robinson, Ryder, Whaley, and Whiting—21.

The nays were:

Senators Abraham, Brown, Caldwell, Chambers, Clark, Duncan, Eastman, Gillett, Glass, Hunt, Hutchison, Kamrar, McDonough, Marshall, Miles, Nichols, Poyneer, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, and Wilkin—24.

Absent or not voting:

Senators Carson, Gault, Hall, Hendrie, and Rothert—5.

So the motion was lost.

#### REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 271, a bill for an act to provide for the purchase of land for the use of the Iowa 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.

T. M. C. LOGAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 299, a bill for an act to appropriate funds to aid the Farmers Protective Association of Iowa, in defending against suits relating to barbed wire and to test the validity of said patents, beg leave to report that they have 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. M. C. LOGAN, *Chairman.*

Ordered passed on file.

Senator Eastman offered the following amendment:

Amend section 10 by adding thereto: "Not to extend beyond two years from the time of taking effect of this act, and after the selection of the books as herein provided every school district in Iowa shall within three months, but the books so adopted in use in the school, and exclude all other books from use in the place of the books as adopted."

Pending discussion, on motion of Senator Brown, the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, March 6, 1884. }

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

Prayer by Rev. J. S. Grinnell.

Journal of yesterday read and approved.

By leave,

#### INTRODUCTION OF BILLS.

By Senator Graves, Senate File No. 328, a bill for an act to amend section 1141, paragraph 15, chapter 4 of the Code, in relation to insurance.

Read a first and second time and referred to the Committee on Insurance.

By leave, Senator Caldwell offered the following concurrent resolution, which was adopted:

*Be it resolved by the Senate, the House concurring,* That the President of the Senate and the Speaker of the House shall declare their

respective houses adjourned *sine die* on the 28th day of March, 12 m.

By leave, Senator Rotherth offered a petition from 215 citizens of Iowa for womans' reformatory prison.

Referred to Committee on Penitentiary.

Senator Logan, by leave, offered the following resolution:

*Resolved by the Senate,* That no bills shall be introduced after March 8th, except bills of committees, or for appropriations.

Senator Smith moved to amend by adding "or by unanimous consent."

Accepted.

Senator Glass moved to amend by inserting 10th instead of 8th.

Senator Duncan moved the resolution be indefinitely postponed.

Carried.

Senator Hemenway moved special order be postponed till after introduction of bills.

Carried.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 74, a bill for an act to protect and preserve the fish in the permanent lakes and ponds within the State of Iowa.

Joint resolution No. 12, relative to the appointment of an agent for the collection of any amount that may be due the State of Iowa from the United States, as a refund of the direct war tax and also as a refund of interest on money advanced by the State during the civil war.

SIDNEY A. FOSTER, *Clerk.*

#### PETITIONS, MEMORIALS, ETC.

Senator Hemenway offered a petition from citizens of Iowa, relating to life insurance.

Referred to Committee on Insurance.

Senator Hemenway offered two petitions from citizens of Iowa for the passage of Senate File No. 138.

Referred to Committee on Military.

Senator Larrabee offered three petitions of same character.

Referred to same Committee.

Senator Caldwell offered a remonstrance from citizens of Iowa against the passage of the Bolter bill.

Referred to Committee on Schools.

Senator Abraham offered petition from citizens of Henry county for reformatory prison for women.

Referred to Committee on Penitentiary.

Senator Poyneer offered two remonstrances from citizens of Iowa against the passage of section 2, Bolter bill.

Referred to Committee on Schools.



Senator Abraham offered a remonstrance from citizens of Henry county against abolishing independent school districts.

Referred to Committee on Schools.

Senator Sudlow offered a petition from citizens of Polk and Jasper counties for normal schools at Colfax.

Referred to Committee on Normal Schools.

Senator Sweney offered a petition from Mrs. Sue Harden and thirty-nine other citizens for submission of the amendment striking out word male from the constitution.

Referred to Committee on Constitutional Amendments.

Senator Nichols offered a petition from citizens of Iowa regarding punishment of the vice of prostitution.

Referred to Committee on Retrenchment.

Senator Johnson offered a printed paper regarding the uniform text-book.

Withdrawn.

The following motion was filed:

I hereby move that the vote by which the resolution providing for the adjournment of the Senate by March 28, 1884, was passed, be reconsidered.

P. M. SUTTON.

#### INTRODUCTION OF BILLS.

By Senator Brown, Senate File No. 329, a bill for an act to repeal section 1381, of chapter —, title 11, of the Code of 1873, and to enact a substitute therefor.

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

By Senator Eastman, Senate File No. 330, a bill for an act to more effectually suppress intemperance.

Read a first and second time, ordered not printed, and referred to the Committee on Suppression of Intemperance.

By Senator Sutton, Senate File No. 331, a bill for an act for the levy of one half mill State tax.

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

By Senator Sudlow, Senate File No. 332, a bill for an act to legalize central time.

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

By Senator McCoy, by request, Senate File No. 333, a bill for an act to legalize certain amendments to the articles of incorporation of the Ancient Order of United Workmen of Iowa.

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

By Judiciary Committee, Senate File No. 334, a bill for an act to repeal section 1, chapter 60, of the acts of the Eighteenth General Assembly.

Read a first and second time and passed on file.

By Judiciary Committee, Senate File No. 335, a bill for an act to amend section 3814 of the Code, in relation to witness fees.

Read a first and second time and passed on file.

By Senator Larrabee, Senate File No. 336, a bill for an act to facilitate the giving of bonds as required by law.

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

By Senator Larrabee, Senate File No. 337, a bill for an act to amend section 384 of the Code.

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

By Senator Kamrar, Senate File No. 338, a bill for an act making standard time the legal time in the State of Iowa.

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

By Senator Abraham, Senate File No. 339, a bill for an act to amend section 1753, chapter 9, title 12 of the Code, in relation to duties of subdirectors.

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

By Senator Barrett, Senate File No. 340, a bill for an act to amend section 797 of the Code.

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

By Senator Barrett, Senate File No. 341, a bill for an act to legalize the incorporation of the town of Sanborn, in the county of O'Brien, State of Iowa, and to legalize the acts of the town council and the officers of said town.

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

Senator Bills moved that the report of the Committee on Printing recommending that 300 copies of the statement of State Auditor, relative to cost of State Printer and Binder the past five years be printed, be adopted.

Senator Rothert moved to amend so that 500 be printed, instead of 300.

Motion as amended carried.

#### REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 349, a bill for an act to legalize the incorporation of the Broomhall Coal Company, in Keokuk county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 259, a bill for an act to legalize the incorporation of the Knoxville Junction Coal 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.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 287, a bill for an act to legalize the incorporation of the town of St. Ansgar in Mitchell county, Iowa, the election of officers, and all 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.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 276, a bill for an act to legalize the acts of Thomas W. Darling, of Jackson county, Iowa, while acting in the capacity of a notary public in and for said county of Jackson, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 56, a bill for an act to repeal section 4013, chapter 9, title 24, of the Code, relating to houses of ill-fame, 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 accompanying substitute, with the recommendation that the substitute be adopted, and when adopted, that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 294, a bill for an act to amend section 3948 of the Code, to prevent the acceptance of bribes by marshals, deputy marshals, policemen, or other police officers in cities and 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.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 17, a bill for an act to amend section 175, of chapter 5, 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 not pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 58, a bill for an act to amend section 2581 of the Code relating to the place of bringing suits 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 accompanying substitute, with the recommendation that the substitute be adopted, and when adopted that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 129, a bill for an act relating to the transmission and delivery of telegraph and telephone messages, repealing section 1329 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 said bill be amended by striking out of the second line of section 1329 the words "and telephone;" also by inserting the words "reasonably avoidable" after the word "all" in the third line of said section, and that as amended it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 240, a bill for an act repealing section 4461 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 said bill be amended by striking out the word "it" in second line from the bottom of section 4461, and inserting in lieu thereof the words "the verdict," and as amended that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 244, a bill for an act for the determination of vacancies of State offices, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that said bill be amended by adding after the word "office" in the first line of section 1, the words "including the office of all judges of courts of record,"

also by striking out the word "three" in the last line of said section 1, and inserting the word "six," and that as amended it do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Senator Eastman, from the Committee on Retrenchment and Reform, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment and Reform, to whom was referred Senate File No. 108, a bill for an act to amend section 2078, chapter 2, of the Code, relative to the legal rate of interest, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

E. W. EASTMAN, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 88, a bill for an act to amend chapter 118 of the laws of the Nineteenth 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 not pass.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 214, a bill for an act to confirm title to lots 1, 2, 5, 6, 7, 8, 9, 10, 11 and 12, in block twenty (20), in the city of Keokuk, Lee county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that this being of the nature of a legalizing and enabling act it be referred to the Judiciary Committee.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 191, a bill for an act relating to the study of physiology and hygiene in the public schools, with special reference to the effect of alcoholic drinks, tobacco, and all narcotics upon the human system, beg leave to report that they have had the same under consideration, and the committee have prepared the accompanying substitute for the foregoing named bill, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted in place of said Senate File, and when so adopted that it do pass.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 202, a bill for an act to amend section 1717 of

the Code, relating to the powers of the electors at the annual school meeting, beg leave to report that they 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.

J. G. HUTCHISON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 284, a bill for an act to amend chapter 136, laws of the Sixteenth General Assembly, in relation to county school superintendents, as regards their qualification, beg leave to report that they 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.

J. G. HUTCHISON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 199, a bill for an act to encourage the building of county high schools and providing for the establishment of a normal department therein, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

J. G. HUTCHISON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 184, a bill for an act to enlarge the powers of school directors in relation to compelling the attendance of pupils at schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. G. HUTCHISON, *Chairman.*

Ordered passed on file.

Senator Russell, from the Committee on Banks and Banking, submitted the following report:

MR. PRESIDENT—Your Committee on Banks and Banking, to whom was referred Senate File No. 151, a bill for an act to amend section 1078 of chapter 9 of the laws of Iowa, regarding corporations for pecuniary profit, beg leave to report that they have had the same under consideration, and a majority of said committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Banks and Banking, to whom was referred Senate File No. 234, a bill for an act to amend chapter 9, title 11, of the Code of 1873, in relation to bank statements, 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 be indefinitely postponed.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Banks and Banking, to whom was referred Senate File No. 69, a bill for an act requiring private banks and bankers to make quarterly statements to Auditor of State, 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 be indefinitely postponed.

J. J. RUSSELL, *Chairman.*

Ordered passed on file.

Senator Donnan, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments, to whom was referred joint resolution No. 12, agreeing to certain amendments to the Constitution of the State of Iowa, proposed by the Nineteenth 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 separate votes be taken by ayes and nays upon each proposed amendment to be entered also upon the journal, and the committee recommend the adoption of the joint resolution as an entirety.

W. G. DONNAN, *Chairman.*

Ordered passed on file.

Senator Donnan, chairman of the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments, to whom was referred joint resolution No. 8, in relation to woman suffrage, beg leave to report that they have had the same under consideration, and a majority of said committee reach the following conclusions:

*First.* The principle is axiomatic, that the just powers of a free representative government are derived from the consent of the governed.

*Second.* That American civilization, law and conscience recognize woman as a subject of government, as a person and as a citizen in many respects equally, and in some respects more directly interested in the enactment and enforcement of law and in giving direction to the administration of government than man.

*Third.* That it is only fairness and justice to determine, as a general principle, that burdens and privileges, taxation and representation, if not altogether identical, should be equal and coextensive.

*Fourth.* That woman would doubtless vote quite as intelligently as man.

*Fifth.* That her participation in the elective franchise would tend to elevate rather than degrade politics.

*Sixth.* That there is no sufficient reason why her admission to

share with man in the direction and control of governmental affairs may not and will not tend to advance the best interests of all classes in the commonwealth.

The majority of the committee therefore recommend the adoption of the joint resolution in order that the proposed amendment may be submitted to the people.

W. G. DONNAN,  
C. M. BROWN,  
G. S. ROBINSON,  
W. A. COTTON,  
J. G. HUTCHISON,  
J. C. CHAMBERS,  
*Of the committee.*

On motion of Senator Donnan, joint resolutions 8 and 12, in the report of the Committee on Constitutional Amendments, were made the special order for next Tuesday at 2:30 o'clock P. M., in the order named.

Senator Graves, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 73, a bill for an act to amend chapter 54 of the acts of the Sixteenth General Assembly, relating to the construction of sewers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 89, a bill for an act providing that cities and towns may submit to the qualified electors the question of levying a special tax for the purpose of purchasing and improving public parks, beg leave to report that they have 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. K. GRAVES, *Chairman.*

Ordered passed on file.

Senator Whaley, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate File No. 74, a bill for an act to provide for the publication of names and residences of Iowa soldiers, etc., beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with a substitute, with the recommendation that the substitute be printed and adopted, and when adopted it do pass.

WHALEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate File No. 207, a bill for an act to donate certain arms



to the Grand Army of the Republic, Department of Iowa, beg leave to report that they have had the same under consideration, and a majority have instructed me to report the same back to the Senate with the recommendation that it do pass.

WHALEY, *Chairman.*

Ordered passed on file.

Senator Cotton, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate File No. 249, a bill for an act in relation to elections of warden of the Ft. Madison 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.

W. A. COTTON, *Chairman.*

Ordered passed on file.

Senator Baker, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate File No. 175, a bill for an act to pay creditors of the Iowa Penitentiary at Fort Madison, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the accompanying substitute, and that the accompanying substitute be adopted, and when adopted, that it do pass.

H. A. BAKER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate File No. 270, a bill for an act to provide for certain deficiency to Co. I, 4th regiment of the State militia, for expenses incurred in preventing anticipated riots in 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 the recommendation that it do pass.

H. A. BAKER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred claim of Samuel Morrison, beg leave to report that they 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. A. BAKER, *Chairman.*

Ordered passed on file.

Senator McCoy, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred resolution about number of Codes and session laws on hand, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate, and

that they find that there is on hands for distribution to public officers 450 Codes, which will probably supply the demand for about six years. There are no sessions laws of Fifteenth and Sixteenth General Assemblies for future distribution on hand.

BEN MCCOY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate File No. 96, a bill for an act to provide for State printing and binding, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

BEN MCCOY, *Chairman.*

Ordered passed on file.

Senator Abraham, from the Committee on Hospitals for the Insane, submitted the following report:

MR. PRESIDENT—Your Committee on Hospitals for the Insane, beg leave to present a substitute for Senate Files Nos. 171, 190, 159, 143, and 206, and by a majority vote, 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.

LOT ABRAHAM, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Hospitals for Insane, to whom was referred Senate File No. 255, a bill for an act to repeal section 3826, chapter 3, title 23, of the Code of 1873, as to compensation of visiting committee to Hospitals for the Insane, and providing 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.

LOT ABRAHAM, *Chairman.*

Ordered passed on file.

Senator Clark, from the Committee on Hospitals for Insane, submitted the following report:

MR. PRESIDENT—Your Committee on Hospitals for Insane, to whom was referred Senate File Nos. 159 and 143, have had the same under consideration, and a minority of said committee have directed me to report the following as a substitute for all bills before the committee on this subject, and recommend its adoption.

T. E. CLARK, *Chairman.*

Ordered passed on file.

Senator Marshall, from the Committee on Agricultural College, submitted the following report:

MR. PRESIDENT—Your Committee on Agricultural College, to whom was referred House File No. 56, a bill for an act to provide for selling, leasing and patenting the lands belonging to the Iowa State Agricultural College and Farm, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. A. MARSHALL, *Chairman.*

Ordered passed on file.

Senator Caldwell, from the Committee on Medicine, Surgery and Hygiene, submitted the following report:

MR. PRESIDENT—Your Committee on Medicine, Surgery and Hygiene, to whom was referred resolution by Senator Rothert relating to the State Board of Health, beg leave 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 committee find no objection to the adoption of the resolution.

T. J. CALDWELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Medicine, Surgery and Hygiene, to whom was referred Senate File No. 314, a bill for an act to repeal section 8, of chapter 75, of the laws of the Eighteenth General Assembly, and sections 1529 and 1537 of the Code, and to enact substitutes therefor, and to repeal sections 1527 of the Code; also for an act to amend section 1 and section 4, chapter 137, of the acts of the Nineteenth 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 the word "for" in the twelfth line of section 1, printed bill, and inserting the word "of"; also, by striking out the word "repeated" in the same line of said section; also, by striking out all after the word "Iowa," in line sixteen, to the end of the section; also, by striking out the word "the" in the second line of section 4, and inserting the word "this" in lieu thereof, and when so amended that it do pass.

T. J. CALDWELL, *Chairman*.

Ordered passed on file.

Senator Gillett, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate Files Nos. 95, 109, 215 and 302, in relation to 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 the accompanying substitute be adopted, and that when so adopted it do pass.

GILLETT, *Chairman*.

Ordered passed on file.

#### SPECIAL ORDER.

Senator Marshall moved to take up special order, Senate File No. 12.

Senator Bills moved to amend, by taking up Senate Files Nos. 12, 18 and 13, in order named.

Accepted.

Motion prevailed.

Senate File No. 12, in relation to a uniform series of text-books.

The question being upon the amendment offered yesterday by Senator Eastman, it was withdrawn.

Senator Hutchison offered the following amendment:

Add after the word "quorum," in line 6, section 1, the following:  
 "Provided, That such series of text-books shall only be those used for teaching orthography, reading, writing, arithmetic, geography, English grammar, physiology and hygiene, and history of the United States."

Senator Rothert moved to amend, by inserting the words "for the primary grades in."

Upon this the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Baker, Bayless, Bills, Bloom, Cotton, Gault, Henderson, Hendrie, Johnson, McCoy, Rothert, Ryder, Whaley, and Whiting—14.

The nays were:

Senators Abraham, Brown, Caldwell, Carson, Clark, Donnan, Duncan, Eastman, Gillett, Glass, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, Logan, McDonough, Marshall, Miles, Nichols, Poyner, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, and Wilkin—29.

Absent or not voting:

Senators Barrett, Carr, Cassatt, Chambers, Chubb, Graves, and Hall—7.

So the amendment was lost.

Amendment of Senator Hutchison adopted.

Senator McCoy offered the following amendment for section 1:

"That the president of the board of directors of each district in each of the respective counties in the State shall constitute a county educational board, for the purpose of establishing a uniform series of text-books or course of study to be used in the public schools throughout each and every county."

#### 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. 103, a bill for an act to prohibit and punish the traffic in hogs infected with the swine plague, or the cholera, and to prevent the spread of the same.

Also, House File No. 76, a bill for an act to amend sections 304 and 307, chapter 2, title 4, Code.

Also, House File No. 24, a bill for an act to provide for the erection of station houses at the points of intersection of two or more railroads.

Also, House File No. 228, a bill for an act to amend sections 10 and 12, chapter 151, laws of the Eighteenth General Assembly.

Also, House File No. 179, a bill for an act to provide for the payment, out of the treasury, of the expenses of conveying convicts to the penitentiaries and reform schools.

Also, substitute for House Files Nos. 6 and 61, a bill for an act to amend section 1452 of the Code of 1873, in relation to trespassing of stock and damages.

Also, Senate File No. 100, a bill for an act to legalize the incorporation of the town of Fonda.

Also, has amended, and passed as amended, Senate File No. 146, an act to enable the Methodist Episcopal Church of Iowa City to sell and convey certain realty.

SIDNEY A. FOSTER, *Clerk.*

Senator Chubb offered the following amendment to the amendment:

One person from each township in the county elected by the directors of the township and who may or may not be one of their number, the principals of the schools of the incorporated towns in the county, the superintendent of the schools in the cities and the county superintendent.

Accepted.

Upon the adoption of the amendment as amended, the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Barrett, Bills, Bloom, Carr, Cassatt, Chubb, Donnan, Gault, Graves, Henderson, Hendrie, Johnson, Logan, McCoy, Miles, Poyner, Robinson, Rothert, Sweney, Whaley, and Whiting—21.

The nays were:

Senators Abraham, Brown, Caldwell, Carson, Chambers, Clark, Duncan, Eastman, Gillett, Glass, Hemenway, Hunt, Hutchison, Kammarr, Larrabee, McDonough, Marshall, Nichols, Russell, Smith, Stephens, Sudlow, Sutton, and Wilkin—24.

Absent or not voting:

Senators Baker, Bayless, Cotton, Hall, and Ryder—5.

So the amendment was lost.

Section 2 adopted.

Section 3 adopted.

Section 4 adopted.

Senator Hutchison offered the following amendment to section 5:

Insert after the word years in line 9, the following, "the advertisement above provided for shall also state that the committee shall reject any and all bids and proposals which may not seem for the best interests of the State to adopt, and said committee shall so act if necessary in considering the bids and proposals before them."

Also, by striking out the words "State Superintendent" in lines 10, 14, 15 and 16, and inserting in lieu thereof the words "Executive Council."

Adopted.

Senator Baker moved to strike out the word "which" in line 11 and insert the word "who."

Carried.

Section 5 adopted.

Senator Sutton moved to amend section 6 by striking out the words

"State Superintendent" in first line and inserting the words "Executive Council."

Carried.

Senator Glass moved to amend section 6 by striking out all of line 3 after the word "at," and inserting in lieu thereof the following:

"Such convenient places in each county in the State as shall be designated by the county superintendent."

Senator Eastman moved to amend the amendment by striking out the word "some" in line 3 and substituting the word "such," and adding end of line "as shall be designated by the county superintendent."

Lost.

Amendment of Senator Glass adopted.

Section 6 adopted.

Section 7 adopted.

Senator Marshall moved to strike out section 8.

Carried.

Senator Sutton moved to strike out the words "State Superintendent" in section 8, and insert the words "Executive Council."

Carried.

Senator Sutton moved to strike out the word "Committee" in this section and inserting "Executive Council."

Carried.

Senator Chubb moved to strike out the word "official" and insert the word "a."

Carried.

Senator Poyneer moved to strike out the last three words of the section.

Carried.

Section 8 adopted.

Senator Larrabee offered the following amendment to section 9. Add the following:

Provided, no district shall be compelled to adopt the series of text-books selected by the committee.

Whenever by a unanimous vote of the board of directors any district may so decide and any district may at any time by a unanimous vote adopt any text-books they may decide upon, subject however to restrictions now provided by law.

Senator Sutton moved to amend the amendment by adding "the above rights of a district being subject to the approval of the county superintendent."

Accepted.

Withdrawn.

The question being upon the adoption of the amendment, the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Baker, Barrett, Bayless, Bills, Bloom, Caldwell, Carson, Cassatt, Chubb, Cotton, Donnan, Gault, Graves, Henderson, Hendrie, Johnson, Kamrar, Larrabee, Logan, McCoy, Miles, Poyneer, Robinson, Rothert, Ryder, Sweney, and Whiting—27.

The nays were:

Senators Abraham, Brown, Chambers, Clark, Duncan, Eastman, Gillett, Glass, Hemenway, Hunt, Hutchison, McDonough, Marshall, Nichols, Russell, Smith, Stephens, Sudlow, Sutton, and Wilkin—20.

Absent or not voting:

Senators Carr, Hall, and Whaley—3.

So the amendment was adopted.

Senator Eastman moved that the bill be indefinitely postponed.

Upon this the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Baker, Barrett, Bayless, Bills, Bloom, Carr, Cassatt, Chubb, Donnan, Gault, Graves, Henderson, Hendrie, Hunt, Johnson, Logan, McCoy, Robinson, Rothert, Ryder, Sudlow, and Whiting—22.

The nays were:

Senators Abraham, Brown, Caldwell, Carson, Chambers, Clark, Cotton, Duncan, Eastman, Gillett, Glass, Hemenway, Hutchison, Kammarr, Larrabee, McDonough, Marshall, Miles, Nichols, Poyneer, Russell, Smith, Stephens, Sutton, Sweney, Whaley, and Wilkin—27.

Absent or not voting:

Senator Hall—1.

So the motion was lost.

Senator Bills moved to adjourn.

Lost.

Senator Eastman moved to strike out all of section 9.

Senator Logan moved to adjourn.

Lost.

Senator Marshall moved the previous question, and the question was seconded by the Senate.

On the question, shall the main question be now put? it was so ordered.

Motion of Senator Eastman lost.

The substitute was adopted.

The question being, shall the bill be engrossed? it was so ordered.

Senator Bills moved that Senate Files Nos. 18 and 13 be made the special order at 2:30 o'clock to-morrow afternoon, in order named.

Carried.

At 7 o'clock, on motion of Senator Bills, the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, March 7, 1884 }

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

Prayer by Rev. J. B. Stewart.

Journal of yesterday read and approved.

Senator Bloom moved that Senate File No. 146 be taken up.

Carried.

## HOUSE MESSAGE.

Senate File No. 146, as amended.

The question being upon concurrence in the amendment adopted by the House.

The roll was called.

The yeas were:

Senators Abraham, Barrett, Bayless, Bills, Bloom, Caldwell, Carr, Carson, Cassatt, Chambers, Clark, Cotton, Donnan, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—42.

The nays were none.

Absent or not voting:

Senators Baker, Brown, Chubb, Duncan, Eastman, Gault, Hall, and Russell—8.

So the bill passed and the title as amended was agreed to.

## PETITIONS, MEMORIALS, ETC.

Senator Smith offered a petition from Martin Tuttle and S. A. Robinson for relief.

Referred to Committee on Claims.

Senator Hemenway offered a remonstrance from citizens of Black Hawk county against the passage of a bill to prohibit the use of dogs in the pursuit of prairie-chickens.

Referred to Committee on Fish and Game.

## INTRODUCTION OF BILLS.

By Senator Cotton, Senate File No. 342, a bill for an act to establish and maintain a school for the training of teachers of common schools.

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

By Senator Carson, Senate File No. 343, a bill for an act relating to city parks and to authorize the Governor to appoint commissioners thereof.

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

By Senator Graves, Senate File No. 344, a bill for an act to amend section 1, chapter 59, laws of Iowa, in relation to the assessment and taxation of telegraph lines.

Read a first and second time and referred to the Committee on Railways.

By Senator Hutchison, Senate File No. 345, a bill for an act increasing the number of circuit judges in the second judicial district of the State.

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



By Senator Caldwell, Senate File No. 346, a bill for an act to amend chapter six, title eleven, of the Code, relating to the sale of intoxicating liquors.

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

By Senator Barrett, Senate File No. 347, a bill for an act to legalize the official acts of J. B. Mead, a justice of the peace in and for Lyon county, Iowa.

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

By Senator Barrett, Senate File No. 348, a bill for an act to legalize the acts of, and to establish the independent school district of Rock Valley.

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

#### RESOLUTION.

Senator Caldwell offered the following resolution:

*Resolved*, That all bills upon the calendar, upon which the committee have recommended "indefinite postponement," or that "do not pass," be made a special order for Saturday, the 8th inst., at ten twenty o'clock, A. M.; also, Senator Eastman's resolution relating to refreshment stand in capitol building, and also House concurrent resolution No. 12.

Pending discussion, the time for special order arrived.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House.

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

House File No. 53, a bill to amend sections 1495 and 1508 of the Code, relating to line fence.

Also:

MR. PRESIDENT—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. 279, an act to pay expenses incurred in escorting the remains of the late Hon. J. M. Holbrook to Manchester, and for the allowance of the full salary to his widow.

Senate File No. 295, an act to amend section one, of chapter 104, of laws of the Seventeenth General Assembly, relating to mutual insurance companies.

SIDNEY A. FOSTER, *Clerk*.

## SPECIAL ORDER.

Senate File No. 18, a bill for an act to repeal section 28 of chapter 60 of the acts of the Fifteenth General Assembly, relating to the assessment and taxation of savings banks, and to provide a substitute therefor, was taken up together with the report of the committee.

Senator Hemenway's amendment withdrawn.

The question being upon the adoption of the first amendment recommended by the committee, it was adopted.

Second amendment adopted.

Senator Carson moved to amend by inserting the words "real estate" immediately preceding the word "mortgages" in eighth line.

Lost.

Senator Bills moved that the rules be suspended, the bill considered engrossed and read a third time now.

Upon this the yeas and nays were demanded, and the roll was called.

The yeas were:

Senators Abraham, Bayless, Bills, Bloom, Caldwell, Carr, Chambers, Chubb, Clark, Cotton, Donnan, Gault, Gillett, Glass, Hemenway, Hunt, Hutchison, Johnson, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Stephens, Sudlow, Sutton, Sweny, Whaley, Whiting, and Wilkin—36.

The nays were:

Senator Carson—1.

Absent or not voting:

Senators Baker, Barrett, Brown, Cassatt, Duncan, Eastman, Graves, Hall, Henderson, Hendrie, Kamrar, Russell, and Smith—13.

So the motion prevailed.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bayless, Bills, Caldwell, Carr, Chambers, Chubb, Clark, Cotton, Gault, Gillett, Glass, Hemenway, Hendrie, Hunt, Hutchison, Johnson, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Ryder, Stephens, Sudlow, Sutton, Sweny, Whaley, Whiting, and Wilkin—35.

The nays were:

Senators Bloom, Brown, Carson, and Smith—4.

Absent or not voting:

Senators Barrett, Cassatt, Donnan, Duncan, Eastman, Graves, Hall, Henderson, Kamrar, Rothert, and Russell—11.

So the bill passed and the title was agreed.

## REPORTS OF COMMITTEES.

Senator Chambers, 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. 279, a bill for an act to pay expenses incurred

in escorting the remains of the late Hon. J. M. Holbrook, to Manchester, and for the allowance of the full salary to his widow.

Senate File No. 295, a bill for an act to amend chapter 104 of the laws of the Seventeenth General Assembly, relating to mutual insurance companies.

J. C. CHAMBERS, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have examined Senate File No. 279, a bill for an act to pay expenses incurred in escorting the remains of the late Hon. J. M. Holbrook to Manchester, and for the allowance of the full salary to his widow.

Senate File No. 295, a bill for an act to amend chapter 104 of the laws of the Seventeenth General Assembly relating to mutual insurance companies.

And find the same correctly enrolled.

J. C. CHAMBERS, *Chairman*.

#### BILLS ON SECOND READING.

Senate File No. 13, a bill for an act to repeal sections 857, 865 and 866 of the Code, and to enact substitutes therefor providing for semi-annual collection of taxes; also to amend sections 871, 873, 883, and 914 of the Code, and section 1 of chapter 79 of the acts of the Sixteenth General Assembly, together with the report of a majority of those present of Committee on Ways and Means recommending it do pass, was taken up for consideration.

Senator McDonough moved to strike out of 8th line, section 866, the words "for the first three months and two," and in 9th line, the words "per cent per month."

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has amended and passed as amended Senate File No. 10, a bill for an act to amend section 1061, chapter 1, of the Code of 1873, in relation to corporations for pecuniary benefit.

Also, has passed without amendment Senate File No. 169, a bill for an act in relation to the sixth judicial circuit of the State, sub-dividing the same, providing for the appointment and election of judges of the circuit courts therein, and defining the powers and duties thereof.

SIDNEY A. FOSTER, *Clerk*.

Amendment of Senator McDonough lost.

Senator Nichols moved the rules be suspended, the bill considered engrossed and read a third now.

Carried.

The bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Gillett, Glass, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—87.

The nays were:

Senators Cotton, Graves, and Larrabee—3.

Absent or not voting:

Senators Baker, Barrett, Cassatt, Donnan, Duncan, Eastman, Gault, Hall, Johnson, and Russell—10.

So the bill passed and the title was agreed to.

Senator Duncan was granted leave of absence until Monday.

Senate File No. 98, a bill for an act to repeal section 1621 of the Code of 1873, chapter 4, title 12, and to enact a substitute therefor, relating to the course of study of the State Agricultural College, with report of committee recommending substitute therefor do pass, was taken up for consideration.

Senator Sutton moved the substitute be adopted.

Carried.

Senator Sutton moved the rule be suspended, the bill be considered engrossed, and read a third time now.

Carried.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—42.

The nays were none.

Absent or not voting:

Senators Barrett, Bayless, Bloom Brown, Duncan, Eastman, Hall, and Johnson—8.

So the bill passed and the title was agreed to.

Senator Donnan desired the journal to show that in the roll call on Senate File No. 13 he was paired with Senator Duncan, who, had he been present, would have voted aye and he would have voted no.

Senator Gillett moved that substitute for Senate Files Nos. 143, 159, 171, 190, and 206, in relation to making provisions for the care of the insane, be referred to Committee on Appropriations.

Carried.

Resolution offered by Senator Caldwell was taken up.

Senator Hunt moved to amend so that the Secretary of the Senate strike from the calendar all bills recommended for indefinite postponement, or that do not pass.

Lost.

Senator Caldwell moved that regular order for Saturday morning be temporarily postponed.

Carried.

Resolution of Senator Caldwell adopted.

Senator Gillett moved House messages be taken up.

Carried.

#### HOUSE MESSAGES.

House File No. 53, relative to amending sections 1495 and 1508 of the Code, relating to line fences, was taken up.

Read a first and second time and referred to the Committee on Agriculture.

House File No. 103, relating to prohibiting and punishing the traffic in hogs infected with the swine plague, or hog cholera, and to prevent the spread of the same.

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

House File No. 76, relating to publication of proceedings of boards of supervisors.

Read a first and second time and referred to the Committee on Printing.

House File No. 24, relating to erection of station houses at the points of intersection of two or more railroads.

Read a first and second time and passed on file.

House File No. 228, to amend sections 10 and 12, chapter 151, laws of the Eighteenth General Assembly.

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

House File No. 179, relating to payment of the State Treasury of the expenses of conveying convicts to the penitentiary and reform schools.

Read a first and second time and referred to the Committee on Penitentiary.

Substitute for House Files Nos. 6 and 61, relating to trespassing of stock and damages.

Read a first and second time and referred to the Committee on Agriculture.

Senator Hunt was granted leave of absence till Tuesday.

Senator Sutton was given permission to call up his motion for reconsideration of resolution, relative to final adjournment in one week.

Senator Sutton offered the following resolution, which was adopted:

*Resolved*, That the Secretary of the Senate is hereby directed (by message) to request the House of representatives to return the concurrent resolution relative to final adjournment.

#### REPORTS OF COMMITTEES.

Senator Kamrar, 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 Senate File No. 300, a bill for an act to amend section 120 of the Code of 1873, in reference to the executive council, relating to the providing of supplies for State 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.

J. L. KAMRAB, *Chairman*.

Ordered passed on file.

Senator Robinson, from the Committee on Normal Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Normal Schools, to whom was referred Senate Files Nos. 38, 39, 99, 110, 112, 147, 198, 273, 281, 297 and 324, bills for acts to establish and maintain schools for the instruction and training of teachers of the 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 together with a substitute therefor, with the recommendation that the substitute be adopted in lieu of said bills, and when adopted that it do pass.

To be referred to Committee on Appropriations.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Senator Wilkin, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your Committee on Public Buildings, to whom joint resolution No. 13, for the relief of the heirs of John Elder was referred, beg leave to report that they 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 Retrenchment and Reform.

ELI WILKIN, *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. 168, a bill for an act to amend sections 843, 857, 865, 866, 881, 883, 886 and 890, of the Code, relating to the collection of taxes, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

LARRABEE, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 267, a bill for an act to repeal sections 1377 and 1381, of chapter 1, title 11, of Code of 1873, and to enact substitute therefor, 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 indefinitely postponed.

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 105, a bill for an act to amend section 824 of the Code, requiring signatures in assessor's book to listed property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 285, a bill for an act to amend chapter 58, acts of the Seventeenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate Files Nos. 45 and 65, bills for an act to repeal section 866 of the Code of 1873, in relation to the collection of tax s and reducing the penalties thereon, beg leave to report that they have had the same under consideration and have instructed me to report the inclosed substitute to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 269, a bill for an act to amend section 2, chapter 39, of the 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 with the recommendation that it do not pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 42, a bill for an act to legalize the plat and recording of the plat of the town of Manly Junction, in Worth county, Iowa, 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.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 33, a bill for an act to legalize the incorporation of the town of Murray, Clarke county, Iowa, and its ordinances, the acts of its officers thereunder, and its right to sue and be sued in its incorporate name, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 21, a bill for an act to legalize the incorporation, ordinances, and acts of the officers of the incorporated town of Belmond, Wright county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 3, a bill for an act to legalize the acts of James E. Bennett, a justice of the peace in and for Jamestown township, 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 said bill be amended by adding to section 2 the following words: "without expense to the State," and as amended that it do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 232, a bill for an act to legalize certain ordinances of the town of Eddyville, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 243, a bill for an act to legalize the official acts of D. B. Harmon, a notary public of Clay 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.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 40, a bill for an act to legalize the incorporation of the town of Milton, Van Buren county, Iowa, and the acts the officers thereunder, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the accompanying substitute with the recommendation that the substitute be adopted, and when adopted that it do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 282, a bill for an act to provide for the appointment of a State veterinarian, and defining his duties, beg leave to report that they have had the same under consideration, and that a majority of the committee have instructed me to report the same back to the Senate with the the recommendation that it be amended as per accompanying report, and when so amended that it do pass.

T. M. C. LOGAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 301, a bill for an act for an appropriation for the State Fish Hatchery, at Anamosa, and additional hatchery in Dickinson county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended, by adding to the first section the words "*Provided*, That \$300 per annum of this appropriation shall be applied for the rental of the hatchery established at Spirit Lake, Dickinson county, Iowa." Also by the insertion of the word "transact" between the words "and such," in line 11, section 2. And when so amended that it do pass.

T. M. C. LOGAN, *Chairman*.

Ordered passed on file.

Senator Miles, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate File No. 83, a bill for an act to establish the Iowa State Board of Labor, 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 accom-

panying substitute, with the recommendation that the substitute be adopted, and when adopted that it do pass.

LEWIS MILES, *Chairman.*

Ordered passed on file.

Senator Abraham, from the Committee on Hospitals for Insane, submitted the following report:

MR. PRESIDENT—Your Committee on Hospitals for Insane, to whom was referred Senate File No. 307, a bill for an act to establish a board of charities, and to define its powers and duties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

LOT ABRAHAM, *Chairman.*

Ordered passed on file.

At 6:45 o'clock the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, March 8, 1884. }

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

Prayer by Rev. VanAntwerp.

Journal of yesterday read, corrected and approved.

Senator Carson moved special order be postponed and Senate Files Nos. 7 and 42 be taken up.

Lost.

Senator Poynear moved special order be postponed until after introduction of bills and reports of committees.

#### REPORT OF COMMITTEE.

Senator Sudlow, 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 Files Nos. 12 and 150, a bill for an act to establish a uniform series of text books for the public schools of the State of Iowa, and find the same correctly engrossed.

E. C. SUDLOW, *Chairman.*

#### SPECIAL ORDER—LEGALIZING ACTS.

Senate File No. 72, a bill for an act to legalize and to correct

errors in the proceedings and acts incorporating the town of Baldwin, in Jackson county, Iowa, was on motion of Senator Johnson recommitted.

House File No. 27, a bill for an act to legalize the levy of certain taxes of the independent school district of Monticello, in Jones county, was indefinitely postponed.

Senate File No. 259, a bill for an act to legalize the incorporation of the Knoxville Junction Coal Company, was on motion of Senator McCoy recommitted.

Senate File No. 214, a bill for an act to confirm the title to lots 1, 2, 5, 6, 7, 8, 9, 10, 11 and 12, in block twenty (20), in the city of Keokuk, Lee county, Iowa, was indefinitely postponed.

#### PETITIONS, MEMORIALS, ETC.

Senator Gault offered a petition from the board of supervisors of Appanoose county, for legalizing a county levy tax.

Referred to Committee on Judiciary.

Senator Smith offered a petition from citizens of Polk county for change of Code.

Referred to Committee on Judiciary.

Senator Rothert offered a petition from deaf and dumb citizens of Iowa.

Referred to Committee on Asylum for Deaf and Dumb.

Senator Caldwell offered a petition from citizens of Guthrie county for a reformatory prison for women.

Referred to Committee on Penitentiary.

Senator Rothert offered a petition from citizens of Iowa for a reformatory prison for women.

Referred to same committee.

#### BILL ON SECOND READING.

Senate File No. 287, a bill for an act to legalize the incorporation of the town of St. Ansgar, in Mitchell county, Iowa, the election of officers and all acts done and ordinances passed by the council of said town, with report of the Committee on Judiciary recommending it do pass, was taken up.

Senator Sweney moved the rules be suspended, the bill considered engrossed and read a third time.

Carried.

The bill was read a third time.

The question shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Clark, Cotton, Donnan, Gault, Gillett, Glass, Graves, Hemenway, Hendrie, Hunt, Johnson, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Smith, Stephens, Sweney, Whaley, Whiting, and Wilkin—38.

The nays were none.

Absent or not voting:

Senators Baker, Bayless, Chambers, Chubb, Duncan, Eastman, Hall, Henderson, Hutchison, Logan, Russell, Ryder, Sudlow, and Sutton—14.

So the bill passed and the title was agreed to.

Senator Chambers was granted leave of absence.

Senate File No. 276, a bill for an act to legalize the acts of Thomas W. Darling, of Jackson county, Iowa, while acting in the capacity of a notary public in and for said county of Jackson, together with the report of the Committee on Judiciary, recommending it do pass, was taken up for consideration.

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

Carried.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Clark, Donnan, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hutchison, Johnson, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Smith, Stephens, Sutton, Sweney, Whaley, Whiting, and Wilkin—37.

The nays were none.

Absent or not voting:

Senators Baker, Bayless, Chambers, Chubb, Cotton, Duncan, Eastman, Hall, Hunt, Logan, Russell, Ryder, and Sudlow—13.

So the bill passed and the title was agreed to.

Senate File No. 123, a bill for an act to repeal section 2316 of the Code, and to enact a substitute, was on motion of Senator Donnan recommitted.

House File No. 349, a bill for an act to legalize the incorporation of the Broomhall Coal Company, in Keokuk county, Iowa, was on motion of Senator Cassatt recommitted.

Senate File No. 20, a bill for an act to amend section 791, title 5, chapter 10 of the Code, relating to exemptions of property from taxation, together with the report of Committee on Ways and Means recommending it do not pass, was taken up for consideration.

Senator Bills moved this matter be 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 joint resolution, which has passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House, relating to a branch home for disabled volunteer soldiers.

Also, I am directed to inform you that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 399, a bill for an act to amend section 4746 of the Code, relative to term of office of the warden of the penitentiary at Fort Madison.

SIDNEY A. FOSTER, *Clerk.*

Senator Bills withdrew his motion to recommit, and offered the following amendment to be added to the bill:

*Provided,* That parsonages and residence property owned by church, school or college institution, and used as residences by the clergymen, teachers or professors of said churches or institutions, shall be taxable for their value over \$3,000.

Senator Marshall moved to amend by substituting "\$5,000" for "\$3,000."

On this the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Carson, Donnan, Gillett, Henderson, Larrabee, McCoy, McDonough, Marshall, Smith, and Sudlow—10.

The nays were:

Senators Abraham, Baker, Bills, Bloom, Brown, Caldwell, Carr, Cassatt, Chubb, Clark, Cotton, Gault, Graves, Glass, Hemenway, Hendrie, Hutchison, Johnson, Kamrar, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Stephens, Sutton, Sweney, Whaley, Whiting, and Wilkin—31.

Absent or not voting:

Senators Barrett, Bayless, Chambers, Duncan, Eastman, Hall, Hunt, Logan, and Russell—9.

So the amendment was lost.

#### REPORT OF COMMITTEE.

Senator Chambers, 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. 169, an act in relation to the sixth judicial circuit of the State, subdividing the same, providing for the appointment and election of judges of the circuit courts therein, and defining the powers and duties thereof.

JOHN C. CHAMBERS, *Chairman.*

Also:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 169, an act in relation to the sixth judicial circuit of the State, subdividing the same, providing for the appointment

and election of judges of the circuit courts therein, and defining the powers and duties thereof.

And find the same correctly enrolled.

JOHN C. CHAMBERS, *Chairman.*

Senator Sudlow moved to amend by inserting the word "assessed," before the word "value."

Lost.

Senator Caldwell moved that adjournment be postponed fifteen minutes.

Carried.

The question being upon the adoption of the amendment of Senator Bills, the yeas and nays were demanded.

The roll was then called.

The yeas were:

Senators Abraham, Baker, Barrett, Bills, Carson, Clark, Cotton, Donnan, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hutchison, Johnson, Kamrar, Miles, Nichols, Poyneer, Robinson, Rothert, Stephens, Sweney, Whaley, Whiting, and Wilkin—28.

The nays were:

Senators Brown, Caldwell, Carr, Cassatt, Chubb, Larrabee, McCoy, Marshall, Smith, Sudlow, and Sutton—11.

Absent or not voting:

Senators Bayless, Bloom, Chambers, Duncan, Eastman, Hall, Hunt, Logan, McDonough, Russell, and Ryder—11.

So the amendment was adopted.

Senator Bills moved the rules be suspended, the bill be considered engrossed and read a third time now.

Carried.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Brown, Carr, Cassatt, Chubb, Clark, Cotton, Gault, Glass, Hemenway, Hendrie, Hutchison, Johnson, Kamrar, McCoy, Miles, Nichols, Poyneer, Rothert, Stephens, Sweney, Whaley, Whiting and Wilkin—26.

The nays were:

Senators Caldwell, Donnan, Henderson, Larrabee, Marshall, Robinson, Smith, Sudlow, and Sutton—9.

Absent or not voting:

Senators Barrett, Bayless, Bloom, Carson, Chambers, Duncan, Eastman, Gillett, Graves, Hall, Hunt, Logan, McDonough, Russell and Ryder—15.

So the bill passed and the title was agreed to.

Senator Hutchison moved that the time for adjournment be postponed until one o'clock.

Carried.

Senators Logan and Bayless were granted leave of absence until Monday.

## REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 345, a bill for an act increasing the number of circuit judges in the second 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 do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Senator Kamrar, 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 House File No. 228, a bill for an act to amend sections 10 and 12, chapter 151 laws of the Eighteenth General Assembly, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. L. KAMRAR, *Chairman.*

Ordered passed on file.

Als :

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 157, a bill for an act providing for the appointment of treasury inspectors and prescribing their duties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the words "two thousand" in the first line of section 4, and insert in lieu thereof "fifteen hundred," and when so amended that it do pass.

J. L. KAMRAR, *Chairman.*

Ordered passed on file.

Senator Miles, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate File No. 309, a bill for an act to regulate the weighing of coal, and to establish a uniform system of weights and measures, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

LEWIS MILES, *Chairman.*

Ordered passed on file.

Senators Gault and Cassatt, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—The minority of your Committee on Mines and Mining, to whom was referred Senate File No. 218, a bill for an act to regulate the weighing of coal in mines, and to establish a uniform system of weights and measures between the operators and their employes, beg leave to report that they have had the same under con-

sideration, and a minority of said committee report the same back to the Senate with the recommendation that the bill do pass.

E. R. CASSATT,  
E. J. GAULT.

Ordered passed on file.

Senator Miles, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate File No. 218, a bill for an act to regulate the weighing of coal in mines, and to establish a uniform system of weights and measures between operators of coal mines and their employes, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do not pass.

LEWIS MILES, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred joint resolution No. 4, relative to pensioning the soldiers of the Mexican war, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: "Sec. 2. Not, however, to pension any person who has been since the Mexican war engaged in any insurrection against the United States, unless he has since such insurrection declared his allegiance to the United States Government," and as so amended that it do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred joint resolution and memorial No. 15, in relation to United States postal telegraph, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred memorial and joint resolution No. 9, in regard to jurisdiction of United States 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 it do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.



Senator Chambers, from the Committee on Penitentiary, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiary, to whom was referred Senate File No. 189, a bill for an act to amend section 4779 of the Code, 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 indefinitely postponed.

J. C. CHAMBERS, *Chairman.*

Ordered passed on file.

Senator Graves, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 153, a bill for an act to repeal section 1, of chapter 51 of the acts of the Fifteenth General Assembly, and section 12, of chapter 116 of the acts of the Sixteenth General Assembly, relating to improvement of alleys in cities and towns, 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.

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 245, a bill for an act to amend section 489, title 4, chapter 10, of the Code, by providing for the approval of ordinances and resolution or orders for the appropriation or payment of money by mayors of cities and 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.

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations to whom was referred Senate File No. 188, a bill for an act relating to special assessments and taxes in cities and towns, and prescribing the notice to be given of the levy thereof, beg leave to report that they have had the same under consideration, have made sundry amendments thereto by striking out, and have instructed me to report the same back to the Senate with the recommendation that as amended it do pass. The amendments are as follows: Strike out the word "city," where it first occurs in line one, section 1, of printed bill; also, in same line and section, the words "board of trustees"; also, in line sixteen of same section, the words "board, or trustees"; also, in section 2, line one, the words at end of line, "board of"; also, in same section 2, the first word in line two thereof, "trustees"; also, in line eight of same section 2, the words "or board of trustees," and strike out the same words in same section 2 wherever they occur. Strike out the same words in section 3 (three) wherever they occur,

and in the fourth line of section 3 strike out the word "city." Strike out the same word "city" where it occurs in line seven of section 4; and in same section 4 strike out the words "or board of trustees," wherever they occur. In section 5, line one, strike out the word "city"; and in same section strike out the words "or board of trustees," wherever they occur.

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 246, a bill for an act requiring municipal corporations to receive notice in case of personal injuries and requiring presentation of claim to city council before suit, beg leave to report that they have had the same under consideration, have made amendment thereto, and have instructed me to report the same back to the Senate with the recommendation that as amended the same do pass. The amendment made as aforesaid is in line six of the printed bill, and in section 1 thereof, by striking out the word "thirty," where it occurs in said line, and inserting in lieu thereof the word "sixty."

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 247, a bill for an act to amend section 1, chapter 162, of the acts of the Seventeenth General Assembly, providing for the construction of sewers, by striking out a portion 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 without recommendation.

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 262, a bill for an act fixing the term of office of mayors of cities of the second class organized under the general incorporation laws of the State, beg leave to report that they have had the same under consideration, have prepared a substitute therefor, which is herewith submitted, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and when adopted that the same do pass.

J. K. GRAVES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 296, a bill for an act to amend section 4, chapter 47, of the acts of Sixteenth General Assembly, relating to extension of city 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 do pass.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 316, a bill for an act to authorize mayors of incorporated towns or cities to appoint suitable persons to perform the duties of marshal, beg leave to report that they 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.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

#### BILLS ON SECOND READING.

Senator Hutchison moved that Senate File No. 345, a bill for an act increasing the number of circuit judges in the second judicial district of the State, be taken up and considered.

Carried.

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

Carried.

The bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Bloom, Brown, Carr, Cassatt, Chubb, Clark, Cotton, Donnan, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hutchison, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Smith, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—35.

The nays were none.

Absent or not voting:

Senators Barrett, Bayless, Caldwell, Carson, Chambers, Duncan, Eastman, Hall, Hunt, Johnson, Logan, Rothert, Russell, Ryder, and Stephens—15.

So the bill passed and the title was agreed to.

#### CONCURRENT RESOLUTION.

Senator Bloom offered the following concurrent resolution and moved its adoption:

*Resolved by the Senate, the House concurring,* That his Excellency the Governor, be and the same is hereby advised not to favorably recognize the petition for pardon of William Dille, serving a life term in the penitentiary at Anamosa, for murder of the first degree, committed in Johnson county, Iowa.

Withdrawn.

Senator Bloom moved that the majority report of the committee in reference to the pardon of William Dilley be adopted.

Carried.

The following bills, upon recommendation of committees, were indefinitely postponed:

Senate File No. 46, a bill for an act to amend section 12, chapter 2, of the Code of 1873, relative to stationery.

Senate File No. 82, a bill for an act to make bonds and undertakings for the security of minor heirs, liens upon real estate.

Senate File No. 132, a bill for an act to repeal sections 5 and 6, chapter 151, acts of the Eighteenth General Assembly, relating to the registration of birth and deaths, and enacting a substitute therefor.

Senate File No. 154, a bill for an act to repeal sections 3781, 3783, and 3787, title 23, chapter 2, of the Code, and section 1, of chapter 184, of the laws of the Eighteenth General Assembly, and enacting a substitute therefor, relating to the fees of the clerk of the courts.

Concurrent resolution relative to the removal of the confectionery stand near the east entrance to the Capitol.

Senate File No. 44, a bill for an act to amend subdivision 1, of section 969, of chapter 2, of title 8, of the Code, relating to the levy of taxes for highways and bridges.

House File No. 90, a bill for an act to amend section 4062, chapter 11, title 24, of the Code of 1873, in regard to Canada thistles.

Senate File No. 181, a bill for an act to amend section 4421, title 25, of the Code.

Senate File No. 201, a bill for an act to amend section 797, title 6, of the Code of 1873, in relation to exemption in the assessment of taxes.

House concurrent resolution No. 12, instructing the Secretary of State to have printed Governor Sherman's biennial inaugural and pleuro-pneumonia message in foreign languages.

Senate File No. 126, a bill for an act to provide for a geological survey of the State of Iowa and the publication of the same, including paleontology.

Senate File No. 231, a bill for an act to regulate the giving of danger signals by persons operating railroad locomotives.

Senate File No. 278, a bill for an act to abolish the railroad commissioner system.

Senate File No. 114, a bill for an act to regulate the sale of petroleum, and to repeal chapter 172 of the laws of 1878, and section 3901 of the Code of 1873.

Senate File No. 174, a bill for an act repealing section 851, chapter 1, title 6, and section 868, chapter 2, title 6, of the Code of 1873, and enacting substitute therefor.

Senate File No. 178, a bill for an act to repeal chapter 2 of the laws of the Nineteenth General Assembly and parts of chapter 165 of the Seventeenth General Assembly, and enact substitutes therefor.

Senate File No. 203, a bill for an act to provide for the inspection of mineral or petroleum oils for illuminating purposes, to regulate the sale of same, to provide for the appointment of inspectors and

deputy inspectors, and prescribing penalties for violating any of the provisions of this act, and to repeal all laws in conflict with same.

Senate File No. 217, a bill for an act regulating the settlement of estates of decedents.

Senate File No. 219, a bill for an act to repeal chapter 123 of the acts of the Sixteenth General Assembly, chapter 173 of the acts of the Seventeenth General Assembly, and chapter 192 of the acts of the Eighteenth General Assembly, in relation to taxes voted in aid of the construction of railways.

Senate File No. 222, a bill for an act to authorize the organization and business of township insurance companies.

Senate File No. 225, a bill for an act repealing section 159, of chapter 4, of the Code, in reference to the distribution and custody of supreme court reports.

Senate File No. 228, a bill for an act in relation to recording certain instruments affecting real estate.

Senate File No. 173, a bill for an act to suppress the evils of intemperance and to provide revenue for municipal purposes.

Senate File No. 210, a bill for an act to repeal part of section 4008 of the Code of Iowa in reference to adultery.

Senate File No. 260, a bill for an act for the relief of Joseph Spaulding.

Senate File No. 266, a bill for an act amending section 1558 of the Code of 1873, relating to civil damages for selling intoxicating liquors.

Senate File No. 234, a bill for an act to amend section 9, title 11, of the Code of 1873, in relation to bank statements.

Senate File No. 17, a bill for an act to amend section 175, chapter 5, title 3, of the Code.

Senate File No. 69, a bill for an act requiring private banks or bankers to make quarterly statements to Auditor of State.

Senate File No. 88, a bill for an act to amend chapter 118, of the laws of the Nineteenth General Assembly.

Senate File No. 108, a bill for an act to amend section 2078, chapter 2, of the Code, relative to the legal rate of interest.

The following were withdrawn:

Senate File No. 284, a bill for an act to amend chapter 136, laws of the Sixteenth General Assembly, in relation to county school superintendents as regards their qualifications.

Senate File No. 128, a bill for an act establishing a board of State charities.

Senate File No. 172, a bill for an act to repeal section 1923 of the Code and to enact a substitute therefor in relation to chattel mortgages.

Senate File No. 51, a bill for an act relating to evidence in case of prosecution for certain crimes, repealing section 4560 of the Code, and enacting a substitute therefor.

Senate File No. 79, a bill for an act to establish an institution for females to be known as the Iowa Industrial School and Reformatory and Prison for Females.

Senate File No. 59, a bill for an act for an appropriation in aid and support of the State University.

Senate File No. 158, a bill for an act to amend sections 1, 2 and 3, of chapter 211 of the acts of the Eighteenth General Assembly.

Senate File No. 162, a bill for an act conferring additional powers upon the electors of school districts and prescribing the duties of certain officers in relation thereto.

The following bills were recommitted:

Senate File No. 77, a bill for an act to tax telephone companies and to provide for their assessment within the State.

Senate File No. 97, a bill for an act to provide for the exclusive use of the English language in the common schools.

Senate File No. 224, a bill for an act to repeal section 1448, of the Code, as amended by chapter 70 of the acts of the Fifteenth General Assembly, relating to damages by domestic animals, and to enact a substitute therefor.

Senate File No. 216, a bill for an act in relation to chattel mortgages.

Senator Cassatt was granted leave of absence.

Senator Glass filed the following motion:

I move to reconsider the vote by which Senate File No. 20 passed the Senate upon which consideration was postponed until next Tuesday.

Senator Miles was granted leave of absence.

At one o'clock, P. M., the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, March 10, 1884. }

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

Prayer by Rev. DeWitt Talmadge.

Journal of Saturday read and approved.

The President announced as the committee on the part of the Senate under joint resolution relative to branch soldiers' home in Iowa, Senators Whaley and Carson.

#### PETITIONS.

Senator Smith offered a petition from citizens of Iowa for woman suffrage.

Passed on file.

Senator Bills offered a petition from citizens of Scott county relative to insurance.

Passed on file.

## INTRODUCTION OF BILLS.

By Senator Smith, Senate File No. 349, a bill for an act to secure to manufacturers and owners of railroad equipment and rolling stock in making conditional sales and certain contracts for the lease thereof.

Read a first and second time and referred to the Committee on Railways.

By Senator Henderson, Senate File No. 350, a bill for an act to amend section 817 of the Code.

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

By Senator Robinson (by request), Senate File No. 351, a bill for an act to repeal sections one (1) and thirteen (13) of chapter 160, of the acts of the Ninth General Assembly, relative to the appointment of swamp land agents by the Governor.

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

By Senator Hemenway, Senate File No. 352, a bill for an act making an appropriation for the support of the normal school at Cedar Falls, and conferring certain authority upon the board of directors.

Read a first and second time and referred to the Committee on Appropriations.

By Senator Logan, Senate File No. 353, a bill for an act to amend sections 2 and 3, chapter 210, of the acts of the Eighteenth General Assembly, for the purpose of defining the terms upon which policies may be canceled.

Read a first and second time and referred to the Committee on Insurance.

By Senator Logan, Senate File No. 354, a bill for an act to establish a dairy department in the Agricultural College at Ames, and to provide for the maintenance of the same.

Read a first and second time and passed on file.

By Senator Clark, Senate File No. 355, a bill for an act to repeal section 817 of the Code.

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

## RESOLUTION.

Senator Larrabee offered the following resolution:

*Resolved*, That hereafter the Senate will hold two sessions each day, excepting Saturdays, commencing at 10 A. M., and adjourning at 12 noon, and commencing at 2 P. M., and adjourning at 6 P. M., unless otherwise ordered.

Senator Bills moved to amend, by excepting Monday forenoon.

Adopted.

Resolution as amended adopted.

## HOUSE MESSAGES.

House File No. 399, a bill for an act to amend section 4746 of the

Code, relative to term of office of the warden of the penitentiary at Fort Madison, was taken up and read a first and second time.

Senator Kamrar moved the rule be suspended, the bill be considered engrossed and read a third time now.

Carried.

The bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Gault, Graves, Hall, Hemenway, Henderson, Hendrie, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Rothert, Russell, Ryder, Smith, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—40.

The nays were none.

Absent or not voting:

Senators Bloom, Cassatt, Chambers, Duncan, Eastman, Gillett, Glass, Hunt, Robinson, and Stephens - 10.

So the bill passed and the title was agreed to.

House amendment to Senate File No. 10 was taken up.

Read a first and second time and referred to the Committee on Railways.

#### REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 221, a bill for an act providing for the education of J. W. Hallock at State University, at the expense 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 accompanying substitute, and the recommendation that the substitute be adopted, and when adopted that it do pass.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 195, a bill for an act to appropriate ninety-five dollars and fifty cents to defray additional expense of the inaugural ceremonies, beg leave to report that they have had the same under consideration, and have adopted a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and when adopted, that the bill do pass.

P. M. SUTTON, *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. 120, a bill for an act providing for sectional



index 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.

LARRABEE, *Chairman.*

Ordered passed on file.

Senator Bills, from the Committee on Private Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Private Corporations, to whom was referred Senate File No. 144, a bill for an act to repeal section 1091 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.

JOHN C. BILLS, *Chairman.*

Ordered passed on file.

Senator Marshall, from the Committee on Agricultural College, submitted the following report:

MR. PRESIDENT—Your Committee on Agricultural College, to whom was referred Senate File No. 291, a bill for an act to authorize the sale of Agricultural College lands before the expiration of the lease therein, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, because the provisions contained therein have been covered by another act.

C. A. MARSHALL, *Chairman.*

Ordered passed on file.

Senator Rothert moved that resolution relative to State Board of Health be taken up.

Carried.

Resolution was read and adopted.

#### BILLS ON SECOND READING.

Senator Carson moved that Senate Files No. 7 and 42 be taken up for consideration.

Carried.

Senate File No. 7, a bill for an act granting additional powers to cities and incorporated towns with reference to the improvements of streets, highways, avenues or alleys; to provide a system for the payment of said improvements and to repeal chapter 51 of the acts of the Thirteenth General Assembly, together with report of Committee on Municipal Corporations recommending amendments and it do pass, was taken up for consideration.

Senator Hemenway withdrew his amendment offered when the bill was before the Senate last.

Senator Carson offered the following amendment:

Strike out all of first line after the word "class," and strike out all of second line; also strike out all that part of 3d line to and includ-

ing the figures "1880," and insert the words, "that have been or may be so organized since January first, 1881.

Adopted.

Substitute adopted.

Senator Carson moved the rules be suspended, the bill be considered engrossed and read a third time now.

Carried.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Gaul', Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hutchison, Johnson, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Russell, Ryder, Smith, Sutton, Sweney, Whaley, Whiting, and Wilkin—38.

The nays were none.

Absent or not voting:

Senators Bloom, Cassatt, Chambers, Duncan, Eastman, Glass, Hunt, Logan, Poyneer, Rothert, Stephens, and Sudlow—12.

So the bill passed and the title was agreed to.

Senator Glass was granted leave of absence.

Senate File No. 42, a bill for an act granting additional powers to cities and incorporated towns with reference to the construction of sewers, and to provide for the payment of the cost of the same, and to amend chapter 162, of the acts of the Seventeenth General Assembly, together with report of Committee on Municipal Corporations recommending amendments, and as amended it do pass, was taken up for consideration.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 176, a bill for an act to enable the State of Iowa to be represented at the National Educational Exposition at Madison, Wisconsin.

House File No. 457, a bill for an act for the relief of Wm. Lowry, late treasurer of Polk county.

House File No. 233, a bill for an act to amend section 382, chapter 9, title 4 of the Code of Iowa, in relation to divisions of townships.

House File No. 127, a bill for an act to legalize the acts of L. R. Wilson, a justice of the peace in Webster township, Webster county, Iowa.

House File No. 142, a bill for an act to legalize the incorporation of the town of Williams, Hamilton county, Iowa, to legalize the town council and other officers, and the acts thereof.

House File No. 180, a bill for an act to legalize the incorporation of the town of Stratford, Hamilton county, Iowa, and to legalize the

election of town council and other officers and the officials acts thereof.

House File No. 237, a bill for an act to to change the names of the villages of Lachanawanna and Vespers, to legalize the incorporation thereof under the name of Lehigh, and to validate the ordinances of the town of Lehigh and the acts of its officers thereunder.

House File No. 262, a bill for an act to legalize the formation of, and acts of the officers of, the independent district of Nevin, Colony township, Adams county, Iowa.

House File No. 367, a bill for an act to legalize the acts of the mayor and town council of Mondamin, in Harrison county, Iowa.

House File No. 255, a bill for an act to legalize the incorporation of the town of Woodward and its ordinances and the acts of its officers thereunder.

House File No. 303, an act to legalize the incorporation and official proceedings of the incorporated town of Jewell Junction, Hamilton county, Iowa.

Also has passed without amendment:

Senate File No. 290, a bill for an act authorizing boards of supervisors to purchase, keep and maintain bridges over streams dividing their respective counties.

Also, House File No. 845, a bill for an act increasing the number of circuit judges in the second judicial district of the State.

Also to return agreeably to the request of the honorable Senate:

Senate concurrent resolution relative to adjournment *sine die* on the 28th inst.

SIDNEY A. FOSTER, *Clerk.*

Senator Carson offered a substitute for the bill which was adopted. It was read a first and second time.

Senator Carson moved the rule be suspended, the bill be considered engrossed and read a third time now.

Carried.

The bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Gault, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, Marshall, Miles, Robinson, Smith, Sutton, Sweney, Whaley, Whiting, and Wilkin—34.

The nays were none.

Absent or not voting:

Senators Bloom, Brown, Cassatt, Chambers, Duncan, Eastman, Glass, Hunt, McDonough, Nichols, Poyneer, Rothert, Russell, Ryder, Stephens, and Sudlow—16.

So the bill passed.

Senator Carson moved to amend the title by inserting the word "certain" before the word "cities" in first line, and striking out the

words "and incorporated towns" and insert the words "and of the first class."

Carried.

And the title as amended was agreed to.

On motion of Senator Henderson Senate File No. 296, a bill for an act to amend section 4, chapter 47 of the acts of the Sixteenth General Assembly, relating to extension of city limits, with report of committee recommending it do pass, was taken up.

Senator Henderson moved that the 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 Abraham, Baker, Barrett, Bayless, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Gault, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hutchison, Johnson, Kamrar, Larabee, Logan, McCoy, McDonough, Marshall, Miles, Poyneer, Robinson, Smith, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—37.

The nays were none.

Absent or not voting:

Senators Bills, Bloom, Cassatt, Chambers, Duncan, Eastman, Glass, Hunt, Nichols, Rothert, Russell, Ryder, and Stephens—13.

So the bill passed and the title was agreed to.

On motion of Senator Wilkin, Senate File No. 91, a bill for an act limiting and restricting the right of action against municipal corporation in certain cases, with report of committee recommending a substitute, was taken up, considered, and the report of the committee was adopted.

Senator Robinson moved to strike out all of the substitute after the word "injury."

Senator Hall offered the following as an amendment to the original bill:

"No action can be maintained against counties, cities or incorporated towns for personal injuries founded on negligence and carelessness on the part of the corporation, unless the same be brought within one year after written notice of the demand and general character of the injury and cause thereof shall have been given to the corporation, its chairman of board of supervisors, auditor, mayor, city or town recorder. A failure to give such notice by the injured party for more than sixty days after the happening of the injury will bar any action therefor."

Senator Bills offered the following amendment to the amendment:

Add after the word "cities," the following: "including cities organized under special charters."

Accepted.

Senator McCoy moved to strike out the words "sixty days," and insert "six months."

Lost.

Senator Robinson offered the following amendment:

Strike out the words "a failure," and all following, and insert the

following: "nor unless the claims on account of such injury shall first have been presented to the proper auditing board for allowance."

Lost.

Senator Sutton offered the following amendment:

*And provided further,* That said notice shall not be in any particular form, nor to describe any particular injury, nor to embrace any particular description, nor to be served in any particular manner. Said notice need only to state that the party has been injured, together with the locality, in general terms, where the injury was received, and may be oral.

Lost.

The amendment of Senator Hall was adopted.

Senator McCoy offered the following amendment:

Strike out all after the word "year," and insert the following: "from the happening of the injury. But no action shall be brought unless the claimant within ninety days after the occurrence of the injury or damage presents his claims, under oath, to the council or board of supervisors, demanding payment, and stating the place where, and the time when, such injury was received, and that the person so injured will claim damages of such city, town or county for such injury."

By leave, Senate File No. 334 was taken from Committee on Railways and referred to the Committee on Private Corporations.

Senator Hall moved to strike out the words "by the injured party," in his amendment as adopted.

Carried.

The substitute as offered by the committee was withdrawn.

Senator Hemenway offered the following amendment:

"Except in case of the disability of the plaintiff, in which case such notice shall be given within sixty days after the disability shall cease."

Senator Larrabee moved to strike out the word "disability," and insert the word "inability."

Lost.

Amendment of Senator Hemenway was lost.

Senator Chubb moved to strike out the word "personal" in the bill.

Carried.

The question being, shall the bill be ordered engrossed? it was ordered engrossed.

#### BILLS ON THIRD READING.

Senate File No. 12, relative to uniformity of school books.

Senator Hutchison offered the following rider:

"All acts or parts of acts inconsistent with this act are hereby repealed."

Read a first, second and third time.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bills, Brown, Caldwell, Carr, Carson, Clark, Duncan, Gillett, Hutchison, Johnson, Kamrar, Larrabee, McCoy, McDonough, Miles, Russell, Smith, Sutton, Sweney, and Wilkin—22.

The nays were:

Senators Baker, Bayless, Chambers, Chubb, Donnan, Gault, Graves, Hemenway, Henderson, Hendrie, Logan, Marshall, Poyneer, Robinson Rothert, Ryder, Sudlow, Whaley, and Whiting—19.

Absent or not voting:

Senators Bloom, Cassatt, Cotton, Eastman, Glass, Hall, Hunt, Nichols, and Stephens—9.

So the bill was lost.

Senator Nichols was granted leave of absence.

Senator Rothert moved that when the Senate adjourn it be till tomorrow afternoon.

Carried.

Senator Marshall gave notice that he would move a reconsideration of the vote by which Senate File No. 12 was lost.

At 6 o'clock Senator Donnan moved the Senate adjourn.

Carried.

Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, March 11, 1884. }

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

Prayer by Rev. F. D. Rickerson.

Journal of yesterday read and approved.

PETITIONS, MEMORIALS, ETC.

Senator Caldwell offered a petition from citizens of Dallas county for amendment to the Code, relative to prostitutes.

Referred to Committee on Penitentiary.

Senator Hemenway offered a petition from citizens of Black Hawk county, relative to insurance.

Referred to Committee on Insurance.

Senator Wilkin offered a petition from citizens of Madison county, relative to change of Code.

Referred to Committee on Penitentiary.

Senator Donnan offered a petition from citizens of Iowa for a law to provide evidence of the list of lands to which pre-emption rights had attached prior to July 12, 1862, alleged to have been lost, and to protect bona fide settlers.

Referred to Committee on Judiciary.

## REPORT OF COMMITTEE.

Senator Sudlow, 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. 91, a bill for an act limiting and regulating the right of action against incorporated cities and towns in certain cases, and find the same correctly engrossed.

E. C. SUDLOW, *Chairman.*

## PETITIONS, MEMORIALS, ETC.

Senator Rothert offered a petition from citizens of Clinton county, relative to change of Code.

Referred to Committee on Penitentiary.

Senator Miles offered a petition from citizens of Wayne county, for reformatory prison for women.

Referred to same committee.

Senator Smith offered a petition of same character.

Referred to same committee.

Senator Graves offered two petitions, from citizens of Dubuque county, for woman suffrage.

Passed on file.

Senator Hunt offered a petition from citizens of Adair county, for reformatory prison for women.

Referred to Committee on Penitentiary.

Senator Barrett offered a petition from citizens of Iowa, relative to public lands.

Referred to Committee on Public Lands.

Senator Bayless offered two petitions from citizens of Clayton county, for reformatory prison for women.

Referred to Committee on Penitentiary.

Senator Robinson offered a petition from citizens of Iowa of same character.

Referred to same committee.

## REPORTS OF COMMITTEES.

Senator Chambers, 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. 146, a bill for an act to enable the Methodist Episcopal Church of Iowa City to sell and convey certain realty, and find the same correctly enrolled.

J. C. CHAMBERS, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 290, a bill for an act authorizing boards of supervisors to purchase, keep up and maintain bridges over streams dividing their respective counties.

And find the same correctly enrolled.

J. C. CHAMBERS, *Chairman.*

Also:

**MR. PRESIDENT**—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval Senate File No. 290, a bill for an act authorizing boards of supervisors to purchase, keep up and maintain bridges over streams dividing their respective counties.

J. C. CHAMBERS, *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. 471, a bill for an act to legalize the organization of the independent district of East Cleveland.

House File No. 459, a bill for an act to legalize the incorporation of the town of Redding, Ringgold county, Iowa, and legalize the acts of the town council.

House File No. 490, a bill for an act to legalize the town of Hubbard and the official acts thereof.

House File No. 447, a bill for an act legalizing the levying of taxes in Henry county, Iowa.

House File No. 482, a bill for an act to legalize the incorporation of the town of Rockwell, Calhoun county, Iowa, and to legalize the acts of the town council and other officers thereof.

House File No. 497, a bill for an act to legalize certain acts and ordinances of the council of the town of Earlville.

House File No. 448, a bill for an act to legalize the official acts of Wm. Osborn, as a justice of the peace, in Union township, Adair county, Iowa.

House File No. 305, a bill for an act to legalize the incorporation of the town of Carroll, Carroll county, Iowa.

House File No. 276, a bill for an act legalizing conveyances.

House File No. 149, a bill for an act to legalize the incorporation of the town of Dedham, Carroll county, Iowa.

House File No. 344, a bill for an act to repeal section 3909, chapter 4, title 24 of the Code of 1873, in relation to embezzlement.

House File No. 503, a bill for an act to legalize the acts of the town council of the town of Modale, in Harrison county, Iowa.

Also, I am directed to inform your honorable body that the House has passed without amendment the following Senate bills:

Senate File No. 93, a bill for an act to regulate mines and mining, and to repeal chapter 202 of the acts of the Eighteenth General Assembly.

Senate File No. 50, a bill for an act to legalize certain ordinances of the town of Vail.

Senate File No. 167, a bill for an act to legalize the official acts of John Cook, a justice of the peace in and for Clinton county.

Senate File No. 100, a bill for an act to legalize the incorporation



of the town of Fonda, in the county of Pocahontas, Iowa, and the ordinances and the elections and the acts of the officers thereof.

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. 146, an act to enable the Methodist Episcopal church of Iowa City, Johnson county, Iowa, to sell and convey realty.

Senate File No. 290, an act to authorize boards of supervisors to purchase, keep up and maintain bridges over streams dividing their respective counties.

SIDNEY A. FOSTER, *Clerk.*

#### INTRODUCTION OF BILLS.

By Senator Carson, Senate File No. 356, a bill for an act to enable cities and towns to improve water-courses and streams in certain cases, etc.

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

By Senator Cotton, Senate File No. 357, a bill for an act to repeal section 3327, title 20, chapter 4, of the Code of 1873, in relation to the satisfaction of mortgages and to enact a substitute therefor.

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

By Senator McCoy, Senate File No. 358, a bill for an act to amend section 797 of the Code, and to exempt from taxation certain homesteads.

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

#### SPECIAL ORDER.

Senator Donnan moved special order be taken up.

Carried.

Joint resolution No. 8, agreeing to an amendment to the Constitution of the State of Iowa to strike out the word male from section 1 of article 2 thereof, with report of Committee on Constitutional Amendments, was taken up for consideration.

Pending the discussion, Senator Donnan moved the rule be suspended, the resolution considered engrossed and read a third time now.

At 5:55 o'clock Senator Donnan moved that joint resolutions Nos. 8 and 12 be continued the special order to-morrow and until disposed of.

Carried.

At 6 o'clock Senator Donnan moved the Senate adjourn.

Carried.

Senate adjourned.

SENATE CHAMBER. }  
DES MOINES, IOWA, March 12, 1884 }

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

Prayer by Rev. M. N. Miles.

Journal of yesterday read and approved.

Senator Clark moved that the question of pardon of Finis Allen be made a special order immediately after disposal of joint resolutions Nos. 8 and 12.

Carried.

Senator Logan moved that the special order be postponed twenty minutes.

Carried.

CONCURRENT RESOLUTION.

Senator Logan offered the following concurrent resolution:

WHEREAS, The contagious cattle plague known as "the foot and mouth disease" has made its appearance in Woodson county, Kansas, and in other places contiguous to the State of Iowa; and,

WHEREAS, The disease is liable to be communicated to the vast herds in this State; therefore,

*Be it resolved by the Senate, the House concurring,* That Professor Stalker, of the Iowa State Agricultural College at Ames, be and hereby is appointed a special commissioner to visit said Woodson county, Kansas, and make a thorough examination of the cattle so affected, and also inquire into the means necessary to prevent the spread of the disease in the State of Iowa, and report the same to this General Assembly.

Adopted.

PETITIONS, MEMORIALS, ETC.

Senator Nichols offered a petition from citizens of Muscatine county for a reformatory prison for women.

Referred to Committee on Penitentiary.

Senator Hutchison offered a petition from citizens of Iowa relative to mortgages and taxation.

Referred to Committee on Ways and Means.

Senator McCoy offered a petition from citizens of Iowa relative to partition fences.

Referred to Committee on Agriculture.

INTRODUCTION OF BILLS.

By Senator Wilkin, Senate File No. 359, a bill for an act to prohibit the use of barb wire in enclosing public school grounds.

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

By Senator Stephens, Senate File No. 360, a bill for an act for the better protection of stock breeders.

Read a first and second time and referred to the Committee on Agriculture.

#### REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 180, a bill for an act to repeal section 2452, and enact a substitute therefor, in relation to widows' share when a will is made, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that said bill be amended by adding to section 1 the following: "But no such charge shall be enforced against the share of any such widow, or husband of a deceased wife, or heir in any homestead of the decedent."

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 274, a bill for an act to amend section 3639 of the Code, relating to evidence, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 41, a bill for an act to amend section 3895 of chapter 3, title 24 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.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred joint resolution No. 16, a bill for an act in relation to liens of judgments in the United States 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 indefinitely postponed, for the reason that a resolution has been reported covering the same ground.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was re-

ferred Senate File No. 31, a bill for an act to provide for completing the records in cases 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 it be indefinitely postponed.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 275, a bill for an act to protect bridges on public 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 indefinitely postponed.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 259, a bill for an act to repeal section 963 of the Code, in relation to appeals, 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.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 268, a bill for an act to legalize conveyances, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 272, a bill for an act relating to liability of sureties upon instruments of writing, and to prevent such sureties from hindering and delaying 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 be indefinitely postponed.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 313, a bill for an act to amend section 3902 of the Code, relating to penalty for larceny, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that said bill be amended by striking out after the word "penitentiary" in

section 1, the following "not less than one year, and," and that as amended it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 319, a bill for an act to amend sections 4130 and 4132 of the Code, in relation to vagrants, beg leave 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.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 115, a bill for an act to amend chapter 9, title 13, 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.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 72, a bill for an act to legalize and correct errors in the proceedings and acts incorporating the town of Baldwin, Jackson 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.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 84, a bill for an act to provide for the investment of the endowment fund of the Iowa State Agricultural College and Farm, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the accompanying substitute, with the recommendation that the substitute be adopted, and when adopted that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 325, a bill for an act to repeal section 4509 of the Code in relation to satisfaction of fine and costs by imprisonment 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.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 172, a bill for an act to repeal section 1923 of the Code, and to enact a substitute therefor, in relation to recording chattel 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 accompanying substitute with the recommendation that the substitute be adopted, and when adopted that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 317, a bill for an act to provide for the assessment and taxation of lands within the State of Iowa granted to railroad companies or corporations which have become earned but not patented, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 326, a bill for an act to legalize the incorporation of the town of Garrison, Benton county, Iowa, and the acts of the officers thereunder, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the accompanying substitute with the recommendation that the substitute be adopted and when so adopted that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 264, a bill for an act for an appropriation in aid and support of the State University of Iowa, beg leave to report that they have had the same under consideration, and have adopted amendments thereto, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out all after the word "hundred" in line twenty, section 1, and inserting the word "dollars;" also by striking out all of lines twenty-one and twenty-two in section 1; and also by adding to section 2 the following: "Provided further, that no sum appropriated for any specific object shall be used for any other, and only so much thereof for the specified object as the board of regents and the Executive Council shall deem necessary;" and also by striking out of section 1 the item of "sixteen thousand dollars" and inserting "eight thousand (\$8,000) annually in addition to the allowance now made by law," and when so amended that the bill do pass.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 292, a bill for an act to better provide for the maintenance of the Girls' Reform School at Mitchellville, beg leave to report that they have 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. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 288, a bill for an act making an appropriation for the Benedict Home, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 208, a bill for an act making appropriations for the Iowa Institution for Feeble-Minded Children at Glenwood, beg leave to report that they have had the same under consideration, and have prepared a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and when adopted that it do pass.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 125, a bill for an act to appropriate funds to furnish buildings, buy land, and make improvements for the Soldiers' Orphans' Home at Davenport, Iowa, beg leave to report that they have had the same under consideration, and have prepared a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and when adopted, that the bill do pass.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 185, a bill for an act making appropriations for the Iowa Agricultural College, beg leave to report that they have had the same under consideration, and have prepared a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and when adopted, that the bill do pass.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was

referred Senate File No. 8, a bill for an act to amend sections 9 and 10, chapter 40, of the acts of the Nineteenth General Assembly, and to increase the appropriation for ordinary expenses, and provide for drawing clothing funds for the Iowa Institution for Feeble-Minded at Glenwood, beg leave to report that they 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.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 192, 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 adopted an amendment thereto, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out all between the words "provided" and "provided further," in section 2, and inserting the following: "That no sum appropriated for any specific object shall be used for any other, and only so much thereof for the specific object as the trustees and executive council shall deem necessary"; and when so amended that the bill do pass.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 200, a bill for an act making appropriations for the Girls' Department of the Iowa Reform School, beg leave to report that they have had the same under consideration, and have prepared a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and when adopted that the bill do pass.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Senator Rotherth, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 257, a bill for an act concerning the conductors of steam railways, beg leave to report that they 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.

HENRY W. ROTHERTH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 21, a bill for an act to prevent unjust discrimination in rates for transportation of freight by railway corporations, companies or individuals doing business as common carriers, in whole or in part, within the State of Iowa, and to provide a punishment therefor, beg leave to report that they have had the same under considera-



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

HENRY W. ROTHERT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 19, a bill for an act to prevent unjust discrimination in rates for transportation of freight by railroad corporations, companies or individuals, doing business as common carriers, in whole or in part, in the State of Iowa, and to provide a punishment therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

HENRY W. ROTHERT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 292, a bill for an act to prevent accidents at railroad crossings, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

HENRY W. ROTHERT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 253, a bill for an act to provide for union depots, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding the words "the incorporators" after the word "purpose" in the first section, and by striking out the word "first" in second section, and also all after and including the word "second" in second section of said bill, and when so amended it do pass.

HENRY W. ROTHERT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 10, a bill for an act to amend section 1061, title 9, 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 the Senate do concur in the House amendment.

HENRY W. ROTHERT, *Chairman*.

Ordered passed on file.

Senator Glass, from the Committee on State University, submitted the following report:

MR. PRESIDENT—Your Committee on State University, to whom was referred Senate File No. 242, a bill for an act to repeal section 4018, chapter 9, title 24 of the Code, and to enact a substitute therefor, beg leave to report that they have had the same under considera-

tion, and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

JOHN D. GLASS, *Chairman.*

Ordered passed on file.

Senator McCoy, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred Senate File No. 289, a bill for an act repealing section 131 of the Code, and enacting a substitute in lieu thereof, relating to distribution of public documents to public libraries, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass after amending, by striking out all after the word "State" in the 4th line of printed bill; all before the word "which" in 5th line of printed bill, and the word "also" in 5th line of printed bill.

BEN MCCOY, *Chairman.*

Ordered passed on file.

Senator Robinson, from the Committee on Normal Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Normal Schools, to whom was referred Senate File No 239, a bill for an act to provide for the teaching of the elementary principles of botany and chemistry in the common schools of the State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the accompanying substitute for the said bill with the recommendation that the substitute be adopted, and when adopted it do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Normal Schools, to whom was referred a petition from a number of citizens of Jasper county, asking for a normal school at Colfax, beg leave 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 a bill embodying the views of the committee upon the subject of normal school legislation has heretofore been reported.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Normal Schools, to whom was referred a memorial on behalf of the State Horticultural Society, relating to the teaching of the elementary principles of botany and chemistry in the common schools of the State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the statement that a bill embodying the views of the committee upon the subject of the memorial is herewith reported.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Senator Hemenway moved the postponement of special order until all the committee reports are handed in.

Carried.

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. 340, a bill for an act to amend section 797 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the enclosed substitute therefor back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 329, a bill for an act to repeal section 1381 of chapter 1, title 11, 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 enclosed substitute therefor to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Senator Barrett, from the Committee on Judicial Districts, submitted the following report:

MR. PRESIDENT—Your Committee on Judicial Districts, to whom was referred House File No. 20, a bill for an act in relation to the fourth judicial circuit of the State, subdividing the same, providing for the election of circuit judges therein, and defining their powers and duties, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

O. M. BARRETT, *Chairman.*

Ordered passed on file.

Senator Nichols, from the Committee on College for the Blind, submitted the following report:

MR. PRESIDENT—Your Committee on College for the Blind, to whom was referred Senate File No. 310, a bill for an act to provide for the government of the College for the Blind, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

NICHOLS, *Chairman.*

Ordered passed on file.

Senator Chambers, from the Committee on Penitentiary, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiary, to whom was referred Senate File No. 189, a bill for an act to repeal section 4779 of the Code, and enact in lieu thereof, beg leave to report that they have had the same under consideration, and have instructed me to report

the same back to the Senate with the recommendation that it be indefinitely postponed.

J. C. CHAMBERS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Penitentiary, to whom was referred Senate File No. 306, a bill for an act to establish a reformatory for females, also Senate File No. 79, in relation to the same subject, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that Senate File No. 79 be substituted for Senate File No. 306, and reported back without recommendation.

J. C. CHAMBERS, *Chairman*.

Ordered passed on file.

Senator McDonough, from the Committee on Horticulture and Forestry, submitted the following report:

MR. PRESIDENT—Your Committee on Horticulture and Forestry, to whom was referred memorial of State Horticultural Society in reference to an increase of appropriations, beg leave to report 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 matter be referred to the Committee on Appropriations, and the accompanying bill is passed.

JOHN McDONOUGH, *Chairman*.

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By Committee on Horticulture and Forestry, Senate File No. 361, a bill for an act to amend section 1121, chapter 3, title 9, of the Code of 1873, to increase the annual appropriation to the State Horticultural Society.

Referred to Committee on Appropriations.

#### SPECIAL ORDER.

Joint resolution No. 8, agreeing to an amendment to the Constitution of the State of Iowa, to strike out the word male from section 1, of article 2 thereof, with the report of Committee on Constitutional Amendments, was taken up for consideration.

Pending consideration, the Senate adjourned

## AFTERNOON SESSION.

2:00 O'CLOCK P. M.

The president announced the following committee under resolution offered by Senator Rothert, relative to State Board of Health:  
 Senators Rothert, Larrabee, Sweney, Hemenway, and Eastman.  
 Consideration of joint resolution No. 8 resumed.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has concurred in the following resolution:

Concurrent resolution relative to the contagious cattle plague known as the foot and mouth disease.

Also:

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. 399, a bill for an act to amend section 4746 of the Code, relative to term of office of the warden of the penitentiary at Ft. Madison.

SIDNEY A. FOSTER, *Clerk.*

Senator Bills offered the following amendment to the joint resolution:

Insert after the words "is hereby agreed to," in the second line of section 1, the following: "be submitted to the people of the State for approval and ratification, or rejection, as is provided in the constitution and laws of this State, to-wit."

## REPORT OF COMMITTEE.

Senator Chambers, 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. 345, an act increasing the number of circuit judges in the second judicial district of the State of Iowa.

Senate File No. 50, an act to legalize certain ordinance of the town of Vail.

Senate File No. 167, an act to legalize the official acts of Jno. Cook, a justice of the peace in and for Clinton county.

Senate File No. 100, an act to legalize the incorporation of the town of Fonda, in the county of Pocahontas, in the State of Iowa, and the ordinance and the election and acts of the officers thereof.

Senate File No. 146, an act to enable the Methodist Episcopal church of Iowa City to sell and convey certain realty.

JOHN C. CHAMBERS, *Chairman.*

Also:

MR. PRESIDENT—Your committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 345, an act increasing the number of circuit judges in the second judicial district of the State.

Senate File No. 50, an act to legalize certain ordinances of the town of Vail.

Senate File No. 167, an act to legalize the official acts of Jno. Cook, a justice of the peace in and for Clinton county.

Senate File No. 100, an act to legalize the incorporation of the town of Fonda, in the county of Pocahontas, in the State of Iowa, and the ordinances and the election and acts of the officers thereof.

And find the same correctly enrolled.

J. C. CHAMBERS, *Chairman.*

At 6 o'clock the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, March 13, 1884. }

Senate met pursuant to adjournment and was called to order by Senator Graves.

Prayer by Rev. W. M. Bartholomew.

Journal of yesterday read and approved.

SPECIAL ORDER.

Joint resolution No. 8, agreeing to an amendment to the constitution of the State of Iowa to strike out the word "male" from section 1 of article 2 thereof, with report of the Committee on Constitutional Amendments, was taken up for consideration.

Senator Nichols moved that the time for adjournment be extended fifteen minutes.

Carried.

Senator Robinson moved that the time for adjournment be extended ten minutes.

Lost.

Senate adjourned.

## AFTERNOON SESSION.

2:00 O'CLOCK, P. M

Consideration of joint resolution No. 8 resumed.

The question being upon the amendment offered yesterday by Senator Bills, the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Baker, Bayless, Bills, Bloom, Carr, Cassatt, Gault, Graves, Hall, Henderson, Hendrie, Johnson, Kamrar, Rothert, Ryder, and Whiting—16.

The nays were:

Senators Abraham, Barrett, Brown, Caldwell, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Hem enway, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin—34.

So the amendment was lost.

The motion of Senator Donnan that the rules be suspended, the joint resolution considered engrossed and read a third time now prevailed.

The resolution was read a third time.

JOINT RESOLUTION No. 8, agreeing to an amendment to the Constitution of the State of Iowa, to strike out the word male from section one (1), of article two (2) thereof :

WHEREAS, The Nineteenth General Assembly of the State of Iowa did, in due form, by a majority of the members elected to each of the two houses, agree to a proposed amendment to the Constitution of the State of Iowa, in the words and figures, viz.: To strike out the word male from section one (1), of article two (2), of said Constitution; and,

WHEREAS, the said proposed amendment was duly entered upon the journals of the said houses, with the yeas and nays taken thereon, and was referred to the legislature to be chosen at the next general election; and,

WHEREAS, The same has been published as provided by law; therefore,

*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 agreed to: To strike out the word male from section one (1), of article two (2), of said Constitution.*

Upon the question of adopting the above and foregoing joint resolution, and agreeing to the amendment to the Constitution proposed, recited therein, the roll was called and the yeas and nays were as follows:

The yeas were:

Senators Abraham, Barrett, Brown, Caldwell, Chambers, Chubb,

Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Hemenway, Hutchison, Kamrar, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Stephens, Whaley, and Wilkin—26.

The nays were:

Senators Baker, Bayless, Bills, Bloom, Carr, Carson, Cassatt, Gault, Graves, Hall, Henderson, Hendrie, Hunt, Johnson, Larrabee, Poyneer, Rothert, Russell, Ryder, Smith, Sudlow, Sutton, Sweney, and Whiting—24.

And so the following amendment to the Constitution was agreed to, to-wit:

To strike out the word male from section one (1), of article two (2), of said Constitution.

And the yeas and nays thereon were as follows:

The yeas were:

Senators Abraham, Barrett, Brown, Caldwell, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Hemenway, Hutchison, Kamrar, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Stephens, Whaley, and Wilkin—26.

The nays were:

Senators Baker, Bayless, Bills, Bloom, Carr, Carson, Cassatt, Gault, Graves, Hall, Henderson, Hendrie, Hunt, Johnson, Larrabee, Poyneer, Rothert, Russell, Ryder, Smith, Sudlow, Sutton, Sweney, and Whiting—24.

#### SPECIAL ORDER.

Joint resolution No. 12, agreeing to certain amendments to the Constitution of the State of Iowa, proposed by the Nineteenth General Assembly, with the report of committee, was taken up for consideration.

Senator Donnan moved that the Senate agree to the first proposition.

Senator Hall offered a substitute, which was lost.

Unanimous consent was given for Senator Marshall to postpone his motion for reconsideration on Senate File No. 12.

At 4:15 o'clock Senator Whiting moved that the Senate adjourn.

Carried.

Senate adjourned.



SENATE CHAMBER,  
DES MOINES, IOWA, March 14, 1884. }

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

Prayer by Rev. I. O. Hunting.

Journal of yesterday read and approved.

SPECIAL ORDER.

Joint resolution No. 12, agreeing to certain amendments to the Constitution of the State of Iowa, proposed by the Nineteenth General Assembly, with report of committee, was taken up for consideration.

The question being upon the motion made yesterday by Senator Donnan to agree to the first proposition.

Senator Robinson moved to agree to first proposition.

Senator Hall offered the following substitute:

WHEREAS, The Nineteenth General Assembly proposed, agreed to, and referred to this General Assembly the amendment set forth in joint resolution No. 12, and Nineteenth General Assembly; therefore,

*Be it resolved*, That the Senate proceed to consider and act upon such proposed amendments separately.

Adopted.

The chair then stated the question to be upon agreeing to the first proposed amendment to the Constitution, which proposed amendment is as follows: "The general election for State, district, county and township officers shall be held on the Tuesday next after the first Monday in November."

Upon the question of agreeing to the foregoing amendment, the roll was called, and the yeas and nays were as follows:

The yeas were:

Senators Abraham, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—48.

The nays were none.

Absent or not voting:

Senators Baker and Johnson—2.

And so the aforesaid constitutional amendment was agreed to by the Senate.

Whereupon the chair stated the question to be upon agreeing to the proposed constitutional amendment No. 2, and which is as follows:

No. 2. At any regular session of the General Assembly the State may be divided into the necessary judicial districts for district court purposes or the said districts may be reorganized, and the number of the districts, and the judges of said courts increased or diminished; but no reorganization of the districts or diminution of the judges shall have the effect of removing a judge from office.

Whereupon the roll was called, and the yeas and nays were as follows:

The yeas were:

Senators Abraham, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—47.

The nays were none.

Absent or not voting:

Senators Baker, Johnson, and Stephens—3.

And so the foregoing constitutional amendment No. 2 was agreed to by the Senate.

Whereupon the chair stated the question to be shall the Senate agree to a proposed constitutional amendment, which is as follows, and which is numbered 3.

No. 3. The grand jury may consist of any number of members not less than five nor more than fifteen, as the General Assembly may by law provide, or the General Assembly may provide for holding persons to answer for any criminal offense without the intervention of a grand jury.

Pending discussion, at 12 o'clock M. the Senate adjourned until 2 o'clock P. M.

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### AFTERNOON SESSION.

2 O'CLOCK P. M.

Senate reconvened with the President in the chair.

Whereupon the chair stated the question to be, shall the Senate agree to a proposed constitutional amendment, which is as follows, and which is numbered 3.

No. 3. The grand jury may consist of any number of members not less than five nor more than fifteen, as the General Assembly may by law provide, or the General Assembly may provide for holding persons to answer for any criminal offense without the intervention of a grand jury.

Whereupon the roll was called, and the yeas and nays were as follows:

The yeas were:

Senators Barrett, Brown, Caldwell, Carson, Chambers, Clark, Donnan, Duncan, Glass, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Logan, McDonough, Marshall, Nichols, Poyneer, Robinson, Stephens, Sudlow, Sutton, Whaley, Whiting, and Wilkin—27.

The nays were:

\* Senators Bayless, Bills, Bloom, Carr, Cassatt, Eastman, Gault, Gillett, Hall, Johnson, Larrabee, McCoy, Russell, and Sweney—14.

Absent or not voting:

Senators Abraham, Baker, Chubb, Cotton, Graves, Miles, Rothert, Ryder, and Smith—9.

And so the foregoing Constitutional amendment, No. 3, was agreed to by the Senate.

Whereupon the chair stated the question to be, shall the Senate agree to a proposed Constitutional amendment, which is as follows, and which is numbered four:

No. 4. That section 13 of chapter 5 of the Constitution be stricken therefrom and the following adopted as such section:

Section 13. The qualified electors of each county shall at the general election in the year 1886, and every two years thereafter, elect a county attorney who shall be a resident of the county for which he is elected, and who shall hold his office for two years and until his successor shall have been elected and qualified.

Whereupon the roll was called and the yeas and nays were as follows:

The yeas were:

Senators Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—40.

The nays were:

Senators Gault, Hall, and Johnson—3.

Absent or not voting:

Senators Abraham, Baker, Chubb, Graves, Miles, Rothert, and Ryder—7.

And so the foregoing Constitutional amendment, No. 4, was agreed to by the Senate.

Senator Donnan moved that the rule be suspended, the joint resolution be considered engrossed, and read a third time now.

Carried.

The resolution was read a third time.

Joint resolution agreeing to certain amendments to the Constitution of the State of Iowa, proposed by the Nineteenth General Assembly.

WHEREAS, The Nineteenth General Assembly of the State of Iowa did in due form by a majority of the members elected to each of the two houses, agree to the following proposed amendments to the Constitution of the State of Iowa, viz.:

*Amendment 1.*—The general election for State, district, county and

township officers shall be held on the Tuesday next after the first Monday in November.

*Amendment 2.*—At any regular session of the General Assembly the State may be divided into the necessary judicial districts for district court purposes, or the said districts may be reorganized and the number of the districts and the judges of said courts increased or diminished, but no reorganization of the districts or diminution of the judges shall have the effect of removing a judge from office.

*Amendment 3.*—The grand jury may consist of any number of members, not less than five nor more than fifteen, as the General Assembly may by law provide, or the General Assembly may provide for holding persons to answer for any criminal offense without the intervention of a grand jury.

*Amendment 4.*—That section 13 of article 5, of the constitution, be stricken therefrom, and the following adopted as such section:

SECTION 13. The qualified electors of each county shall, at the general election in the year 1886, and every two years thereafter, elect a county attorney, who shall be a resident of the county for which he is elected, and who shall hold his office for two years and until his successor shall have been elected and qualified; and

WHEREAS, The said proposed amendments were entered on the journals of the said Houses, with the ayes and nays thereon, and were referred to the legislature to be chosen at the next general election, and the same having been published as provided by law; therefore,

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

*Amendment 1.*—The general election for State, district, county and township officers shall be held on the Tuesday next after the first Monday in November.

*Amendment 2.*—At any regular session of the General Assembly the State may be divided into the necessary judicial districts for district court purposes, or the said districts may be reorganized and the number of the districts and the judges of said courts increased or diminished; but no reorganization of the districts or diminution of the judges shall have the effect of removing a judge from office.

*Amendment 3.*—The grand jury may consist of any number of members, not less than five nor more than fifteen, as the General Assembly may by law provide, or the General Assembly may provide for holding persons to answer for any criminal offense without the intervention of a grand jury.

*Amendment 4.*—That section 13 of article 5, of the constitution, be stricken therefrom, and the following adopted as such section:

SECTION 13. The qualified electors of each county shall, at the general election in the year 1886, and every two years thereafter, elect a county attorney, who shall be a resident of the county for which he is elected, and shall hold his office for two years and until his successor shall have been elected and qualified.

On the question shall the joint resolution pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown,

Caldwell, Carr, Carson, Chambers, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Whaley, Whiting, and Wilkin—43.

The nays were:

Senators Cassatt and Johnson—2.

Absent or not voting:

Senators Chubb, Graves, Larrabee, Rothert, and Ryder—5.

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

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Senate File No. 93, an act to regulate mines and mining, and to repeal chapter 202 of the acts of the Eighteenth General Assembly.

I am also directed to inform your honorable body that the House has passed the following bills:

Senate File No. 7, a bill for an act granting additional powers to cities and incorporated towns with reference to the improvements of streets, highways, avenues or alleys; to provide a system for the payment of said improvements, and to repeal chapter 51, of the acts of the Thirteenth General Assembly.

Senate File No. 42, a bill for an act granting additional powers to cities and incorporated towns with reference to the construction of sewers, and to provide for the payment of the cost of the same, and to amend chapter 162, of the acts of the Seventeenth General Assembly.

House File No. 492, a bill for an act to make further provision for the care of insane persons.

Also, I am directed to inform your honorable body that the House has concurred in Senate concurrent resolution in regard to the pardon of E. J. Bruce.

SIDNEY A. FOSTER, *Clerk.*

#### REPORT OF COMMITTEE.

Senator Chambers, 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. 93, an act to regulate mines and mining, and to repeal chapter 202, of the acts of the Eighteenth General Assembly.

J. C. CHAMBERS, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 93, an act to regulate

mines and mining, and to repeal chapter 202, of the acts of Eighteenth General Assembly, and find the same correctly enrolled.

J. C. CHAMBERS, *Chairman*.

The President signed the enrolled bill of Senate File No. 93, in the presence of the Senate.

Senator Johnson was granted leave of absence for the day's session.

Senator Miles was granted leave of absence until his return.

Senator Clark moved that special order be postponed until 3 o'clock. Carried.

On motion of Senator Caldwell, House File No. 24, a bill for an act to provide for the erection of station houses at points of intersection of two or more railroads, was taken up.

By request of Senator Caldwell, the bill was passed on file.

#### BILLS ON SECOND READING.

On motion of Senator Nichols, Senate File No. 282, a bill for an act to provide for the appointment of a State Veterinarian, and defining his duties, with report of committee recommending amendments, and that it do pass, was taken up and considered.

The first amendment of committee was lost.

Second amendment of committee adopted.

Third amendment of committee adopted.

Senator Poyneer moved that the special order be postponed until Senate File No. 282 be disposed of.

Senator Clark objected.

Senator Larrabee moved to amend by postponing the special order until 3:30 o'clock.

Carried.

Senator Poyneer moved to strike out in fifth line the words "as hereinafter provided."

Carried.

The third amendment of committee was lost.

The fourth amendment of committee was adopted.

The fifth amendment of committee was lost.

Senator Robinson moved to amend the first section by striking out the words "next after his qualification," and insert the words "of each even numbered year."

Adopted.

Senator Marshall moved to amend the fourth line of first section by adding after the word "swine," the words "and poultry."

Lost.

Senator Chubb moved to amend the sixth line by striking out the words "where there is reason to suspect," and insert the words "when so notified of."

Lost.

Section 2: First amendment of committee adopted.

Second amendment of committee adopted.

Third amendment of committee adopted.

Fourth amendment of committee adopted.

Senator Poyneer moved the special order be postponed until after the disposal of Senate File No. 282.

Senator Bill moved to amend by recommitting Senate File No. 282.

Amendment adopted, and the bill referred to the Committee on Agriculture.

On motion of Senator Clark the report of Committee on Penitentiary, relating to the pardon of Finis Allen, with concurrent resolution recommending pardon, was taken up and considered.

Senator Rothert moved the word "recommmend," in the report, be stricken out, and the word "advise" be inserted.

Carried.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 146, a bill for an act to amend sections 1604, 1606, 1608, and to repeal section 1605 and provide a substitute therefor, of the Code, in relation to the trustees of the State Agricultural College.

House File No. 47, a bill for an act authorizing actions against railway companies to be brought in the name of the State, etc.

House File No. 316, a bill for an act authorizing the railroad commissioners to decide cases brought before them on complaint against railway companies, and prescribing a method for enforcing their decisions.

I am also directed to inform you that the House has concurred in the following Senate bill:

Substitute for Senate File No. 98, a bill for an act to repeal section 1621 of the Code of 1873, chapter 4, title 12, and enact a substitute therefor, relating to a course of study for the State Agricultural College.

SIDNEY A. FOSTER, *Clerk.*

Senator Larrabee moved further consideration of this question be postponed until half past ten o'clock to-morrow morning.

Carried.

Senator Caldwell moved that the time for adjournment be extended fifteen minutes.

Carried.

#### REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate Files Nos. 106 and 145, bills for an act to regulate the organization and operation of mutual benefit assessment associations, beg leave to report that they have had the same under consideration, and instructed me to report the accompanying substitute back to the

Senate with the recommendation that the said substitute be adopted, and when adopted it do pass.

HIRAM Y. SMITH, *Chairman.*

Ordered passed on file.

BILLS ON SECOND READING.

On motion of Senator Caldwell, House File No. 24, a bill for an act to provide for the erection of station houses at the points of intersection of two or more railroads, was taken up and considered.

Senator Caldwell moved that the 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Nichols, Poyneer, Robinson, Rothert, Russell, Smith, Stephens, Sudlow, Sutton, Sweeney, Whiting, and Wilkin—42.

The nays were none.

Absent or not voting:

Senators Cassatt, Chubb, Chambers, Gault, Hendrie, Miles, Ryder, and Whaley—8.

So the bill passed and the title was agreed to.

On motion of Senator Hall, Senate File No. 10, a bill for an act to amend section 1061, title 9, chapter 1, of Code of 1873, with report of committee recommending that the Senate concur in House amendment, was taken up, considered, and the report of the committee was adopted.

Senator Hall moved that the 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 Baker, Barrett, Bayless, Bills, Bloom, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Donnan, Duncan, Eastman, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hutchison, Johnson, Kamrar, Larrabee, McCoy, McDonough, Marshall, Nichols, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweeney, Whaley, Whiting, and Wilkin—41.

The nays were:

Senator Gault—1.

Absent or not voting:

Senators Abraham, Brown, Cotton, Cassatt, Hunt, Logan, Miles, and Poyneer—8.

So the bill passed as amended and the title was agreed to.

Senator Sutton was given unanimous consent for the postponement of consideration of resolution relative to final adjournment, to March 22d.



Senator Glass moved the hour of adjournment be fixed at twenty-five minutes after six o'clock.

Carried.

#### RESOLUTION.

Senator Larrabee offered the following resolution:

*Resolved*, That the Secretary of the Senate be and he is hereby directed to cause an engrossed copy of the proceedings incident to the presentation of the portrait of ex-Governor Grimes to be made and duly forwarded to Mrs Grimes.

Adopted.

#### BILL ON SECOND READING.

On motion of Senator Glass, Senate File No. 166, a bill for an act to amend section 3102 of the Code, relating to the possession of property during the period of redemption, with report of committee recommending amendment, and when amended it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Glass moved that the rules be suspended, and the bill be considered engrossed, and read a third now, which motion prevailed.

Senator Bills moved the Senate adjourn.

Lost.

Senator Glass moved to insert the word "fourth" in place of word "blank."

Carried.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Caron, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Marshall, Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Sweeney, Whaley, Whiting, and Wilkin—41

The nays were none.

Absent or not voting:

Senators Baker, Cassatt, Gault, Hendrie, Johnson, Kamrar, Miles, Rothert, and Ryder—9.

So the bill passed and the title was agreed to.

By leave,

#### INTRODUCTION OF BILLS.

By Senator Henderson, Senate File No. 362, a bill for an act to pay to the Hon. John Shane, late district judge of the Eighth judicial district of Iowa, the salary for his unexpired term as such judge.

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

By Senator McCoy, Senate File No. 363, a bill for an act to pro-

tect subcontractors for labor and materials furnished for public buildings and works.

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

By Senator Caldwell, Senate File No. 364, a bill for an act to regulate and provide for the construction of tile and other underground drains through the lands of others.

Read a first and second time and referred to the Committee on Agriculture.

By Senator Hall, Senate File No. 365, a bill for an act to amend section 4712 of the Code, relating to pardon.

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

By Senator Donnan, Senate File No. 366, a bill for an act to amend section 2609 of the Code, in relation to the truth of the returns of notices served on patients in the Hospitals of the Insane.

Read a first and second time and referred to the Committee on Hospitals for Insane.

#### REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 359, a bill for an act to prohibit the use of barb wire in enclosing public school grounds, beg leave to report that they have 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. G. HUTCHISON, *Chairman.*

Ordered passed on file.

At 6:30 o'clock, on motion of Senator Cotton, the Senate adjourned.

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SENATE CHAMBER, }  
DES MOINES, IOWA, March 15, 1884. }

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

Prayer by Rev. A. L. Frisbee.

Journal of yesterday read and approved.

Senator Donnan asked that Senate File No. 366, be referred to Judiciary Committee.

So referred.

#### INTRODUCTION OF A BILL.

By Senator Gault, Senate File No. 367, a bill for an act to legal-

ize certain errors and omissions of the board of supervisors of Ap-panoose county.

Read a first and second time.

Senator Gault moved that the 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 Abraham, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Clark, Cotton, Donnan, Eastman, Gault, Gillett, Glass, Graves, Hall, Henderson, Johnson, Kamrar, Rothert, Russell, Ryder, Smith, Stephens, Sutton, Sweney, Whaley, and Wilkin—29.

The nays were none.

Absent or not voting:

Senators Baker, Barrett, Bayless, Cassatt, Chubb, Duncan, Hemenway, Hendrie, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Sudlow, and Whiting—21.

So the bill passed and the title was agreed to.

#### RESOLUTION.

Senator Rothert offered the following resolution:

*Resolved*, That the Committee on Appropriations be requested to prepare and have printed a schedule of all appropriations recommended by said committee whenever all appropriation bills shall have been reported upon by said committee.

Adopted.

The President signed the enrolled bill Senate File No. 7, in the presence of the Senate.

#### SPECIAL ORDER

Relative to the pardon of Finis Allen, was again taken up for consideration.

Pending discussion, Senator Larrabee moved that when the Senate adjourn it be until 2 o'clock this afternoon.

Senator Duncan moved to amend by making the hour of adjournment at half past twelve o'clock this P. M.

Amendment adopted.

#### REPORT OF COMMITTEE.

Senator Carson, from the Committee on Institution for Deaf and Dumb, submitted the following report:

MR. PRESIDENT—Your Committee on Institution for Deaf and Dumb, to whom was referred Senate File No. 134, a bill for an act to establish an additional asylum and school of instruction for deaf mutes, at Cedar Rapids, county of Linn, beg leave to report 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 same be amended in certain respects, and when so amended that the bill do pass.

GEO. CARSON, *Chairman.*

Ordered passed on file.

#### BILLS ON SECOND READING.

On motion of Senator Sweney House File No. 3, a bill for an act to legalize the acts of James E. Bennett, a justice of the peace in and for Jamestown township, Howard county, Iowa, with report of committee recommending amendments and it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Sweney moved the rules be suspended, 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 Abraham, Baker, Bayless, Bills, Bloom, Brown, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Eastman, Gault, Glass, Graves, Hall, Henderson, Hunt, Johnson, Kamrar, McCoy, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sweney, Whaley, and Wilkin—33.

The nays were none.

Absent or not voting:

Senators Barrett, Caldwell, Duncan, Gillett, Hemenway, Hendrie, Hutchison, Larrabee, Logan, McDonough, Marshall, Miles, Nichols, Poyneer, Sudlow, Sutton, and Whiting—17.

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:

Senate File No. 7, a bill for an act granting additional powers to cities and incorporated towns with reference to the improvements of streets, highways, avenues or alleys; to provide a system for the payment of said improvements and to repeal chapter 51 of the acts of the Thirteenth General Assembly.

SIDNEY A. FOSTER, *Clerk.*

#### REPORTS OF COMMITTEE.

Senator Chambers, 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. 7, a bill for an act granting additional powers to certain cities of the first class, with reference to the improvement of streets, highways, avenues or alleys,

and to provide a system for payment therefor, and find the same correctly enrolled.

J. C. CHAMBERS, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval Senate File No. 7, a bill for an act granting additional powers to certain cities of the first class, with reference to the improvement of streets, highways, avenues, or alleys, and to provide a system for payment therefor.

J. C. CHAMBERS, *Chairman*.

Motion of Senator Larrabee lost.

Senator Kamrar moved that further discussion be postponed, and it be made a special order for Wednesday afternoon next, at 2:30 o'clock, P. M.

Lost.

Senator Chambers moved that the hour for adjournment be extended till 1 o'clock.

Carried.

Senator Chambers moved that the time be extended till the matter be disposed of.

Senator Cotton moved to amend by postponing further consideration till next Wednesday at 2 o'clock, P. M.

Lost.

Motion of Senator Chambers carried.

Senators Hutchison, Gault, Poyneer, Larrabee, Sudlow and Russell were granted leave of absence for the afternoon.

Senator Kamrar moved that the Senate adjourn.

Lost.

Senator Hunt moved the previous question.

Lost.

Senator Hunt moved to adjourn.

Lost.

The question being on the adoption of the concurrent resolution submitted by the committee, the yeas and nays were demanded, and the roll was called.

The yeas were:

Senators Abraham, Bayless, Bills, Brown, Carson Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Gillett, Graves, Hall, Henderson, Kamrar, McCoy, Robinson, Rothert, and Wilkin—20.

The nays were:

Senators Barrett, Caldwell, Glass, Hemenway, Hunt, Nichols, Smith, Stephens, and Whiting—9.

Absent or not voting:

Senators Baker, Bloom, Carr, Cassatt, Eastman, Gault, Hendrie, Hutchison, Johnson, Larrabee, Logan, McDonough, Marshall, Miles, Poyneer, Russell, Ryder, Sudlow, Sutton, Sweney, and Whaley,—13.

So the concurrent resolution was adopted.

At 1:40 o'clock the Senate adjourned.

SENATE CHAMBER, }  
DES MOINES, IOWA, March 17, 1884. }

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

Prayer by Rev. Geo. C. Henry.

Journal of Saturday read and approved.

Senator Johnson moved that legalizing acts be taken up and remain a special order until disposed of.

Carried.

Senators Kamrar, Glass, Whaley, and Hutchison were granted leave for to-day.

Senators Stephens and Donnan were granted leave until Wednesday.

BILLS ON SECOND READING.

House File No. 21, a bill for an act to legalize the incorporation, ordinances and acts of the officers of the incorporated town of Belmond, Wright county, Iowa, with report of Committee on Judiciary recommending it do pass, was taken up and considered.

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

The question being shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Duncan, Eastman, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Johnson, Larrabee, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sweney, and Whiting—34.

The nays were none.

Absent or not voting:

Senators Cassatt, Chambers, Donnan, Gault, Gillett, Glass, Hutchison, Kamrar, Logan, Marshall, Miles, Stephens, Sudlow, Sutton, Whaley, and Wilkin—18.

So the bill passed and the title was agreed to.

House File No. 33, a bill for an act to legalize the incorporation of the town of Murray, Clarke county, Iowa, and its ordinances, the acts of its officers thereunder, and its right to sue and be sued in its corporate name, was taken up.

Senator Clark moved that the rule be suspended 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Duncan, Eastman,

Gault, Gillett, Graves, Hall, Henderson, Hendrie, Johnson, Larrabee, McCoy, McDonough, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, and Whiting—34.

The nays were none.

Absent or not voting:

Senators Cassatt, Chambers, Donnan, Glass, Hemenway, Hunt, Hutchison, Kamrar, Logan, Marshall, Miles, Nichols, Stephens, Sudlow, Whaley, and Wilkin—16.

So the bill passed and the title was agreed to.

Senate File No. 40, a bill for an act to legalize the incorporation of the town of Milton, Van Buren county, Iowa, and the acts of the officers thereunder, with report of Committee on Judiciary reporting substitute and recommending substitute be adopted, and when adopted it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Carr moved the rule be suspended, 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Duncan, Eastman, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Robinson, Rothert, Russell, Ryder, Smith, Sudlow, Sutton, Sweney, Whiting and Wilkin—38.

The nays were none.

Absent or not voting:

Senators Cassatt, Chambers, Donnan, Gault, Glass, Hutchison, Kamrar, Marshall, Miles, Poyneer, Stephens, and Whaley—12.

So the bill passed and the title was agreed to.

House File No. 42, a bill for an act to legalize the plat and recording of the plat of the town of Manly Junction, in Worth county, Iowa, with report of Committee on Judiciary, recommending it do pass, was taken up and considered.

Senator Chubb moved that the rule be suspended 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—38.

The nays were none.

Absent or not voting:

Senators Cassatt, Chambers, Gault, Glass, Hutchison, Kamrar, Marshall, Miles, Poyneer, Stephens, Sudlow, and Whaley—12.

So the bill passed and the title was agreed to.

Senate File No. 232, a bill for an act to legalize certain ordinances

of the town of Eddyville, with report of Committee on Judiciary recommending it do pass, was taken up and considered.

Senator McCoy moved that the 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweny, Whiting, and Wilkin—39.

The nays were none.

Absent or not voting:

Senators Cassatt, Chambers, Gault, Glass, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—11.

So the bill passed and the title was agreed to.

House File No. 243, a bill for an act to legalize the official acts of D. B. Harmon, a notary public in and for Clay county, Iowa, was taken up.

Senator Robinson moved that the rule be suspended, 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweny, Whiting, and Wilkin—39.

The nays were none.

Absent or not voting:

Senators Cassatt, Chambers, Gault, Glass, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—11.

So the bill passed and the title was agreed to.

Senate File No. 72, a bill for an act to legalize and to correct errors in the proceedings, acts incorporating the town of Baldwin, Jackson county, Iowa, with report of Committee on Judiciary recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Johnson moved that the 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Henderson, Hendrie, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson,



Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—38.

The nays were none.

Absent or not voting:

Senators Cassatt, Chambers, Gault, Glass, Hemenway, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—12.

So the bill passed and the title was agreed to.

Senate File No. 268, a bill for an act to legalize conveyances, with report of Committee on Judiciary, recommending it do pass, was taken up and considered.

Senator Rothert moved that the 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Henderson, Hendrie, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—36.

The nays were none.

Absent or not voting:

Senators Cassatt, Chambers, Chubb, Gault, Glass, Hemenway, Hunt, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—14.

So the bill passed and the title was agreed to.

Senate File No. 326, a bill for an act to legalize the incorporation of the town of Garrison, in Benton county, Iowa, with report of Judiciary Committee, reporting substitute and recommending it do pass, was taken up.

Senator Ryder moved the rules 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Henderson, Hendrie, Hunt, Johnson, Larrabee, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—37.

The nays were none.

Absent or not voting:

Senators Cassatt, Chambers, Gault, Glass, Hemenway, Hutchison, Kamrar, Logan, Marshall, Miles, Stephens, Sudlow, and Whaley—13.

So the bill passed and the title was agreed to.

#### HOUSE MESSAGES.

On motion of Senator Russell, House File No. 140, a bill for an act to legalize the incorporation of the town of Denham, Carroll county,

Iowa, recommending amendment and that it do pass, was taken up, and read a first and second time.

Senator Russell moved that the rule be suspended, 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Henderson, Hendrie, Hunt, Johnson, Larabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—38.

The nays were none.

Absent or not voting:

Senators Cassatt, Chambers, Gault, Glass, Hemenway, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—12.

So the bill passed and the title was agreed to.

On motion of Senator Russell, House File No. 305, a bill for an act to legalize the ordinances, etc., of the town of Carroll, was taken up and read a first and second time.

Senator Russell moved that the rule be suspended 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Henderson, Hendrie, Hunt, Johnson, Larabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sweney, Whiting, and Wilkin—37.

The nays were none.

Absent or not voting:

Senators Cassatt, Chambers, Gault, Glass, Hemenway, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, Sutton, and Whaley—13.

So the bill passed and the title was agreed to.

House File No. 471, a bill for an act to legalize the organization of the independent district of East Cleveland, was taken up, and read a first and second time.

Senator Baker moved that the rules be suspended 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Henderson, Hendrie, Hunt, Johnson, Larabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—38.

The nays were none.

Absent or not voting:

Senators Cassatt, Chambers, Gault, Glass, Hemenway, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—12.

So the bill passed and the title was agreed to.

House File No. 176, a bill for an act to enable the State of Iowa to be represented at the National Educational Exposition at Madison, Wisconsin.

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

House File No. 457, a bill for an act for the relief of Wm. Lowry, late treasurer of Polk county, Iowa, was taken up and read a first and second time.

Senator Smith moved the rule be suspended 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carson, Cassatt, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Henderson, Hendrie, Hunt, Johnson, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rotherth, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—36.

The nays were none.

Absent or not voting:

Senators Carr, Chambers, Chubb, Gault, Glass, Hemenway, Hutchison, Kamrar, Larrabee, Marshall, Miles, Stephens, Sudlow, and Whaley—14.

So the bill passed and the title was agreed to.

House File No. 459, a bill for an act to legalize the incorporation of the town of Redding, Ringgold county, Iowa, and legalize the acts of the town council, was taken up, and read a first and second time.

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

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Henderson, Hendrie, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rotherth, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—39.

The nays were none.

Absent or not voting:

Senators Chambers, Gault, Glass, Hemenway, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—11.

So the bill passed and the title was agreed to.

On motion of Senator Eastman, House File No. 490, a bill for an act to legalize the town council of the incorporated town of Hubbard, Hardin county, and the official acts thereof, was taken up, read a first and second time.

Senator Johnson moved that the rule be suspended, and 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—38.

The nays were none.

Absent or not voting:

Senators Cassatt, Chambers, Chubb, Gault, Glass, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—12.

So the bill passed and the title was agreed to.

House File No. 447, a bill for an act legalizing the levying of taxes in Henry county, was taken up, and read a first and second time.

Senator Abraham moved that the rule be suspended, and 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Henderson, Hendrie, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—39.

The nays were none.

Absent or not voting:

Senators Chambers, Gault, Glass, Hemenway, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—11.

So the bill passed and the title was agreed to.

House File No. 482, a bill for an act to legalize the incorporation of the town of Rockwell, Calhoun county, Iowa, and to legalize the acts of the town council and other officers thereof, was taken up, and read a first and second time.

Senator Russell moved that the rule be suspended, 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Hemenway, Henderson, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—39.

The nays were none.

Absent or not voting:

Senators Chambers, Gaul', Glass, Hendrie, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow and Whaley—11.

So the bill passed and the title was agreed to.

House File No. 497, a bill for an act to legalize certain acts and ordinances of the town of Earlville, was taken up and read a first and second time.

Senator Donnan moved the rules be suspended, 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Henderson, Hendrie, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—37.

The nays were none.

Absent or not voting:

Senators Chambers, Gault, Glass, Hall, Hemenway, Hutchison, Kamrar, Marshall, Miles, Russell, Stephens, Sudlow, and Whaley—18.

So the bill passed and the title was agreed to.

House File No. 448, a bill for an act to legalize the official acts of Wm. Osborn, as a justice of the peace, in Union township, Adair county, Iowa, was taken up, read a first and second time.

Senator Hunt moved the rule be suspended, 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:

Senator Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Henderson, Hendrie, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—39.

The nays were none.

Absent or not voting:

Senators Chambers, Gault, Glass, Hemenway, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—11.

So the bill passed and the title was agreed to.

House File No. 12, a bill for an act to legalize the acts of L. R. Wilson, a justice of the peace in Webster township, Webster county, Iowa, was taken up, and read a first and second time.

Senator Johnson moved that the rule be suspended, 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chubb, Clark, Cotton, Donnan, Dun-

can, Eastman, Gillett, Graves, Hall, Henderson, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—38.

The nays were none.

Absent or not voting:

Senators Chambers, Gault, Glass, Hemenway, Hendrie, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—12.

So the bill passed and the title was agreed to.

House File No. 142, a bill for an act to legalize the incorporation of the town of Williams, Hamilton county, Iowa, and to legalize the town council and other officers and the acts thereof, was taken up, and read a first and second time.

Senator Johnson moved that the 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Henderson, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—38.

The nays were none.

Absent or not voting:

Senators Chambers, Gault, Glass, Hemenway, Hendrie, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—12.

So the bill passed and the title was agreed to.

House File No. 180, a bill for an act to legalize the incorporation of the town of Stratford, Hamilton county, Iowa, and to legalize the election of town council and other officers thereof, was taken up, and read a first and second time.

Senator Abraham moved that the 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 Abraham, Baker, Barrett, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Henderson, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—37.

The nays were none.

Absent or not voting:

Senators Bayless, Chambers, Gault, Glass, Hemenway, Hendrie, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—13.

So the bill passed and the title was agreed to.

House File No. 237, a bill for an act to change the names of the villages of Lachanawanna and Vespers, to legalize the incorporation

thereof under the name of Lehigh, and to validate the ordinances of the town of Lehigh and the acts of its officers thereunder, was taken up and read first and second time.

Senator Johnson moved that the 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 Abraham, Baker, Barrett, Bills, Bloom, Brown, Caldwell, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Gillett, Graves, Hall, Henderson, Hendrie, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—33.

The nays were none.

Absent or not voting:

Senators Bayless, Carr, Cassatt, Chambers, Eastman, Gault, Glass, Hemenway, Hunt, Hutchison, Kamrar, Marshall, Miles, Rothert, Stephens, Sudlow, and Whaley—17.

So the bill passed and the title was agreed to.

House File No. 276, a bill for an act legalizing conveyances, was taken up and read a first and second time.

Senator Hemenway moved that the rule be suspended 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 Abraham, Baker, Barrett, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chubb, Clark, Cotton, Donnan, Gillett, Hall, Hemenway, Henderson, Johnson, Larrabee, Logan, McCoy, Nichols, Poyneer, Russell, Sutton, Sweney, and Wilkin—28.

The nays were:

Senators Eastman, Hendrie, Hunt, and Ryder—4.

Absent or not voting:

Senators Bayless, Chambers, Duncan, Gault, Glass, Graves, Hutchison, Kamrar, McDonough, Marshall, Miles, Robinson, Rothert, Smith, Stephens, Sudlow, Whaley, and Whiting—18.

So the bill passed and the title was agreed to.

Senator Hall moved to reconsider the vote by which this bill passed.

Carried, and the bill referred to Judiciary Committee.

House File No. 262, a bill for an act to legalize the formation of, and acts of the officers of, the independent district of Nevin, Colony township, Adams county, Iowa, was taken up and read a first and second time.

Senator Hunt moved that the rule be suspended, and the bill 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chubb, Clark, Cotton, Donnan, Dun-

can, Eastman, Gillett, Graves, Hall, Henderson, Hendrie, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—39.

The nays were none:

Absent or not voting:

Senators Chambers, Gault, Glass, Hemenway, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—11.

So the bill passed and the title was agreed to.

House File No. 367, a bill for an act to legalize the acts of the mayor and town council of Mondamin, in Harrison county, Iowa, was taken up, read a first and second time.

Senator Logan moved that the rule be suspended, 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Henderson, Hendrie, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—38.

The nays were none.

Absent or not voting:

Senators Cassatt, Chambers, Gault, Glass, Hemenway, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—12.

So the bill passed and the title was agreed to.

House File No. 255, a bill for an act to legalize the incorporation of the town of Woodward, Dallas county, and ordinances and the acts of its officers, was taken up, and read a first and second time.

Senator Caldwell moved that the 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Henderson, Hendrie, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—38.

The nays were none.

Absent or not voting:

Senators Cassatt, Chambers, Gault, Glass, Hemenway, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—12.

So the bill passed and the title was agreed to.

House File No. 303, an act to legalize the incorporation of the town of Jewell Junction, in the county of Hamilton, Iowa, the election of its officers and duties thereunder, was taken up, and read a first and second time.



Senator Johnson moved that the 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Henderson, Hendrie, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sweney, Whiting, and Wilkin—36.

The nays were none.

Absent or not voting:

Senators Cassatt, Chambers, Gault, Glass, Hemenway, Hunt, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, Sutton, and Whaley—14.

So the bill passed and the title was agreed to.

House File No. 344, a bill for an act to repeal section 3909, chapter 4, title 24, of the Code of 1873, in relation to embezzlement, was taken up, read a first and second time and referred to the Committee on Judiciary.

House File No. 503, a bill for an act to legalize the acts of the town council of the town of Modale, in Harrison county, Iowa, was taken up and read a first and second time.

Senator Logan moved that the rule be suspended, 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Henderson, Hendrie, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sweney, Whiting, and Wilkin—36.

The nays were none.

Absent or not voting:

Senators Cassatt, Chambers, Gault, Glass, Hemenway, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, Sutton, and Whaley—13.

So the bill passed and the title was agreed to.

House File No. 233, a bill for an act to amend section 382, chapter 9, title 4, of the Code of Iowa, relating to division of townships, was taken up, read a first and second time and referred to the Committee on County and Township Organization.

House File No. 492, a bill for an act to make further provision for the care of insane persons, was taken up, read a first and second time and referred to the Committee on Hospitals for Insane.

#### PETITIONS, MEMORIALS, ETC.

Senator Abraham offered a remonstrance from citizens of Henry county, against the passage of the "Bolter bill."

Referred to Committee on Schools.

Senator McCoy offered a remonstrance of same character from citizens of Mahaska county.

Referred to same committee.

#### INTRODUCTION OF BILLS.

By Senator Wilkin, Senate File No. 368, a bill for an act to provide school books for certain pupils in public schools.

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

By Senator Hendrie, Senate File No. 369, a bill for an act to repeal section 4712, chapter 55, title 25, of the Code of 1873, and to enact a substitute therefor, providing for a board of pardons to advise the Governor in cases of application for pardons in cases of murder in the first degree.

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

By Senator Clark, Senate File No. 370, a bill for an act to legalize the ordinances and acts of the incorporate town of Hepburn, Iowa.

Read a first and second time.

Senator Clark moved that the 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Henderson, Hendrie, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—37.

The nays were none.

Absent or not voting:

Senators Cassatt, Chambers, Gault, Glass, Hemenway, Hunt, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—13.

So the bill passed and the title was agreed to.

By Senator Clark, Senate File No. 371, a bill for an act to amend section 1, and to strike out a part of section 1, and to strike out all of section 2, of chapter 79, of the acts of the Sixteenth General Assembly, in relation to tax sales and notice in tax sales.

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

By Senator Clark, Senate File No. 372, a bill for an act to legalize the incorporation of the town of Essex and the corporate acts and ordinances thereof.

Read a first and second time.

Senator Clark moved the rule be suspended, 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown,

Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Henderson, Hendrie, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Whiting, and Wilkin—36.

The nays were none.

Absent or not voting:

Senators Cassatt, Chambers, Gault, Glass, Hemenway, Hunt, Hutchinson, Kamrar, Marshall, Miles, Stephens, Sudlow, Sweney, and Whalley—14.

So the bill passed and the title was agreed to.

By Senator Whiting, Senate File No. 373, a bill for an act to prohibit extortion and discrimination in the transmission of telegraph dispatches.

Read a first and second time and referred to the Committee on Private Corporations.

By Senator Larrabee, Senate File No. 374, a bill for an act to amend section 1, chapter 68, acts of Fifteenth General Assembly.

Read a first and second time and referred to the Committee on Railways.

By Senator Larrabee, Senate File No. 375, a bill for an act to appropriate money to aid in exhibiting the resources and products of the State of Iowa at the International Exposition at New Orleans, in 1884 and 1885.

Read a first and second time and referred to the Committee on Agriculture.

#### RESOLUTIONS.

Senator Larrabee offered the following resolution:

WHEREAS, Jeff Logan has been a janitor of the Senate by appointment from the beginning of the session; therefore,

*Resolved*, That the Secretary of the Senate be instructed to issue vouchers for his compensation the same as for the regular janitor of the Senate.

Adopted.

#### INTRODUCTION OF BILLS.

By Senator Russell, by request, joint resolution No. 16, in relation to pensioning Union soldiers who were confined in southern prisons.

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

Senator Hemenway offered a remonstrance against passage of bill regarding Ancient Order United Workmen.

Read and referred to Committee on Judiciary.

#### RESOLUTION.

Senator Bloom offered the following resolution:

*Resolved*, That from and after Tuesday, March 18th, no Senator shall speak longer than ten minutes for the first time, and five

minutes for the second time, and may thus speak but twice on any one question before the Senate, except by unanimous consent.

Senator Duncan moved to amend by excepting those in charge of bills.

Senator Larrabee moved to amend by substituting ten minutes in place of five minutes.

Accepted.

Senator Donnan moved to refer to Committee on Rules.

Senator Rothert moved that the committee be instructed to report to-morrow.

Lost

Motion to refer lost.

Senator Hall offered the following substitute:

*Resolved*, That hereafter all speeches shall be limited to ten minutes, except that to the manager or author of any bill there shall be allowed an additional five minutes for reply, and no Senator shall speak but once on the same question.

Adopted.

#### REPORT OF COMMITTEE.

Senator Chambers, 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. 42, an act granting additional powers to certain cities of the first class, and with reference to the construction of sewers, and to provide for the payment of the cost of the same, and to amend chapter 182 of the acts of the Seventeenth General Assembly.

And find the same correctly enrolled.

J. C. CHAMBERS, *Chairman*.

#### INTRODUCTION OF BILLS.

By Senator Brown, Senate File No. 376, a bill for an act empowering cities and towns to pass ordinances in certain cases, and enlarging the powers thereof.

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

By Senator Cassatt, Senate File No. 377, a bill for an act to legalize the independent school district of Denham, Marion county, Iowa.

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

By Senator Eastman, Senate File No. 378, a bill for an act to change the name of the reform school to industrial school.

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

## RESOLUTION.

Senator Hall offered the following resolution:

*Resolved*, That the Committee on Penitentiary be instructed to prepare and present at the earliest day a concurrent resolution referring back to the Governor all matters of application for pardon, with the advice that it will best subserve the public interest that he act in the respective matters in accordance with his own judgment, in the light of the information possessed by him.

Referred to Committee on Judiciary.

Report of Committee on Printing, relative to printing dedicatory address of Hon. John A. Kasson, was taken up.

The chair decided that there was nothing in the report requiring action by the Senate.

## BILLS ON SECOND READING.

On motion of Senator Chubb, House File No. 56, a bill for an act to provide for the selling, leasing and patenting the lands belonging to the Iowa State Agricultural College, with report of Committee recommending it do pass, was taken up.

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

Senator Larrabee moved to amend as follows:

After the word "leased," in third line of section 3, insert the following words: "or heretofore sold or leased."

Adopted.

On motion of Senator Sutton the bill was referred to Committee on Judiciary.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT--I am directed to inform you that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 246, a bill for an act to legalize the sale of certain school lands in Davis county.

House File No. 271, a bill for an act to legalize the incorporation of the town of Walnut, Pottawattamie county, and the acts of the officers thereunder.

House File No. 364, a bill for an act to legalize the incorporation of the town of Lake City, Calhoun county, Iowa, and the proceedings of the officers of said town.

House File No. 372, a bill for an act to legalize certain acts of A. M. Duns and Fred Becker, auditor and deputy auditor of Plymouth county, in reference to certain acknowledgements.

House File No. 376, a bill for an act to legalize the organization of the Independent School District of Eagle Grove, Wright county, Iowa.

House File No. 430, a bill for an act to legalize the official acts of the town council and ordinances of the incorporated town of Angus, in Boone county, Iowa.

House File No. 472, a bill for an act to legalize the action of R. Howe Taylor, President of the Board of Directors of the independent school district of Marshalltown, Iowa.

House File No. 495, a bill for an act to legalize the incorporated town of Paton, Greene county, Iowa, the election of officers, passage of ordinances, etc.

House File No. 517, a bill for an act to legalize certain ordinances of the incorporated town of Manson, Calhoun county, Iowa.

House File No. 210, a bill for an act to revise the school laws of the State of Iowa, to repeal certain sections thereof, and to enact a substitute therefor.

House File No. 414, a bill for an act to legalize the acts of the board of supervisors of Ida county, in the establishment of roads.

Substitute for House File No. 486, a bill for an act to provide for the assessment and taxation of lands within the State of Iowa granted to railroad corporations which have become earned but not patented.

Also, I am directed to inform your honorable body that the House has passed without amendment the following Senate bills:

Senate File No. 367, a bill for an act to legalize certain errors and omissions of the board of supervisors of Appanoose county, Iowa.

Senate File No. 164, a bill for an act to exempt from judicial sale the pension money paid to any person by the United States government, and certain of the proceeds and accumulations thereof.

SIDNEY A. FOSTER, *Clerk*.

#### CONCURRENT RESOLUTION.

Senator Larrabee offered the following concurrent resolution:

*Resolved by the Senate, the House concurring,* That 20,000 copies of the dedicatory address of Hon. J. A. Kasson and the inaugural address of the Governor be ordered printed.

Adopted.

#### HOUSE MESSAGES.

House File No. 414, a bill for an act to legalize the acts of the board of supervisors of Ida county, in the establishment of roads.

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

#### BILLS ON SECOND READING.

House File No. 486, a bill for an act to provide for the assessment and taxation of lands within the State of Iowa granted to railroad companies or corporations, which have become earned but not patented, was taken up, and read a first and second time.

Senator Barrett moved that the 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 Abraham, Baker, Barrett, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Larrabee, McCoy, McDonough, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—38.

The nays were:

Senator Eastman—1.

Absent or not voting:

Senators Bayless, Gault, Glass, Kamrar, Logan, Marshall, Miles, Nichols, Stephens, Sudlow, and Whaley—11.

So the bill passed and the title was agreed to.

House File No. 246, a bill for an act to legalize the sale of certain school lands in Davis county, was taken up and read a first and second time.

Senator Carr moved that the 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 Abraham, Baker, Barrett, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—39.

The nays were none.

Absent or not voting:

Senators Bayless, Chubb, Gault, Glass, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—11.

So the bill passed and the title was agreed to.

House File No. 271, a bill for an act to legalize the incorporation of the town of Walnut, in Pottawattamie county, Iowa, and its ordinances and the acts of its officers thereunder, was taken up and read a first and second time.

Senator Carson moved that the 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 Abrahams, Baker, Barrett, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—40.

The nays were none.

Absent or not voting:

Senators Bayless, Gault, Glass, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—10.

So the bill passed and the title was agreed to.

House File No. 364, a bill for an act to legalize the incorporation of the town of Lake City, Calhoun county, Iowa, and the proceedings of the officers of said town, was taken up, and read a first and second time.

Senator Russell moved that the rule be suspended, 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 Abraham, Baker, Barrett, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—41.

The nays were none.

Absent and not voting:

Senators Bayless, Gault, Glass, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—9.

So the bill passed and the title was agreed to.

House File No. 372, a bill for an act to legalize certain acts of A. M. Davis and Fred Becker, auditor and deputy auditor of Plymouth county, in reference to certain acknowledgments, was taken up and read a first and second time.

Senator Hemenway moved that the rule be suspended, 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—40.

The nays were none.

Absent or not voting:

Senators Chambers, Gault, Glass, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—10.

So the bill passed and the title was agreed to.

House File No. 472, a bill for an act to legalize the action of R. Howe Taylor, president of the board of directors of the independent school district of Marshalltown, Iowa, was taken up, read a first and second time.

Senator Sutton moved that the rule be suspended, 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—41.

The nays were none.

Absent or not voting:

Senators Gault, Glass, Hutohison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—9.

So the bill passed and the title was agreed to.

Substitute for House File No. 495, a bill for an act to legalize the incorporated town of Paton, Greene county, Iowa, the election of its officers, and all acts done and ordinances passed by the council of said town, was taken up and read a first and second time.

Senator Russell moved the rule be suspended, 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting and Wilkin—40.

The nays were none.

Absent or not voting:

Senators Caldwell, Gault, Glass, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—10.

So the bill passed and the title was agreed to.

House File No. 376, a bill for an act to legalize the organization of the independent school district of Eagle Grove, Wright county, Iowa, was taken up and read a first and second time.

Senator Johnson moved the rule be suspended, the bill 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—40.

The nays were none.

Absent or not voting:

Senators Chambers, Gault, Glass, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—10.

So the bill passed and the title was agreed to.

House File No. 430, a bill for an act to legalize the official acts of the town council and ordinances of the incorporated town of Angus, Boone county, Iowa, was taken up and read a first and second time.

Senator Gillett moved that the rule be suspended, 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—41.

The nays were none.

Absent or not voting:

Senators Gault, Glass, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—9.

So the bill passed and the title was agreed to.

House File No. 517, a bill for an act to legalize certain ordinances of the incorporated town of Manson, Calhoun county, Iowa, was taken up and read a first and second time.

Senator Russell moved that the 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—42.

The nays were none.

Absent or not voting:

Senators Gault, Glass, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—8.

So the bill passed and the title was agreed to.

House File 210, a bill for an act to revise the school laws of the State of Iowa, to repeal certain sections thereof, and to enact substitutes therefor, was taken up and read a first and second time, and referred to Committee on Schools.

#### REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 31, a bill for an act to legalize the acts of the board of supervisors of Crawford county, in establishing of roads, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. HEMENWAY, *Chairman.*

Senator Whiting moved that the rule be suspended, and this 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Sweney, Whiting, and Wilkin—41.

The nays were none.

Absent or not voting:

Senators Gault, Glass, Hutchison, Kamrar, Marshall, Miles, Stephens, Sudlow, and Whaley—9.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 236, a bill for an act to legalize the incorporation of the town of West Liberty, Muscatine 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 said bill be amended by adding to section one the following: "By the filing of all copies of records by law required to be filed in the office of the Secretary of State;" also, by adding to section two the words, "without expense to the State," and as amended that it do pass.

H. C. HEMENWAY, *Chairman.*

On motion of Senator Nichols, the report of committee recommending these amendments to this bill was adopted.

Senator Nichols moved that the 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Larrabee, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Whiting, and Wilkin—41.

The nays were none.

Absent or not voting:

Senators Gault, Glass, Kamrar, Marshall, Miles, Stephens, Sudlow, Sweney, and Whaley—9.

So the bill passed and the title was agreed to.

At 6 o'clock the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, March 18, 1884. }

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

Prayer by Rev. C. M. Brink.

Journal of yesterday read.

Pending reading Senator Duncan moved further reading be dispensed with.

Carried.

#### PETITIONS, MEMORIALS, ETC.

Senator Rothert offered a remonstrance from citizens of Iowa against the passage of Senate Files Nos. 19 and 21.

Passed on file.

Senator Chubb offered a remonstrance against the division of Kossuth county.

Referred to Committee on County and Township Organization.

#### 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 amend section 1384, chapter 2, title 11, of the Code of Iowa, in relation to care of insane, regulating time of meeting of trustees.

House File No. 437, a bill for an act to amend chapter 1117 of the Code of 1873, relative to the time of holding the annual meeting of the State Horticultural Society.

SIDNEY A. FOSTER, *Clerk.*

#### HOUSE MESSAGES.

House File No. 23, a bill for an act to amend section 1384, chapter 2, title 11, of the Code of Iowa, in relation to care of insane, regulating time of meeting of trustees, was taken up.

Read a first and second time and referred to the Committee on Hospitals for Insane.

House File No. 437, a bill for an act to amend chapter 1117 of the Code of 1873, relative to the time of holding the annual meeting of the State Horticultural Society, was taken up.

Read a first and second time and referred to the Committee on Horticulture and Forestry.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred substitute for Senate File No. 282, a bill for an act to provide for the appointment of a State veterinarian and defining 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 recommendation that the substitute as amended, do pass.

T. M. C. LOGAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 53, a bill for an act to amend sections 1495 and 1508 of the Code, relating to line fences, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the the recommendation that it do pass.

T. M. C. LOGAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred the substitute for House Files Nos. 6 and 61, a bill for an act to amend section 1452 of the Code of 1873, in relation to the trespassing of stock and damages, beg leave to report 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 therefor do pass.

T. M. C. LOGAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 103, a bill for an act to prohibit and punish the traffic in hogs inflicted with swine plague or hog cholera, and to prevent the spread 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.

T. M. C. LOGAN, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 224, a bill for an act to repeal section 1448 of the Code, as amended by chapter 70 of the acts of the Fifteenth General Assembly, relating to damages by domestic animals and to

enact a substitute therefor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

T. M. C. LOGAN, *Chairman*.

Ordered passed on file.

Senator Caldwell, from the Committee on Medicine, Surgery and Hygiene, submitted the following report:

MR. PRESIDENT—Your Committee on Medicine, Surgery and Hygiene, to whom was referred Senate File No. 137, a bill for an act to amend section 1, chapter 137, of the acts of the Nineteenth General Assembly, in relation to pharmacists, beg leave to report that they have 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. J. CALDWELL, *Chairman*.

Ordered passed on file.

Senator Abraham, from the Committee on Hospitals for Insane, submitted the following report:

MR. PRESIDENT—Your Committee on Hospitals for Insane, to whom was referred House File No. 492, a bill for an act to make farther provisions for the care of insane persons, 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.

LOT ABRAHAM, *Chairman*.

Ordered passed on file.

Senator Ryder, from the Committee on Internal Improvements, submitted the following report:

MR. PRESIDENT—Your Committee on Internal Improvements, to whom was referred Senate File No. 243, a bill for an act to repeal section 1214, chapter 2, title 10, of the Code, in relation to drains and ditches, 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 amendment be adopted and when adopted that it do pass.

JOHN RYDER, *Chairman*.

Ordered passed on file.

#### COMMUNICATIONS ON THE PRESIDENT'S TABLE.

The following was read:

RESOLUTIONS adopted by a unanimous vote of the Butte City Temperance Reform Club, at a regular meeting held at their lecture room in Butte City, Montana, March 7, 1884:

*Resolved*, That the Butte City Temperance Reform Club have learned with great pleasure of the noble and humane act of the Iowa State Legislature in the enactment of a law which prohibits the "manufacture, sale or keeping for sale as a beverage, any intoxicating liquor whatever," and which provides proper legal penalties for

the violation of said law, and that as a reform association we do hereby express our hearty commendation of and our sincere gratitude to that honorable body for this their commendable example afforded for the encouragement of the faithful workers in the cause of temperance reform in all sections of our beloved country.

*Resolved*, That Rev. W. Shippen, Rev. C. W. Clark and M. D. Hortenberry constitute a committee to express to the Iowa State Legislature our grateful appreciation of their service to the temperance cause, and transmit to that body a copy of this resolution.

WM. PORTER, *President*.

C. W. CLARK, *Secretary*.

*To the Honorable Senate and House of Representatives of the State of Iowa in General Assembly, convened at Des Moines, Iowa, greeting:*

The undersigned committee would respectfully represent that at a regular meeting of the Temperance Reform Club of Butte City, Montana Territory, we were assigned the pleasing duty of transmitting to your honorable body their resolution of congratulation and gratitude for your wise, humane and noble action in passing the bill providing for the prohibition of the manufacture, sale or keeping for sale as a beverage any intoxicating liquors whatever.

The committee entertain the gratifying belief that in this grand act you have builded more wisely and gloriously than you yourselves knew. In this your manly and fearless strike for humanity, home and country, you have inspired new faith and courage in the earnest workers of the cause of temperance reform in other States and encourage the hopes of all such in our great territories where the heroic advocates of temperance contend against more formidable odds, but who from your brilliant example will labor on with newly strengthened trust that when they shall have merged into statehood their patient works of faith and love may be crowned with the enactment of such laws as will bind in indissoluble fetters of legal apprehension the terrible destroyer that now daily sweeps from home, society and useful pursuit and honorable positions so many of the otherwise most promising youths of our country.

Immediately following the adoption of this resolution the officers and members of the club all arose and gave three rousing cheers for the Iowa State Legislature and its grand prohibition law. Thus we greet you with heartfelt sentiments of approval and with the voice of rapturous applause ringing from the tops of the grand old Rockies, echoing back from the homes and hearts in the rock-ribbed and pine-clad mountains to the homes and hearts in the fertile prairie plains, your own exalted principles of justice and purity in the legal protection of home and humanity.

We would further express the sincere hope that the glory of your grand achievement may never be clouded with any retrogression in the cause of temperance reform in your State, and that no adverse judicial decisions may ever again dim the cheering light of hope inspired by this your crowning act of legislative integrity to the highest welfare of humanity.

With a heartfelt prayer of God bless your honorable body, collectively and personally, we have the distinguished honor and feel a pleasurable pride in subscribing ourselves in behalf of the Rutte City Reform Club,

Respectfully and gratefully yours,

W. C. SHIPPEN,

C. W. CLARK,

M. D. HORTENBERRY,

*Committee.*

#### BILLS ON THIRD READING.

Senate File No. 91, a bill for an act limiting and regulating the right of action against incorporated cities and towns in certain cases, was taken up, and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Baker, Barrett, Bayless, Bloom, Caldwell, Carr, Chubb, Clark, Cotton, Donnan, Duncan, Graves, Henderson, Hendrie, Hunt, Hutchison, Larrabee, McDonough, Marshall, Nichols, Ryder, Smith, Sudlow, Whaley, and Whiting—25.

The nays were:

Senators Brown, Cassatt, Eastman, and Rothert—4.

Absent or not voting:

Senators Abraham, Bills, Carson, Chambers, Gault, Gillett, Glass, Hall, Hemenway, Johnson, Kamrar, Logan, McCoy, Miles, Poyneer, Robinson, Russell, Stephens, Sutton, Sweney, and Wilkin—21.

So the bill did not pass.

Senator Rothert moved a reconsideration.

Carried.

The vote was reconsidered.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bloom, Caldwell, Carr, Chubb, Clark, Donnan, Duncan, Gillett, Graves, Henderson, Hendrie, Hunt, Hutchison, Johnson, Larrabee, Logan, McDonough, Marshall, Nichols, Rothert, Ryder, Smith, Sudlow, Whaley, and Whiting—29.

The nays were:

Senators Brown, Cassatt, and Eastman—3.

Absent or not voting:

Senators Bills, Carson, Chambers, Cotton, Gault, Glass, Hall, Hemenway, Kamrar, McCoy, Miles, Poyneer, Robinson, Russell, Stephens, Sutton, Sweney, and Wilkin—18.

So the bill passed and the title was agreed to.

On motion of Senator Smith, Senate File No. 188, a bill for an act relating to special assessments and taxes in cities and towns, and prescribing the notice to be given of the levy thereof, with report of committee recommending amendments, and when so amended that it do pass, was taken up, and the report of the committee was adopted.

Senator Smith moved to amend section 4 by striking out the words



“after due notice, as in this act provided,” and insert the following: “after service of notice as provided by law in service of original notice.”

Adopted.

Senator Cassatt moved to amend section 5 by striking out the word “ten,” in fifth line, and inserting “thirty.”

Senator Smith moved to amend by substituting “twenty” in lieu of “thirty.”

Adopted.

Senator Cassatt’s motion was lost.

Senator Eastman moved to amend by inserting the following:

*Provided*, That no such tax shall exceed five per cent of the assessed value of the property so proposed to be taxed.

Lost.

Senator Smith moved the bill be engrossed.

Carried.

The bill was ordered engrossed.

#### BILLS ON SECOND READING.

Senate File No. 138, a bill for an act to amend chapter 74 of the laws of the Eighteenth General Assembly with report of committee recommending it do pass, was taken up.

Senator Larrabee moved that the 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—42.

The nays were:

Senators Carr, and Cassatt—2.

Absent or not voting:

Senators Chambers, Gault, Glass, Miles, Nichols, and Stephens—6.

So the bill passed and the title was agreed to.

Senate File No. 139, a bill for an act to provide for the distribution of funds by the assignees of insolvents, with report of committee recommending it do pass, was taken up.

Senator Hall moved to amend by striking out the words “or those of his family” in fourth line of section 1, and insert “rendered to the assignor.”

Carried.

Senator Larrabee moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Hemenway, Henderson, Hendric, Hunt, Johnson, Larrabee, McCoy, McDonough, Marshall, Poyneer, Robinson, Russell, Smith, Sudlow, Sweney, Whaley, Whiting, and Wilkin—89.

The nays were none.

Absent or not voting:

Senator Gault, Glass, Hutchison, Kamrar, Logan, Miles, Nichols, Rothert, Ryder, Stephens, and Sutton—11.

So the bill passed and the title was agreed to.

Senate File No. 149, a bill for an act to provide for the appointment of a superintendent of public buildings, and to regulate their construction, with report of committee recommending amendments, and it do pass, was taken up, considered, and the first amendment of the committee was adopted.

Senator Robinson moved to amend second amendment by striking out the word "ten" and inserting "five."

Carried.

Senator Eastman moved to strike out all of section 10.

Lost.

Senator Robinson moved to strike out all of section 10 after the word "county" in the fourth line.

Carried.

Second amendment adopted.

Senator Abraham offered the following amendment:

Strike out the following words: "within 30 days after the approval of this act," and insert "immediately upon the discharge of the board of Capitol Commissioners."

Lost.

#### INTRODUCTION OF A BILL.

By leave.

By Senator Donnan, Senate File No. 379, a bill for an act making an appropriation for the hospital for the insane at Independence.

Read a first and second time and referred to the Committee on Appropriations.

Senator Brown moved the hour for adjournment be postponed fifteen minutes.

Lost.

Pending discussion, at 12 o'clock the Senate adjourned.

## AFTERNOON SESSION.

2:00 O'CLOCK P. M.

Senate reconvened.

Consideration of Senate File No. 149 resumed.

Senator Brown moved to strike out the word "four" in line five, section 1, and insert "three."

Upon this the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Abraham, Baker, Bayless, Brown, Carr, Duncan, Graves, Hemenway, McCoy, McDonough, Marshall, Nichols, Poynear, Ryder, Sudlow, Sutton, Sweney, and Whiting—18.

The nays were:

Senators Barrett, Bills, Bloom, Caldwell, Carson, Chambers, Chubb, Clark, Cotton, Eastman, Gillett, Johnson, Robinson, Russell, and Wilkin—15.

Absent or not voting:

Senators Cassatt, Donnan, Gault, Glass, Hall, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, Logan, Miles, Rothert, Smith, Stephens, and Whaley—17.

So the motion prevailed.

Senator Wilkin offered the following amendment to section 1:

Provided, however that until the Capitol Commissioners are discharged, the superintendent in the construction of the Capitol shall perform without increased compensation the duties required within the provisions of this act.

Adopted.

Senator Robinson moved to amend first section by substituting 600 for 3,000.

Lost.

Senator Cotton moved that section 3 be stricken out.

Senator Carson moved to amend by striking out the words "for approval or rejection," in third line.

Accepted.

Senator Robinson moved to strike out the word "location" and the word "site" be substituted instead.

Carried.

Senator Chubb moved to amend by striking out all of third section up to and including "rejection to the," and insert in lieu thereof the following: "any agent, board or commissioner, appointed under authority of the State, to locate any public building about to be erected by the State, shall consult with."

Adopted.

The motion as amended was adopted.

Senator Chubb moved to amend section 3 by striking out the words

“who” and “his” in fourth line and substituting “they” and “their.”

Lost.

Senator Wilkin moved to strike out all after the word “building” in eighth and ninth line.

Lost.

Senator Bills moved to strike out the word “action” (last word of section) and insert “opinion.”

Carried.

Senator Robinson moved to strike out the word “fire proof and” in fourteenth and fifteenth lines of section 4.

Lost.

Senator Bills moved to strike out the word “shall” in thirteenth line and insert “may.”

Carried.

Senator Bills moved to strike out the word “of” in third line and insert “belonging to.”

Carried.

Senator Wilkin moved to insert the words “per annum” after the word “dollars.”

Senator Brown moved to strike out section 14.

Carried.

Senator Eastman moved to strike out section 10.

Upon this the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Bayless, Bloom, Brown, Caldwell, Carr, Eastman, Graves, Hendrie, Larrabee, McCoy, McDonough, Marshall, Russell, Ryder, Smith, Sutton, Whaley, and Whiting—18.

The nays were:

Senators Abraham, Barrett, Bills, Carson, Chubb, Clark, Donnan, Duncan, Gillett, Hall, Henderson, Hunt, Hutchison, Johnson, Logan, Nichols, Robinson, Rothert, Stephens, Sudlow, Sweney, and Wilkin—22.

Absent or not voting:

Senators Baker, Cassatt, Chambers, Cotton, Gault, Glass, Hemenway, Kamrar, Miles, and Poyneer—10.

So the motion was lost.

Senator Sweney moved to insert in 5th line, section 1, after the word “dollars,” “who shall be ex officio a member of any commission appointed for the location of any building to be erected by the State.”

Adopted.

Senator Chubb moved to strike out all of section 3.

Lost.

Senator Wilkin moved the bill be engrossed.

Carried.

Senator Logan moved that Senate File No. 282 be taken up for consideration.

Senator Bills moved to amend by substituting Senate File No. 19.

Senator Larrabee moved to amend by taking up regular order of calendar.

Motion of Senator Larrabee lost.

Motion of Senator Bills lost.

Senator Bills moved as an amendment that Senate File No. 21 be taken up for consideration.

Lost.

Motion of Senator Logan prevailed.

Substitute for Senate File No. 282, a bill for an act to provide for the appointment of a State veterinarian and defining his duties, was taken up for consideration.

Senator Bills moved to amend section 4, by inserting the word "knowingly" before the word "transport" in 7th line.

Adopted.

Senator Sweney moved to amend section 3, 2d line by inserting the words "not diseased" after the word "animal."

Senator Hall offered the following substitute to be added to section 3:

"Either the State or owner of the stock shall have the right to appeal from such appraisement to the circuit court in the same manner as appeals may be taken from justices of the peace, but no bond shall be required of the State, and all judgments in favor of the owner of stock on appeal shall be presented and paid the same as is provided for the payment of the appraisements. And in all cases in determining the value of stock, its diseased condition or exposure to disease, and the prospect of its recovery and other similar conditions shall be regarded."

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 8, a bill to legalize the acts of Jas. E. Bennett, a justice of the peace in and for Jamestown township, Howard county, Iowa.

House File No. 24, a bill for an act to provide for the erection of station houses at the points of intersection of two or more railroads.

Senate File No. 10, a bill for an act to amend section 1061, title 4, chapter 1 of the Code of 1873.

Senate File No. 367, a bill for an act to legalize certain errors and omissions of the board of supervisors of Appanoose county, Iowa.

Senate File No. 42, a bill for an act granting additional powers to cities and incorporated towns with reference to the construction of sewers, and to provide for the payment of the cost of the same, and to amend chapter 162, of the acts of the Seventeenth General Assembly.

Senate File No. 164, a bill for an act to exempt from judicial sale the pension money paid to any person by the United States Government, and certain of the proceeds and accumulations thereof.

Senate File No. 98, a bill for an act to repeal section 1621 of the

Code of 1873 (chapter 4, title 12), and to enact a substitute therefor, relating to a course of study for the State Agricultural College.

SIDNEY A. FOSTER, *Clerk.*

Senator Sutton moved to amend by adding to section 3 the following:

All appraisements shall be for the full value of the cattle before becoming exposed or diseased and the owner shall be allowed seventy-five per cent of such appraisement.

The question being upon the amendment offered by Senator Sweney the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Barrett, Bloom, Brown, Carson, Chubb, Cotton, Donnan, Graves, Hendrie, Rotherth, Russell, Stephens, Sutton, Sweney, and Whaley—15.

The nays were:

Senators Abraham, Baker, Caldwell, Carr, Chambers, Clark, Duncan, Eastman, Hall, Hemenway, Larrabee, Logan, McCoy, McDonough, Marshall, Nichols, Poyneer, Robinson, Ryder, Smith, Sudlow, Whiting, and Wilkin—23.

Absent or not voting:

Senators Bayless, Bills, Cassatt, Gault, Gillett, Glass, Henderson, Hunt, Hutchison, Johnson, Kamrar, and Miles—11.

Amendment was lost.

Senator Robinson moved to amend the substitute offered by Senator Hall by adding the following:

Provided that no appeal shall prevent or delay the destruction of the stock so condemned.

Accepted.

The substitute offered by Senator Hall was adopted.

Senator Robinson moved that the words "or negligently" be inserted after the word "knowingly" in section 4.

Carried.

Senator Larrabee moved to amend section 7 by striking out all after the word "of" in the seventh line and inserting the following:

The State treasury, and for this purpose there is hereby appropriated out of any money in the State treasury not otherwise appropriated, the sum of fifty thousand dollars or so much thereof as may be necessary.

Senator Logan moved to amend by striking out "fifty" and inserting "twenty-five."

Lost.

Amendment of Senator Larrabee was adopted.

Senator Bloom moved to amend by inserting the following words after the word "slaughtered" in fourth line section 7, "and no appeal to the courts pending."

Adopted.

Senator Robinson moved to amend section 8, line twelve, by striking out the words "four dollars" and insert "two dollars and fifty cents."

Adopted.

## REPORT OF COMMITTEE.

Senator Chambers, 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. 10, a bill for an act to amend section 1061, title 9, chapter 1 of the Code of 1873.

Senate File No. 164, a bill for an act to exempt from judicial sale the pension money paid to any person by the United States government, and certain of the proceeds and accumulations thereof.

Senate File No. 98, a bill for an act to repeal section 1621 of the Code of 1873 (chapter 4, title 12), and to enact a substitute therefor, relating to a course of study for the State Agricultural College.

Senate File No. 367, a bill for an act to legalize certain errors and omissions of the board of supervisors of Appanoose county, Iowa.

And find the same correctly enrolled.

J. C. CHAMBERS, *Chairman.*

## MESSAGE FROM THE HOUSE

The following message was received from the House:

**MR. PRESIDENT**—I am directed to inform you 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 amend sections 2086 and 2087 of the Code of 1873, relating to the assignment of non-negotiable instruments and accounts.

House File No. 519, a bill for an act to provide for the levy of one-half mill State tax for the years of 1884 and 1885, to complete the new Capitol building, and to provide increased accommodations for the insane of the State.

House File No. 398, a bill for an act to repeal chapter 123, laws of the Sixteenth General Assembly, and chapters 87 and 173 of laws of Seventeenth General Assembly, and chapter 192 of the Eighteenth General Assembly, and chapter 102 of the Nineteenth General Assembly, in relation to taxes in aid of railways, and to enact a substitute therefor.

SIDNEY A. FOSTER, *Clerk.*

Senator Wilkin moved to strike out all after the word "used," in seventh line, section 9, and insert "in accordance with the provisions of such act of congress, and as nearly as may be in accordance with the provisions of this act."

Adopted.

Senator Larrabee moved to amend section 1 by inserting after the word "office," in the twelfth line, the following: "unless removed by the Governor."

Adopted.

Senator Logan moved that the hour for adjournment be postponed until half past six o'clock, or until this bill is disposed of.

Carried.

Senator Robinson moved to amend section 1 by striking out the words "by and with the advice and consent of the Senate," in twelfth line.

Carried.

The President signed the following enrolled bills in the presence of the Senate: House Files Nos. 3 and 24, and Senate Files Nos. 10, 367, 42, 164, and 98.

Senator Nichols moved the bill be engrossed.

Carried.

Senator Nichols moved the bill be read a third time at 10:30 o'clock to-morrow morning.

Carried.

Senator Bills moved the hour for adjournment be extended two hours.

Carried.

#### INTRODUCTION OF BILLS.

By Senator Gillett, Senate File No. 380, a bill for an act to amend section 1, chapter 95 of the laws of the Sixteenth General Assembly, in relation to the negotiation of loans by municipal corporations in anticipation of the revenues thereof.

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

By Senator McDonough, Senate File No. 381, a bill for an act to authorize township trustees to employ attorneys in certain cases.

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

#### HOUSE MESSAGES.

On motion of Senator Graves House messages were taken up.

House File No. 36, a bill for an act to amend sections 2086 and 2087 of the Code of 1873, relating to the assignment of non-negotiable instruments and accounts, was taken up.

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

House File No. 519, a bill for an act to provide for the levy of one half mill State tax for the years of 1884 and 1885 to complete the new Capitol building, and to provide increased accommodations for insane of the State, was taken up.

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

House File No. 398, a bill for an act to repeal chapter 123 of the laws of the Sixteenth General Assembly, and chapters 87 and 173 of the laws of the Seventeenth General Assembly, and chapter 192 of the Eighteenth General Assembly, and chapter 102 of the laws of the Nineteenth General Assembly, in relation to taxes in aid of railways, and to enact a substitute therefor, was taken up.

Read a first and second time and referred to the Committee on Railways.



Senator Sutton moved to take up Senate File No. 19.

Lost.

Senator Duncan moved to adjourn.

Carried.

Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, March 19, 1894. }

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

Prayer by Rev. J. E. Rouze.

Journal of yesterday read and approved.

#### PETITIONS, MEMORIALS, ETC.

Senator Hutchison offered a petition from citizens of Iowa relative to military instructors at the Agricultural College.

Referred to Committee on Agricultural College.

Senator Poyneer offered six remonstrances from citizens of Iowa against the passage of the "Bolter bill."

Referred to Committee on Schools.

Senator Russell offered a petition from citizens of Greene county against legislation hostile to railway companies.

Referred to Committee on Judiciary.

Senator Bills offered a remonstrance from citizens of Scott county against the abolishment of independent school districts.

Referred to Committee on Schools.

Senator Wilkin offered a petition from J. W. Maus and sixteen other citizens of Madison county for a law providing for the recording of the proceedings in condemning school house sites.

Referred to Committee on Schools.

#### REPORT OF COMMITTEE.

Senator Sudlow, from the Committee on Engrossed Bills, submitted the following report:

**MR. PRESIDENT**—Your Committee on Engrossed Bills respectfully report that they have examined Senate Files Nos. 188, 149, and substitute for Senate File No. 282, and find the same correctly engrossed.

E. C. SUDLOW, *Chairman.*

#### INTRODUCTION OF BILLS.

By Senator Wilkin, Senate File No. 382, a bill for an act to amend

section 1827 of the Code, in relation to condemning real estate for school-house sites.

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

By Senator Gillett, Senate File No. 383, a bill for an act in relation to formation of independent school districts.

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

#### REPORTS OF COMMITTEES.

Senator Larrabee, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means to whom was referred substitute to Senate File No. 135, a bill for an act relieving real estate from double taxation in certain cases and taxing mortgages to a certain extent as real estate, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 336, a bill for an act to facilitate the giving of bonds required by law, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 355, a bill for an act to repeal section 817 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Ways and Means.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 341, a bill for an act to legalize the incorporation of the town of Sanborn, O'Brien county, Iowa, and the acts of the officers 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 a substitute with the recommendation that the substitute be adopted, and that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 347, a bill for an act to legalize the official acts of J. B. Mead, a justice of the peace in and for Lyon 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.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 348, a bill for an act to legalize the acts of and to establish the independent school district of Rock Valley, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with a substitute and the recommendation that the substitute be adopted, and that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 223, a bill for an act to repeal sections 4509, 4686 and 4609 of the Code in relation to judgments, fines and costs and penalties for misdemeanor, and to enact 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.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 265, a bill for an act to repeal section 4712 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 accompanying substitute, with recommendation that the substitute be adopted, and when adopted that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 265, a bill for an act relating to taxes voted by townships, cities and towns in aid of construction of railroads under provisions of chapter 123 laws 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 do not pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was refer-

red Senate File No. 170, a bill for an act to amend sections 1144 and 1147 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.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 263, a bill for an act to provide for the payment of fees in State cases before mayors of incorporated towns and 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 said bill be amended by striking out the word “incorporated” in the second line of section one; also, by inserting the words “and incorporated towns” after the word “class” in the third line of said section one, and that as amended that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

#### BILLS ON THIRD READING—SPECIAL ORDER.

Senate File No. 282, a bill for an act to provide for the appointment of a State veterinarian and defining his duties, was taken up, and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Duncan, Eastman, Graves, Hall, Hemenway, Henderson, Hunt, Johnson, Kamrar, Larabee, Logan, McCoy, McDonough, Marshall, Nichols, Poyneer, Robinson, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—39.

The nays were:

Senators Bills, Cassatt, Cotton, Donnan, and Hendrie—5.

Absent or not voting:

Senators Gault, Gillett, Glass, Hutchison, Miles, and Rothert—6.

So the bill passed and the title was agreed to.

#### REPORTS OF COMMITTEES.

Senator Clark, 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. 346, a bill for an act to amend chapter 6, title 11 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 do pass.

T. E. CLARK, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred the majority and minority reports from the Committee on Asylums for the Insane, recommending substitutes for Senate Files Nos. 143, 171, 190, 159 and 206, 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. Your committee, however, have instructed me to recommend to the Senate that the sum of \$200,000 be appropriated to make further provision for the care of the insane, to be expended in such manner as the Senate may deem most advisable.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Senator Brown, 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. 337, a bill for an act to amend section 384 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 following amendment be added to the bill: *Provided*, That the provisions of this act shall only apply to cases where the limits of the incorporate city or town are coextensive with the limits of the township. And when so amended the bill do pass.

BROWN, *Chairman.*

Ordered passed on file.

Senator Rotherth, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred House File No. 398, a bill for an act to repeal chapter 123 of the laws of the Sixteenth General Assembly, and chapters 87 and 173 of the laws of the Seventeenth General Assembly, and chapter 192 of the laws of the Eighteenth General Assembly, and chapter 102 of the laws of the Nineteenth General Assembly, in relation to taxes in aid of railroads, 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.

HENRY W. ROTHERTH, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 328, a bill for an act to amend section 1141 (paragraph 15), chapter 4 of the Code, in relation to 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 do pass.

HIRAM Y. SMITH, *Chairman.*

Ordered passed on file.

Senator Bills, from the Committee on Private Corporations submitted the following report:

MR. PRESIDENT—Your Committee on Private Corporations, to whom was referred Senate File No. 344, a bill for an act to amend section 1, chapter 59, laws of Iowa, in relation to the assessment and taxation of telegraph lines, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

JOHN C. BILLS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Private Corporations, to whom was referred Senate File No. 77, a bill for an act to tax telephone companies, and to provide for their assessment within the State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

JOHN C. BILLS, *Chairman*.

Ordered passed on file.

Senator Abraham, from the Committee on Hospitals for the Insane, submitted the following report:

MR. PRESIDENT—Your Committee on Hospitals for the Insane, to whom was referred House File No. 23, a bill for an act to amend section 1384, chapter 2, title 11 of the Code, in relation to care 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, and that it be considered in connection with Senate File No. 107.

LOT ABRAHAM, *Chairman*.

Ordered passed on file.

#### REMONSTRANCE.

Senator Caldwell offered a remonstrance from citizens of Aububon county, against the passage of the "Bolter bill."

Referred to Committee on Schools.

Senator Sutton moved that all bills upon which the Committee on Appropriations have heretofore reported, except the one reported upon this morning, be resubmitted to such committee.

Carried.

#### BILLS ON THIRD READING.

Senate File No. 149, a bill for an act to provide for the appointment of a superintendent of public buildings, and to regulate their construction, was taken up.

The bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bills, Bloom, Brown, Caldwell, Carson,

Chambers, Chubb, Cotton, Duncan, Eastman, Gillett, Hall, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Larrabee, Logan, Nichols, Robinson, Rothert, Smith, Sutton, Sweney, and Wilkin—28.

The nays were:

Senators Baker, Bayless, Carr, Cassatt, Clark, Donnan, Graves, Hendrie, Johnson, McCoy, McDonough, Marshall, Poyneer, Russell, Ryder, Stephens, Sudlow, Whaley, and Whiting—19.

Absent or not voting:

Senators Gault, Glass, and Miles—3.

So the bill passed and the title was agreed to.

Senate File No. 188, a bill for an act relating to special assessments and taxes in cities and towns, and prescribing the notice to be given of the levy thereof, was taken up.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Donnan, Duncan, Eastman, Gillett, Glass, Graves, Hall, Henderson, Hendrie, Hutchison, Kamrar, Larrabee, McCoy, Marshall, Robinson, Rothert, Smith, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—36.

The nays were:

Senators Eastman, Ryder, and Stephens—3.

Absent or not voting:

Senators Barrett, Cotton, Gault, Hemenway, Hunt, Johnson, Logan, McDonough, Miles, Nichols, Poyneer, and Russell—12.

So the bill passed and the title was agreed to.

Senator Glass called up his motion to reconsider the vote by which Senate File No. 20 passed the Senate.

Senator Hall moved the hour of adjournment be postponed till the matter of reconsideration be disposed of.

The question being, shall that vote be reconsidered?

The yeas and nays were demanded.

The yeas were:

Senators Bayless, Bloom, Caldwell, Chambers, Chubb, Clark, Cotton, Donnan, Eastman, Gillett, Glass, Graves, Hall, Henderson, Hendrie, Hunt, Johnson, Larrabee, McCoy, McDonough, Marshall, Nichols, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Whiting, and Wilkin—30.

The nays were:

Senators Abraham, Baker, Barrett, Bills, Brown, Carr, Cassatt, Duncan, Hutchison, Kamrar, Poyneer, Stephens, Sudlow, and Sweney—14.

Absent or not voting:

Senators Carson, Gault, Hemenway, Logan, Miles, and Whaley—6.

So the vote by which the bill passed was reconsidered.

Senator Bills moved that the time for adjournment be extended until 12:15 o'clock.

Carried.

Senator Hall moved that the vote by which the rule was suspended and Senate File No. 20 was considered engrossed and read a third time be reconsidered.

Senator Rotherth moved that Rule No. 17 be temporarily suspended.

At 12:15 o'clock the Senate adjourned.

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### AFTERNOON SESSION.

2 O'CLOCK P. M.

Senate reconvened, the President in the chair.

The question being upon the motion of Senator Rotherth the motion prevailed.

The question now being upon the motion of Senator Hall the motion prevailed and the vote was reconsidered by which Senate File No. 20 was considered engrossed and read a third time.

Senator Glass offered the following amendment:

Insert after the word "worship" in the sixth line "or for educational purposes."

Senator Sweney moved to amend the amendment by inserting the words "or benevolent" after the word "educational."

Carried.

Amendment as amended adopted.

Senator Sutton moved to amend by inserting the word "only" after the word "taxable."

Carried.

Senator Brown moved to strike out the word "value" and insert the words "assessed valuation."

Lost.

Senator Cotton moved to amend by adding the following:

*Provided, further,* Nothing herein contained shall be construed to apply to residences of clergymen, teachers or professors residing in the building used for such educational or benevolent purposes.

Senator Eastman moved to amend by striking out all after the word "taxable," and insert the word "not" before the word "taxable."

Senator Larrabee moved to strike out the enacting clause.

### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 54, a bill for an act to amend section 3, of chapter 211, laws of 1880.



Also, I am directed to inform your honorable body that the House has adopted the following memorial and joint resolution:

Memorial and joint resolution No. 19, in reference to applications for pensions, also has amended, and passed as amended.

Senate File No. 29, a bill for an act relating to a change of the place of trial in civil actions, amending section 2590 of the Code of Iowa, and passed without amendment.

Substitute for Senate File No. 30, a bill for an act to indemnify sheriffs in the service of writs of attachment, amendatory of Code, chapter 1, title 18.

Also:

**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. 21, a bill for an act to legalize the incorporation, ordinances, and acts of the officers, of the incorporated town of Belmond, Wright county, Iowa.

House File No. 33, a bill for an act to legalize the acts of the incorporated town of Murray, Clarke county, Iowa, and their official acts.

House File No. 243, a bill for an act to legalize the acts of D. B. Harmon as notary public in Clay county, Iowa.

House File No. 42, a bill for an act to legalize the town plat of Manly Junction, Iowa.

House File No. 127, a bill for an act to legalize the acts of L. R. Wilson, a justice of the peace in Webster township, Webster county, Iowa.

House File No. 495, a bill for an act to legalize the incorporated town of Payton, Greene county, Iowa, the election of officers, passage of ordinances, etc.

House File No. 149, a bill for an act to legalize the incorporation of the town of Dedham, Carroll county, Iowa.

Substitute for House File No. 486, a bill for an act to provide for the assessment and taxation of lands within the State of Iowa granted to railroad companies or corporations, which have become earned but not patented.

House File No. 255, a bill for an act to legalize the incorporation of the town of Woodward and its ordinances, and the acts of its officers thereunder.

House File No. 180, a bill for an act to legalize the incorporation of the town of Stratford, Hamilton county, Iowa, and to legalize the election of town council and other officers, and the official acts thereof.

House File No. 367, a bill for an act to legalize the acts of the mayor and town council of Mondamin, in Harrison county Iowa.

House File No. 31, a bill for an act to legalize the acts of the board of supervisors of Crawford county, in the establishment of roads.

House File No. 457, a bill for an act to for the relief of William Lowry, late treasurer of Polk county, Iowa.

House File No. 447, a bill for an act legalizing the levying of taxes in Henry county.

House File No. 246, a bill for an act to legalize the sale of certain school lands in Davis county.

House File No. 262, a bill for an act to legalize the formation of, and acts of the officers of, the independent district of Nevin, Colony township, Adams county, Iowa.

SIDNEY A. FOSTER, *Clerk.*

The question being upon the motion of Senator Larrabee, the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Bloom, Chambers, Cotton, Donnan, Eastman, Graves, Hall, Henderson, Larrabee, McDonough, Marshall, Russell, Ryder, Smith, and Sutton—15.

The nays were:

Senators Abraham, Baker, Barrett, Bills, Brown, Caldwell, Carr, Carson, Cassatt, Chubb, Clark, Duncan, Gault, Gillett, Glass, Hemenway, Hendrie, Hutchison, Kamrar, Poyneer, Robinson, Rothert, Stephens, Sudlow, Sweney, Whaley, and Whiting—27.

Absent or not voting:

Senators Bayless, Hunt, Johnson, Logan, McCoy, Miles, Nichols, and Wilkin—8.

So the motion was lost.

The question being upon the amendment offered by Senator Eastman it was lost.

The amendment of Senator Cotton was lost.

Senator Larrabee moved to insert after the word "purposes," the word "dormitories."

Lost.

Senator Hall moved to strike out all of the bill after the words "to-wit," to the second proviso.

Lost.

Senator Larrabee moved to amend by inserting the words, "or scientific" after the word "benevolent."

Lost.

Senator Bills moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion was withdrawn.

The question being shall the bill be ordered engrossed, it was so ordered.

The President signed the following enrolled bills in the presence of the Senate:

House Files Nos. 262, 246, 447, 31, 457, 367, 180, 255, 486, 149, 495, 127, 243, 42, 21, 33.

Senate File No. 204, a bill for an act making an appropriation for the State Library, and providing assistants for the Librarian and for their compensation, was taken up and considered.

Senator Hall offered the following amendment as section 4: "The salary of the State Librarian shall be fifteen hundred dollars per annum, payable as salaries of other State officers, and there is hereby appropriated out of any money in the treasury not otherwise appropriated, the sum of fifteen hundred dollars annually, for the payment of said salary."

Senator Hunt moved to amend by making the salary \$2,000.

Upon this the yeas and nays were demanded, and the roll was called.

The yeas were:

Senators Barrett, Bills, Bloom, Carson, Chambers, Clark, Eastman, Gillett, Graves, Hall, Henderson, Hunt, Hutchison, Johnson, McDonough, Poyneer, Robinson, and Russell—18.

The nays were:

Senators Abraham, Baker, Bayless, Brown, Caldwell, Carr, Chubb, Duncan, Gault, Glass, Hemenway, Kamrar, Larrabee, Logan, McCoy, Marshall, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whiting, and Wilkin—24.

Absent or not voting:

Senators Cassatt, Cotton, Donnan, Hendrie, Miles, Nichols, Rothert, and Whaley—8.

So the amendment was lost.

Senator Glass moved to strike out line three in section 2.

Adopted.

Senator Sutton moved to reconsider the amendment of Senator Hall fixing the salary of State Librarian at \$1,500.

Senator Sweney moved to table the motion to reconsider, which motion prevailed.

Senator Hall moved to amend by inserting in third line, section 2, the following "one attendant at \$500 per annum."

Senator Chubb moved the following amendment:

"Such assistants as in the judgment of the trustees is deemed necessary, and for that purpose the sum of \$1,500 per annum or as much thereof as is necessary is hereby appropriated out of any money in the treasury."

Lost.

The question being on the amendment offered by Senator Hall, the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Barrett, Bloom, Carson, Clark, Cotton, Eastman, Gillett, Hall, Henderson, Hunt, Hutchison, Johnson, McDonough, Poyneer, Russell, Smith, Stephens, and Sutton—18.

The nays were:

Senators Abraham, Bills, Brown, Caldwell, Carr, Cassatt, Chambers, Chubb, Duncan, Gault, Glass, Hendrie, Kamrar, Larrabee, Logan, McCoy, Marshall, Robinson, Ryder, Sudlow, Sweney, and Whiting—22.

Absent or not voting:

Senators Baker, Bayless, Donnan, Graves, Hemenway, Nichols, Miles, Rothert, Whaley, and Wilkin—10.

So the amendment was lost.

Senator Marshall moved to strike out the words "two thousand one hundred dollars," and insert "thirteen hundred" instead.

Senator Hall moved to amend by making it fifteen hundred.

Motion as amended carried.

Senator Hall moved the rule be suspended, 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 Abraham, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Hall, Hemenway, Henderson, Hendrie, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Poyneer, Robinson, Rothert, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whiting, and Wilkin—43.

The nays were:

Senator Ryder—1.

Absent or not voting:

Senators Baker, Graves, Hunt, Miles, Nichols, and Whaley—6.

So the bill passed and the title was agreed to.

Senator Hall moved to amend the title by adding the following words, to-wit: "of the librarian and assistants."

Carried.

Senate File No. 92, a bill for an act to amend section 1, of chapter 95, acts of the Sixteenth General Assembly, relating to loans for cities and towns, with report of committee recommending it do pass, was taken up and considered.

Senator Sweney moved to amend section 1 by striking out in third and fourth lines the words "issue bonds to," and all of fifth line.

Motion lost.

Senator Eastman moved to amend by inserting after the word "engines" in fourth line of section 1 the following words, "or establish water works for extinguishing fires."

Carried.

Senator Robinson offered the following substitute:

SECTION 1. Any incorporated town containing not less than 500 inhabitants, may purchase fire engines and apparatus, and bonds may be issued for that purpose. Provided, however, that not more than \$1,000 shall be expended for that purpose.

Senator Hunt moved to amend the substitute by inserting \$1,500 in place of \$1,000.

Accepted.

Senator Rothert moved to amend by substituting \$2,000 in place of \$1,500.

Adopted.

Senator Sweney moved to amend section 1 by adding to the end of section 1 the following:

Provided that the question of issuing such bonds shall be first submitted to a vote of the electors of said incorporate town, and provided further that a majority of the said electors shall vote in favor of issuing bonds for said purpose.

Senator Chubb moved to insert "two-thirds" in place of "majority."

Lost.

Motion of Senator Sweney prevailed.

Senator Carson moved that the 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 Abraham, Baker, Barrett, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Clark, Cotton, Donnan, Duncan, Gillett, Graves, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Logan, McCoy, McDonough, Marshall, Robinson, Rothert, Russell, Ryder, Smith, Sephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—37.

The nays were:

Senators Gault, Hendrie, and Poyneer—3.

Absent or not voting:

Senators Bayless, Cassatt, Chubb, Eastman, Glass, Hall, Johnson, Larrabee, Miles, and Nichols—10.

So the bill passed.

Senator Robinson moved to amend the title so it would read as follows:

For an act to authorize certain incorporated towns to procure fire engines and apparatus.

Carried.

Senate File No. 16, a bill for an act to pay postage on public documents, letters and papers, with report of committee recommending substitute, that it be adopted and that it do pass, was taken up, considered and substitute was adopted.

Senator Johnson moved to indefinitely postpone the substitute.

Lost.

Senator Eastman moved that the 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 Baker, Carson, Chambers, Chubb, Clark, Donnan, Eastman, Henderson, Rothert, Ryder, Smith, Stephens, Sutton, Whaley, Whiting, and Wilkin—18.

The nays were:

Senators Abraham, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Cotton, Duncan, Gault, Gillett, Graves, Hutchison, Johnson, Kamrar, Logan, McCoy, McDonough, Marshall, Robinson, Russell, Sudlow, and Sweney—23.

Absent or not voting:

Senators Barrett, Cassatt, Glass, Hall, Hemenway, Hendrie, Hunt, Larrabee, Miles, Nichols, and Poyneer—11.

So the bill was lost.

#### REPORT OF COMMITTEE.

Senator Chambers, 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. 10, a bill for an act to amend section 1061, title 9, chapter 2 of the Code of 1873.

Senate File No. 164, a bill for an act to exempt from judicial sale the pension money paid to any person by the United States government and certain of the proceeds and accumulations thereof.

Senate File No. 98, a bill for an act to repeal section 1621 of the Code of 1873, chapter 4, title 12, and to enact a substitute therefor, relating to a course of study for the State Agricultural College.

Senate File No. 367, a bill for an act to legalize certain errors and omissions of the board of supervisors of Appanoose county, Iowa.

Senate File No. 42, an act granting additional powers to certain cities of the first class with reference to the construction of sewers, and to provide for the payment of the cost of the same, and to amend chapter 162 of the acts of the Seventeenth General Assembly.

J. C. CHAMBERS, *Chairman*.

Senator Russell moved that substitute for Senate Files Nos. 95, 109, 215 and 302, in relation to highways, with report of Committee on Highways recommending its adoption and it do pass, be made a special order for half past ten o'clock to-morrow morning.

Senator Bills moved to amend by making Senate File No. 21 the special order immediately following.

Senator Bloom moved that the Senate convene to-night at 8 o'clock to consider the highway bill.

Motions of Senators Russell and Bills lost.

At 6 o'clock the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, March 20, 1884. }

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

Prayer by Rev. C. J. Miller.

Journal of yesterday read and approved.

#### INTRODUCTION OF BILLS.

By Senator Carr, Senate File No. 384, a bill for an act to legalize the levy of certain taxes in Davis county.

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

#### REPORT OF COMMITTEE.

Senator Sudlow, 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. 20. And find the same correctly engrossed.

E. C. SUDLOW, *Chairman.*

#### HOUSE MESSAGES.

House File No. 146, a bill for an act to amend sections 1604, 1606 and 1608, and to repeal section 1605 and provide a substitute therefor, of the Code in relation to the Trustees of the State Agricultural College.

Read a first and second time and referred to the Committee on Agricultural College.

Senate File No. 29, a bill for an act relating to a change of the place of trial in civil actions amending section 2590 of the Code of Iowa.

Read a first and second time and passed on file.

House File No. 316, a bill for an act authorizing the Railroad Commissioners to decide cases brought before them on complaint against railway companies and prescribing method of procedure.

Read a first and second time and referred to the Committee on Railways.

House File No. 47, a bill for an act authorizing action against railway companies to be brought in the name of the State, etc.

Read a first and second time and referred to the Committee on Railways.

House File No. 54, a bill for an act to amend section 3, of chapter 211, laws of 1880.

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

Memorial and joint resolution in reference to the applications for pensions.

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

#### INTRODUCTION OF BILLS.

By Senator Gault, Senate File No. 385, a bill for an act to punish bribing and intimidation of voters and to preserve the purity and freedom of elections.

Read a first and second time and referred to the Committee on Elections.

By Senator Gault, Senate File No. 386, a bill for an act to repeal section 8, chapter 7 of the laws of the Eighteenth General Assembly and to enact a substitute therefor. Also, to amend section 1 and 4 of chapter 137, laws of Nineteenth General Assembly.

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

## PETITION.

Senator Gault offered a petition from the city council of Albia, relative to intemperance.

Referred to Committee on Suppression of Intemperance.

## INTRODUCTION OF A BILL.

By Judiciary Committee, Senate File No. 387, a bill for an act to legalize the acts of the council of the city of Osage, in the county of Mitchell, and State of Iowa, and legalizing the ordinances passed and adopted for the government of said city.

Read a first and second time.

Senator Sweney moved that the 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 Abraham, Baker, Barrett, Bayless, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Nichols, Poyneer, Robinson, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin

—44.

The nays were none.

Absent or not voting:

Senators Bills, Cassatt, Hemenway, Hendrie, Miles, and Rothert

—6.

So the bill passed and the title was agreed to.

## REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 36, a bill for an act to amend sections 2086 and 2087 of the Code, relating to the assignment of non-negotiable instruments and accounts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred concurrent resolution No. 7, relating to the Des Moines river lands, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that said resolution be adopted.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.



Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 377, a bill for an act to legalize the independent school district of Durham, Monroe county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

By Senator Rotherth, from Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 80, a bill for an act authorizing actions against railroad companies to be brought in the name of the State upon recommendation of the Board of Railroad Commissioners, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted in lieu thereof, and when so adopted that it do pass.

HENRY W. ROTHERTH, *Chairman.*

Ordered passed on file.

Senator McDonough, from the Committee on Horticulture and Forestry, submitted the following report:

MR. PRESIDENT—Your Committee on Horticulture and Forestry, to whom was referred House File No. 437, a bill for an act to amend chapter 1117 of the Code of 1873, relative to the time of holding the annual meeting of the State Horticultural 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.

JOHN McDONOUGH, *Chairman.*

Ordered passed on file.

Senator Wilkin, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred Senate File No. 321, a bill for an act to require the trustees of public institutions and owners of buildings to provide fire escapes in certain cases, beg leave to report that they have had the same under consideration, and have adopted a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted and that when adopted the bill do pass.

ELI WILKIN, *Chairman.*

Ordered passed on file.

#### BILLS ON THIRD READING.

Senate File No. 20, a bill for an act to amend section 797, title 5, chapter 10, of the Code, relating to exemptions of property from taxation.

The bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bills, Brown, Carr, Chubb, Clark, Duncan, Gault, Gillett, Glass, Hemenway, Hendrie, Hutchison, Kamrar, Nichols, Poyneer, Robinson, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—26.

The nays were:

Senators Bayless, Bloom, Caldwell, Carson, Chambers, Cotton, Donnan, Eastman, Graves, Hall, Henderson, Johnson, Larrabee, McCoy, McDonough, Marshall, Ryder, and Smith—18.

Absent or not voting:

Senators Cassatt, Hunt, Logan, Miles, Rothert, and Russell—6.

So the bill passed and the title was agreed to.

#### BILLS ON SECOND READING.

Senate File No. 28, a bill for an act to amend chapter 147 of the acts of the Nineteenth General Assembly, relating to the bonding of county indebtedness, together with report of Committee on Ways and Means recommending it do pass, was taken up and considered.

Senator Baker moved the rules 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 Abraham, Baker, Barrett, Bayless, Bills, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, McCoy, McDonough, Marshall, Nichols, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—42.

The nays were none.

Absent or not voting:

Senators Bloom, Cassatt, Eastman, Hemenway, Johnson, Logan, Miles, and Poyneer—8.

So the bill passed and the title was agreed to.

Senate File No. 43, a bill for an act to amend section 312 of chapter 2, title 4 of the Code, relating to the erection of public buildings, with report of Committee on Ways and Means recommending it do pass, was taken up and considered, and the report of the committee was adopted.

Senator Carson moved that the 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carson, Chambers, Clark, Donnan, Duncan, Gillett, Graves, Hall, Henderson, Hendrie, Hunt, Johnson, Kamrar, Larrabee, Logan,

McCoy, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sutton, Sweney, and Whaley—33.

The nays were:

Senators Carr, Chubb, Cotton, Eastman, Gault, Glass, McDonough, Marshall, Sudlow, and Whiting—10.

Absent or not voting:

Senators Cassatt, Hemenway, Hutchison, Miles, Nichols, Poyneer, and Wilkin—7.

So the bill passed and the title was agreed to.

Senator Rothert stated that had he been present when the roll was called on passage of Senate File No. 20, he would have voted yes.

Senator Russell stated that had he been present when the roll was called on passage of same bill, he would have voted no.

On motion of Senator Baker, House File No. 45 was referred to Committee on Ways and Means.

Senate File No. 49, a bill for an act making an appropriation to the Iowa Prisoners' Aid Association, with report of Committee on Ways and Means, reporting substitute back to the Senate with the recommendation that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Donnan moved that the 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carson, Chambers, Chubb, Clark, Donnan, Duncan, Eastman, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Marshall, Poyneer, Robinson, Rothert, Russell, Ryder, Stephens, Sudlow, Sutton, Whiting, and Wilkin—39.

The yeas were:

Senators Carr, Cassatt, Johnson, and Kamrar—4.

Absent or not voting:

Senator Cotton, Gault, Miles, Nichols, Smith, Sweney, and Whaley—7.

So the bill passed and the title was agreed to.

Senate File No. 55, a bill for an act repealing chapter 50 of the laws of 1874, chapter 70 of the laws of 1876, chapter 80 of the laws of 1878, and chapter 156 of the laws of 1880, with report of committee recommending it do not pass, was taken up, considered, and the bill indefinitely postponed.

Senator Logan moved that Senate File No. 90 be postponed, and House File No. 10 be taken up now.

Senator Hall moved to amend so that Senate File No. 90 be indefinitely postponed.

Senator Robinson moved that Senate File No. 90 be postponed until House File No. 10 is disposed of.

Senator Logan moved that the substitute recommended by committee for Senate File No. 90 be adopted.

Carried.

Substitute adopted.

Senator Barrett moved that House File No. 10 and Senate File No. 90 be referred to a select committee of five to investigate and report to this Senate upon the legal standing and condition of title to the lands referred to in said bills, and the legal effect of the proposed legislation upon the same, and what, if any, lands were resumed by chapter 107, acts of the Nineteenth General Assembly.

At 12 o'clock m., pending the question, the Senate adjourned.

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### AFTERNOON SESSION.

2 O'CLOCK P. M

Senate reconvened, with the President in the chair.  
Consideration of Senate File No. 90 resumed.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

**MR. PRESIDENT**--I am directed to inform you that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 134, a bill for an act requiring notice to cities before suit for damages can be maintained.

House File No. 260, a bill for an act to repeal section 468, chapter 10, title 4 of the Code of 1873, in relation to sidewalks and to enact a substitute therefor.

Also requests the return to the House for further consideration:

House File No. 45, a bill for an act to amend chapter 147 of the acts of the Nineteenth General Assembly, relating to the bonding of county indebtedness.

Also:

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

House File No. 305, a bill for an act to legalize the incorporation of the town of Carroll, Carroll county, Iowa.

Senate File No. 372, a bill for an act to legalize certain acts of A. M. Duns and Fred Becker, auditor and deputy auditor of Plymouth county, in reference to certain acknowledgments.

House File No. 472, a bill for an act to legalize the action of R. Howe Taylor, president of the board of directors of the independent school district of Marshalltown, Iowa.

House File No. 482, a bill for an act to legalize the incorporation of the town of Rockwell, Calhoun county, Iowa, and to legalize the acts of the town council and other officers thereof.

House File No. 497, a bill for an act to legalize certain acts and ordinances of the council of the town of Earlville.

House File No. 271, a bill for an act to legalize the incorporation of the town of Walnut, Pottawattamie county, and the acts of the officers thereunder.

House File No. 430, a bill for an act to legalize the official acts of the town council and ordinances of the incorporated town of Angus, in Boone county.

House File No. 376, a bill for an act to legalize the organization of the independent school district of Eagle Grove, Wright county, Iowa.

House File No. 364, a bill for an act to legalize the incorporation of the town of Lake City, Calhoun county, Iowa, and the proceedings.

House File No. 459, a bill for an act to legalize the incorporation of the town of Redding, Ringgold county, Iowa, and legalize the acts of the town council.

House File No. 517, a bill for an act to legalize certain ordinances of the incorporated town of Manson, Calhoun county, Iowa.

House File No. 303, an act to legalize the incorporation and official proceedings of the incorporated town of Jewell Junction, Hamilton county, Iowa.

House File No. 448, a bill for an act to legalize the official acts of William Osborne, as a justice of the peace in Union township, Adair county, Iowa.

House File No. 237, a bill for an act to change the names of the villages of Lachanawanna and Vespers, to legalize the incorporation thereof under the name of Lehigh, and to validate the ordinances of the town of Lehigh and the acts of its officers thereunder.

House File No. 490, a bill for an act to legalize the organization of the independent district of East Cleveland.

House File No. 471, a bill for an act to legalize the town council of the incorporated town of Hubbard and the official acts thereof.

House File No. 142, a bill for an act to legalize the incorporation of the town of Williams, Hamilton county, Iowa, to legalize the town council and other officers and the acts thereof.

Senate File No. 30, a bill for an act to indemnify sheriffs in the service of writs of attachment, amendatory of Code chapter 1, title 18.

House File No. 503, an act to legalize the acts of the town council of the town of Modale in Harrison county, Iowa.

SIDNEY A. FOSTER, *Clerk.*

The President of the Senate signed the following enrolled bills in the presence of the Senate:

Senate File No. 30, House Files Nos. 444, 490, 305, 376, 517, 471, 372, 497, 364, 271, 482, 430, 303, 472, 503, 237, 459 and 142.

The question being upon the motion of Senator Barrett the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Barrett, Bloom, Carr, Clark, Donnan, Duncan, Eastman,

Gault, Glass, Graves, Hall, Henderson, Johnson, Larrabee, Miles, Ryder, Sweney, Whaley, and Wilkin—19.

The nays were:

Senators Abraham, Bayless, Bills, Brown, Caldwell, Carson, Chambers, Cotton, Gillett, Hutchison, Logan, McCoy, McDonough, Nichols, Poyneer, Robinson, Rothert, Russell, Stephens, Sudlow, Sutton, and Whiting—22.

Absent or not voting:

Senators Baker, Cassatt, Chubb, Hemenway, Hendrie, Hunt, Kamrar, Marshall, and Smith—9.

So the motion was lost.

Senator Robinson offered the following amendment:

Add to section 2. Provided that nothing in this section contained shall be construed to apply to lands situate in the counties of Dickinson and O'Brien.

Adopted.

Senator Graves offered the following amendment:

Add to the end of section 2 the following, "reserving however from such relinquishment and conveyance all the lands which may have been earned under the provisions of said act by the Sioux City & St. Paul R. R. Co. by reason of said company having constructed fifty-six miles of railroad embraced in said grant, which said lands so reserved shall be duly conveyed to the owners thereof by the Governor as soon as such ownership shall have been legally determined.

Senator Hall moved to refer this bill and House File No. 10 to the Committee on Federal Relations, with instructions to report a memorial to Congress requesting Congress to give these lands to the State of Iowa for public purposes.

Carried.

Senator Wilkin offered the following resolution:

*Resolved*, That the vote whereby Senate File No. 20 (entitled a bill for an act to amend section 197, title 5, chapter 10 of the Code, relating to exemptions of property from taxation), was passed be reconsidered, and the vote whereby said bill was ordered engrossed for a third reading be reconsidered.

Senator Brown moved to lay the resolution on the table.

Upon this the yeas and nays were demanded, and the roll was called.

The yeas were:

Senators Abraham, Baker, Barrett, Bills, Brown, Chubb, Duncan, Gault, Gillett, Glass, Hemenway, Hendrie, Hutchison, Kamrar, Miles, Nichols, Poyneer, Robinson, Rothert, Stephens, Sudlow, Sweney, and Whaley—23.

The nays were:

Senators Bayless, Bloom, Carr, Carson, Clark, Cotton, Donnan, Eastman, Graves, Henderson, Hunt, Johnson, Larrabee, McCoy, McDonough, Marshall, Russell, Ryder, Smith, Sutton, Whiting, and Wilkin—22.

Absent or not voting:

Senators Caldwell, Cassatt, Chambers, Hall, and Logan—5.

So the motion to lay on table was carried.

Senator Chambers, 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. 30, an act to indemnify sheriffs in the service of writs of attachment, amendatory of Code, chapter 1, title 18.

And find the same correctly enrolled.

J. C. CHAMBERS, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval Senate File No. 30, an act to indemnify sheriffs in the service of writs of attachment amendatory of Code.

J. C. CHAMBERS, *Chairman*.

Senator Johnson moved that the Committee on Ways and Means be requested to return to the Senate House File No. 45, and that the Secretary be instructed to return the same to the House in accordance with the request of the House, which motion prevailed.

Senate File No. 94, a bill for an act to amend section 368, chapter 7, title 4, Code of 1873, relating to the compensation of surgeons or physicians in coroners' inquests, with report of Committee on Retrenchment recommending it do pass, was taken up and considered.

Senator Bayless moved that the 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 Abraham, Baker, Barrett, Bayless, Bills, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Duncan, Gault, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Sweeney, Whaley, Whiting, and Wilkin—41.

The nays were none.

Absent or not voting:

Senators Bloom, Cassatt, Donnan, Eastman, Glass, Logan, Nichols, Rothert, and Ryder—9.

So the bill passed and the title was agreed to.

House File No. 23, a bill for an act to amend section 1348, chapter 2, title 11, of the Code of Iowa, in relation to care for the insane, was taken up and considered.

Senator Donnan moved the rules be suspended, 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, Mc-

Coy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—47.

The nays were none.

Absent or not voting:

Senators Cassatt, Hemenway, and Rothert—3.

So the bill passed and the title was agreed to.

Senate File No. 136, a bill for an act to amend section 382, chapter 9, title 4, Code of Iowa, relative to the division of townships, with report of Committee on County and Township Organization reporting substitute, recommending its adoption and it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Brown moved that the rule be suspended, and the bill 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hall, Hemenway, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sudlow, Sutton, Sweney, Whiting, and Wilkin—44.

The nays were none:

Absent or not voting:

Senators Cassatt, Eastman, Henderson, Marshall, Stephens, and Whaley—6.

So the bill passed and the title was agreed to.

Senator Bloom moved a reconsideration of the vote by which Senate File No. 90 and House File No. 10 was referred to Committee on Federal Relations.

Senator Sweney moved the motion be laid on the table.

Upon this the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Baker, Barrett, Brown, Carr, Carson, Chambers, Clark, Donnan, Duncan, Gault, Glass, Graves, Hall, Hemenway, Henderson, Johnson, Larrabee, Marshall, Smith, Sweney, Whaley, and Whiting—22.

The nays were:

Senators Abraham, Bayless, Bills, Bloom, Caldwell, Chubb, Cotton, Gillett, Hendrie, Hunt, Hutchison, Kamrar, Logan, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Stephens, Sudlow, Sutton, and Wilkin—25.

Absent or not voting:

Senators Cassatt, Eastman, and Ryder—3.

So the motion was lost.

Pending discussion, at 6 o'clock, the Senate adjourned.



SENATE CHAMBER,  
DES MOINES, IOWA, March 21, 1884. }

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

Prayer by Rev. T. J. Keith.

Journal of yesterday read and approved.

#### RESOLUTIONS.

Senator Hall offered the following joint resolution:

*Be it resolved by the General Assembly of the State of Iowa:* That the Governor of the State, Hon. Buren R. Sherman, be and he is hereby authorized and directed to procure to be executed in oil by competent artists the portraits of Hon. Ralph P. Lowe, one of the former Governors, and of Hon. Augustus C. Dodge, one of the former Representatives and United States Senators of the State of Iowa, with the appropriate mounting, to be placed in the Executive Chamber, or other appropriate place in the Capitol; and to meet the cost thereof there is hereby appropriated out of any money in the treasury not otherwise appropriated a sum sufficient to pay the same, to be paid upon warrants drawn upon the treasurer by the Auditor upon the order of the Governor.

Pending the resolution Senator Hall made the following remarks:

MR. PRESIDENT—In presenting this resolution, and urging its adoption, I am governed by a sentiment that is almost filial, and a purpose that rests very near my heart. We are only in the beginning of our history. Iowa is yet at its very threshold. What is to be the grandeur of the State and greatness of its men, no one can foresee. Art is long, but time is fleeting. This new Capitol building even is incomplete, and as we stand and gaze with pride and satisfaction at its noble proportions and beautiful architecture, we may forget, that even here, the coming ages, when we shall be the centre of an empire more populous and potent than yet seen or dreamed of on earth, will require other and grander temples of Capitol and State, built after newer architecture and by hand deft and skilled in newer and later sciences and arts, and to be occupied by men grand in the stature of higher and more advanced science of government, and more matured wisdom. In those later days our posterity will not fail to find niches and panels for the statues and illustrations of their noblest men, whose lives and deeds are worthy of commendation. May we not do fit justice to ourselves, and set befitting example to those who are to follow, by enshrining and placing on some appropriate spot within this Capitol the form of one of our own illustrious

dead, the purity, dignity and grandeur of whose life are worthy of emulation for all time to come?

It was only in the month of December that General Dodge passed away from earth. He had been so long withdrawn from official position and places of power and influence, his life at his home and among his associates had been so simple and unpretentious, his intercourse so gentle and disingenuous, that we lost sight of the grand and lofty qualities of the man in the kindly and common-place relations of friend and neighbor. He moved among us with his rays of power and greatness laid aside. It was only when he was gone—when we saw the empty void made by his sudden absence—that we began again to feel the greatness of the man; and as his stature grew and magnified in our new conception, we cowered and felt full of reverence and awe, as if his great shadow stood beside us and would lay its gentle hands upon us.

But, Mr. President, while we may by some skilled work of art portray and rescue from forgetfulness the form and features of the distinguished citizen, neither the pencil nor the chisel can depict the real man, the nobility of character, the power and qualities that constitute the individual. This portraiture, more important than all others, more rarely to be found, and more needed for example, must be looked for in his deeds and actions, and belong to history and biography. For General Dodge this has not been written. It is not yet time, and it must be left to hands more capable than mine. I only speak for him, not to do him full or complete justice. Yet I wish to present for your consideration a brief outline of his career.

General Dodge traced his origin to an English ancestry, that came to America in 1629. It became a numerous family, gradually settling in many parts of the United States, characterized by strength of character, great patriotism, military powers, sterling worth and commercial enterprise and success. The well known Dodges of New York, Cleveland, Chicago, and other cities belong to this family, as does also the distinguished Gen. Grenville M. Dodge, of this State. Gen. A. C. Dodge was descended from Israel Dodge, of Connecticut, who had been wounded in the Revolutionary war by a British bayonet. After the peace the latter emigrated to Kentucky, where he struggled with the Indians or among the Spanish settlements of the Upper Louisiana Territory. Here the Hon. Henry Dodge, the father of the General, was born, and, while a child, was captured by the Indians, but was returned without injury.

The family afterward removed to Missouri, where the grandfather beheld, at Carondelet, near St. Louis, amid the sobs and tears of the French population, and the joy and acclaim of Americans, the French flag drawn down by Baron Carondelet and the stars and stripes run up, at the date Napoleon ceded the vast Louisiana Territory to the United States, and French dominion ceased on this continent forever.

It was at Ste. Genevieve, on the west bank of the Mississippi, said to be the oldest town in the United States, except St. Augustine, on second day of January, 1812, that General Dodge was born. Then on that outlying skirt that fringed the conflicting realms of civiliza-

tion and barbarism, he first began a career without opportunity or advantage, as little dreaming of the future development of his own life as of that of the wild and unreclaimed West in which he lived.

In the year 1827, in company with his father, who had heard of the lead mines at Galena, he ascended the Mississippi, polling and rowing their boat, when steamboats were unknown. It is said he was nineteen years of age before he learned to read, and this was accomplished at night by the fires necessary to reduce the lead ore. Still later, after he had returned to Ste. Genevieve and attended school there, he learned to write under the instruction of the estimable lady who became his wife. In the meantime he had volunteered as a soldier in the Indian wars, known as the Winnebago war of 1827, and the Black Hawk war of 1832. He and his distinguished father went side by side through the conflicts of the field, as they subsequently sat side by side in the Senate of the United States.

In 1838 he was appointed Register of the Land Office at Burlington, which became and continued to be his home ever after. In these times the "club law" was the law of the realm, and many desperate feuds existed between claimants. But General Dodge became noted and respected as an adjuster of these troubles, and by his impartial course he won the respect and confidence of all. He was four times elected as delegate to congress. He was twice elected to the Senate, and later on was sent an evoy extraordinary to the court of Spain. Thus we behold a man so typical, so self-made—a man without advantages—not reared in affluence or refinement, surrounded by the rough elements of frontier life, brought in contact with savage life and cruelty; no schools or alma mater, no libraries; yet slowly and tediously carving out his course, moving along in manhood's noble route, he, the poor unknown, unlettered boy, became fit to, and did, take his place in Senates and represented the New World in the court of one of the oldest monarchies of the old. He took his seat beside, and was the peer of Benton, Webster, Phelps, Douglass, Clay and others whose memories still are green. He was not the great debater or profound constitutional expounder that Webster was; he was not the great leader that was beheld in Clay, nor the popular favorite and representative of the peculiar element that Douglass was; but he was equally as familiar with the theory and principles of our government. He was more practical and useful in many particulars. He was devoid of visionary and theoretical notions, and as useful to his constituents in every particular. He loved the constitution and revered the law, and experienced the loftiest regard for the duties and obligations imposed by both. No man was ever more active and untiring in looking after the interests and necessities of the people and state he represented. In the Senate he labored for and approved all the great measures that have since been productive of such great results. He secured the grant of a half million acres of land for the use of our public schools, and this became the foundation of our great and munificent school fund. He supported and favored with his utmost zeal the granting of homesteads to actual settlers. He secured the ratification and extension of the western boundary of our State. He urged and favored the construction of a railroad and tele-

graphic line from the Mississippi valley to the Pacific. He stood for the honor of the flag, and the integrity of the American citizenship at home and abroad. He was an American, and in his soul he loved his country, its institutions and its laws. And no other thought or motive ever entered his heart than to seek the interest, prosperity and happiness of the people and the perpetuity of the Union, its glory and greatness.

But, Mr. President, if General Dodge had his superiors as great debaters and constitutional lawyers, in the purity and integrity of his character he had no superiors and few equals. How often have I heard it said, "God never made a better or a purer man!" He was not only incorruptible, but unapproachable. No breath of suspicion has ever touched him. Living at the capital, where great influences operate and mighty temptations beset public men, he passed along untouched and unscathed. His public life was as pure and unsullied as was his private life. He recognized the full force of the obligation and duties of life in all relations. As a citizen he omitted nothing. In the campaign of 1859, when opposed by Hon. Samuel J. Kirkwood for Governor in joint debate, the latter asked him "if he would, if called upon by an officer, assist in returning a fugitive slave?" In those agitated times it was a question difficult to answer. But when he came to reply he said substantially, "The law oftentimes imposes upon us duties that are both dangerous and disagreeable. For myself I stand ready to perform any duties demanded of me by my country or its laws." To-day, Mr. President, the people not yet fully recovered from the proper hatred of an institution so recently ended in conflict of arms, will not fully recognize the sublimity of this response, but later on it will receive a just recognition. That response embodies the whole duty and obligation of citizenship. So, too, no man ever held in higher esteem the honest labor of the land than he. Springing from that stratum of society and knowing and appreciating that it is the great foundation of all results and progress, he never would see it wronged or insulted without rebuke. A most notable instance of his fearless defense of the nobility of labor was witnessed in the Senate of the United States. Senator Brown, of Mississippi, in a strong defense of slavery, had sneeringly alluded to the poor laborers of the North. Said he, "Would any man take his boot-black, would any lady take her chambermaid in companionship? We do not in the south, for they are always negroes."

Springing to his feet, straight as an Indian, with defiant air and in a tone that filled the vast chamber, he declared: "Sir, I tell the Senator from Mississippi—I speak it on the floor of the American Senate—in the presence of my father who will attest its truth—that I have performed and do perform, when at home, all of these menial services to which the Senator alludes in terms so grating to my feelings. As a general thing I saw my own wood, do all my own marketing I have driven teams, horses, mules and oxen, and considered myself as respectable then as I now do, or as any Senator upon this floor."

In precisely the same direction pointed the generosity and charity of his noble heart. It was not his fortune to become the possessor of

riches or to accumulate wealth and an estate with which to grant and extend that charity of which his soul was full. But such as he had he always gave. No appeal was ever made to him that did not meet response. This is not praise or panegyric, but the simple truth. Indeed, he did not wait for an appeal. He only needed to know that some one was in want, or needed aid, and there was no waiting for some one else, no hesitation, but with zeal and energy he proceeded to do what his tender and just instincts dictated. He was no respecter of person, but the poor and unknown were as sure to receive his attention as the rich and high. Even the poor colored man was met half way, taken by the hand, aided, advised, and encouraged, just as though he were a man of influence, place or position. The divine spirit of tenderness that bade little children to "Come unto me," seemed to inspire him, and he had the power to win their love and attention. All the children knew and loved General Dodge, and he seemed to know and love them all.

And when amid solemn requiem and tolling bells they took him to his last abode, over three hundred little boys and girls, pure and sweet as the immortelles from above, scattered flowers and made a pathway for him.

But, Mr. President, if, as the architect of his own life, the statesman or the citizen, he is to be respected and regarded, as the exemplar of domestic life he is to be admired and emulated. It mattered not what place he filled, his first duty was to the noble woman who in early life had joined her destiny with his. She was the mother of his children, the sharer of his joys and sorrows, she had helped to make him what he was and neither time nor age had dimmed or weakened his youthful gallantry or manly tenderness. How often has it been my fortune to witness the manifestation of that tender regard and careful consideration which so adorn and result in so much pure happiness. In his later life it was his misfortune to lose about all his means, and he lived in the most straightened circumstances. Both he and his wife were compelled to perform many such menial services, as he had so nobly defended on the floor of the American Senate. But by him they were performed as cheerfully as if they had been higher duties. But on those occasions he failed her not. Conscious that it was but natural for her to grieve at their change of circumstances; in all her toil and labor, he carefully remained by her side—this man and woman who had received the honor of the Senate and been honored by the crowned heads of Europe; and while she was occupied with duties he attended her, entertained and rallied her, cheered and encouraged her, until, touched by the wand of a noble love, the toils and labors of life were changed to pleasureable occupations and endearing duties.

The political career of General Dodge may be said to have ended in 1859, when at the urgent solicitation of his friends he resigned the embassy to Spain and returned to Iowa to become the candidate for Governor. In all his instincts, associations and proclivities he was not only an old style American gentleman, but his political views had become fixed after the teachings of Webster, Clay, Benton, and the older school of American statesmen. His political life existed

and ended just prior to that slavery agitation which culminated in the convulsion of 1860. His career terminated at the beginning of a transition period introduced by a mighty upheaval, accompanied by one of the most tremendous conflicts of modern times, and followed by exigencies and requirements presenting questions that were new and unanswerable alike to men of all parties. In forming a just conception of his character and a judgment of his motives we must have regard to the *ante bellum* condition of affairs and the prominent and prevailing ideas of those times. It must be remembered that the national government was the creation of the original States. Their independence of the mother country, and the revolutionary war that accomplished it were the results of the States. The earlier patriotism and love of country that accomplished such grand and everlasting results, owed their existence to the relation between the patriot citizen and his State. The confederation never became an object of patriotic regard or loving consideration. Hence during the earlier history of the great American nation we find on all sides the prevailing sentiment of States' rights. No time had yet arrived and no event had occurred to call into existence the overshadowing power and importance of the National Government, or to create in the public mind a just conception of that relation. Hence men whose public life began and ended before the great transition period of Rebellion, must be judged in the light of the prevailing opinions and doctrines of those times. And judged by them General Dodge was in accord with the most enlightened and profoundest expressions of Constitutional and political law. That he was pure and just no man will deny. That he was careful and laborious in reaching his conclusions in the light of research and investigation no one will gainsay. And, Democrat as he lived and died, a believer in States' rights in a Constitutional sense, he was a relentless foe to nullification, and when the great Rebellion broke out his patriotic instincts were all with the Government, and his prayers were for the perpetuity of the Union and the success of the National arms.

I am addressing a representative body, where we all comprehend how readily concessions of principle are made to policy and expediency. How many men there are who trim their sails to the zephyrs of prevailing sentiment, and as members of a corporate assembly justify themselves in acts which would not receive their sanction as individuals. It requires rare courage and true manhood to be true to conscience and the high sentiments of right at all times, and when honors, success and political preferment may depend upon the results. Yet just such grand courage and nobility of character were possessed by General Dodge. On the battle field, and in all occasions of civil life, he manifested undaunted courage. And there was no power on earth that could cow his dauntless spirit or impel him to surrender his judgment; and neither power, position, wealth nor influence could seduce him from his convictions, or persuade him to a dishonorable or unworthy act.

I began these considerations with an allusion to the fact that the grandeur of his character had been gradually lost sight of in the simplicity of his private life, after so long a withdrawal from public

affairs, and only began to be recalled upon his death. This is one of the beautiful testimonials to the man. He had been in Congress, the Senate, and at the Court of Spain. He was one of the great men of the nation. Yet when in the great political revolution, he was retired from position he was not condemned or lowered in sentiment or the esteem of his people. It was a change of ideas and principles which spoke through other men. His descent from public position to private life was after all an elevation which it is the fortune of but few men to enjoy. He still possessed the honor and love of all who had ever known him. He knew more men, women and children, and their family histories, in Missouri, Illinois, Wisconsin, Nebraska and Iowa, than probably any man who lived. He had entered more homes in the northwest than any other man. His general presence produced greater pleasure, and he was greeted wherever he went with more genuine heartfelt satisfaction than any other man. And thus, in public and private life he lived and died; and it will be difficult to determine which he most adorned, or in which he did the most good. But in all places and relations he was one of nature's greatest works. He was self-made, pure, true, faithful and grand. His name is written on the pages of our history; the imprint of his hand is upon our State and all its institutions. Could we materialize his noble qualities and the grandeur of his character into the full statue of man, citizen and statesman, there is no place in this or any other capitol which it would not adorn, and where it would not receive the reverence and admiration of generations yet to come, as worthy of emulation and admiration. It is to partially accomplished such a result that I have introduced this resolution and ask its consideration.

Senator Eastman moved to amend by including Governors Chambers and Clark.

Senator Rotherth moved to amend by including all Governors of Iowa, both State and Territorial, who are deceased.

The question being shall the joint resolution pass?

The yeas were:

Senators Barrett, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rotherth, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—41.

The nays were none.

Absent or not voting:

Senators Abraham, Baker, Bayless, Cassatt, Chambers, Gault, Hendrie, Hunt, and Ryder—9.

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 you that the House has amended and returns to the honorable Senate, House File No. 45, a

bill for an act to amend chapter 147 of the acts of the Nineteenth General Assembly, relating to the bonding of county indebtedness.

I am also directed to inform you that the House has adopted the following concurrent resolution:

Concurrent resolution No. 24, relative to adjournment *sini die*.

SIDNEY A. FOSTER, *Clerk*.

#### HOUSE MESSAGES.

House File No. 134, a bill for an act to requiring notice to cities before suit for damage can be maintained.

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

House File No. 260, a bill for an act to repeal section 468, chapter 10, title 4, of the Code of 1873, in relation to sidewalks, and to enact a substitute therefor.

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

House File No. 45, a bill for an act to amend chapter 147 of the acts of the Nineteenth General Assembly, relating to the bonding of county indebtedness.

On motion of Senator Larrabee the rule was suspended and the bill was read a third time.

Senator Robinson moved to amend by inserting the word "section" in place of the word "chapter" in first line of section 2.

Carried.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Hall, Henderson, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—43.

The nays were:

Senator Hemenway—1.

Absent or not voting:

Senators Cassatt, Chambers, Glass, Graves, Hendrie, and Hunt—6.

So the bill passed and the title was agreed to.

Concurrent resolution relative to adjournment *sini die* April 2d was taken up and adopted.

Senator Larrabee moved to reconsider the vote by which the resolution was adopted.

Senator Johnson moved to lay the motion to reconsider on the table.

Lost.

Senator Larrabee moved further consideration be postponed until one week from to-day.

Carried.



## 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 House File No. 519, a bill for an act to provide for the levy of one half mill State tax for the years 1884 and 1885, to complete the new capitol building, and to provide increased accommodations for the insane of the State and for other purposes, beg leave to report that they have had the same under consideration, and after amending it by inserting the words “and for other purposes” between the words “State” and “the” in the third line, have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 350, a bill for an act to amend section 817 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.

LARRABEE, *Chairman.*

Ordered passed on file.

And the report of the committee was adopted.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 358, a bill for an act to amend section 797 of Code, and to exempt from taxation certain homesteads, beg leave to report that they have had the same under consideration, and have instructed me to report the accompanying substitute back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 315, a bill for an act to provide for taking of the enumeration of the inhabitants of the State, and compiling statistics of its population, wealth and resources, amendatory of chapter eight (8), title 2 of 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.

LARRABEE, *Chairman.*

Ordered passed on file.

And the report of the committee was adopted.

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

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 221, a bill for an act providing for the edu-

cation of J. W. Hallock at the State University, at the expense of the State, beg leave to report that they have had the same under consideration and have adopted a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and when adopted, that the bill do pass.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Senate File No. 221, a bill for an act providing for the education of J. W. Hallock at the State University, at the expense of the State, with report of committee recommending it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Sutton moved that the rule be suspended, 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 Abraham, Baker, Barrett, Bayless, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Glass, Hemenway, Henderson, Hunt, Hutchison, Kamar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sutton, Whaley, Whiting, and Wilkin—39.

The nays were:

Senators Johnson, Sudlow, and Sweney—3.

Absent or not voting:

Senators Bills, Cassatt, Gillett, Graves, Hall, Hendrie, Rothert, and Ryder—8.

So the bill passed and the title was agreed to.

Senator Johnson was granted leave of absence until Tuesday.

Senator Cassatt was granted leave of absence until his return.

#### REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 176, a bill for an act to enable the State of Iowa to be represented at the National Educational Exposition at Madison, Wisconsin, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass, and that it be referred to the Committee on Appropriations.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 182, a bill for an act to provide for county normal training schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely post-

poned for the reason that normal institutes in each county and the increase of normal schools will afford sufficient facilities for the training of teachers.

J. G. HUTCHISON, *Chairman*.

Report of committee adopted.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 378, a bill for an act to change the name of the Reform School to Industrial 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 do pass.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 368, a bill for an act to provide school books for certain pupils in public schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

J. G. HUTCHISON, *Chairman*.

Report of committee adopted.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 322, a bill for an act to provide for the better protection of the funds of independent districts and district 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 be indefinitely postponed.

J. G. HUTCHISON, *Chairman*.

Report of committee adopted.

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

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 360, a bill for an act for the better protection of stock breeders, beg leave to report that they 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.

T. M. C. LOGAN, *Chairman*.

Report of committee adopted.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 382, a bill for an act to amend section 1827 of the Code, in relation to condemning real estate for school house sites, beg leave to report that they have 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. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Senator Rothert, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred House File No. 316, a bill for an act authorizing the Railroad Commissioners to decide cases brought before them on complaint against railway companies and prescribing a method of procedure, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do not pass.

HENRY W. ROTHERT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred House File No. 47, a bill for an act authorizing actions against railroad companies to be brought in the name of the State upon recommendation of the Board of Railroad Commissioners, 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.

HENRY W. ROTHERT, *Chairman.*

Ordered passed on file.

Senator Caldwell, from the Committee on Medicine, Surgery and Hygiene, submitted the following report:

MR. PRESIDENT—Your Committee on Medicine, Surgery and Hygiene, to whom was referred Senate File No. 304, a bill for an act to amend chapter 151, laws of the Eighteenth General Assembly, in relation to State and local boards of health, beg leave to report that they 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.

T. J. CALDWELL, *Chairman.*

Report of committee adopted.

Senator Baker, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate File No. 312, a bill for an act to compensate Addie Hayden for certain services rendered at the request of the Governor, and appropriating money to pay for the same, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that in the opinion of the committee, it should be paid out of the Governor's contingent fund.

H. A. BAKER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate Files Nos. 212 and 213, a bill for an act making an appropriation to pay certain ascertained claims for supplies to the State Penitentiary at Fort Madison, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that

they be indefinitely postponed, for the reason that the committee have reported Senate File No. 175 covering the same subject.

H. A. BAKER, *Chairman.*

Report of committee adopted.

Senator Hemenway, 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 provide for selling, leasing, and patenting the lands belonging to the Iowa State Agricultural College and Farm, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the accompanying substitute, with the recommendation that the substitute be adopted, and when adopted that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

On motion of Senator Sutton, Senate File No. 56, with report of committee recommending a substitute, and that the substitute be adopted and it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Sutton moved that the 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 Abraham, Baker, Barrett, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Hall, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poynear, Robinson, Rothert, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, and Whiting—43.

The nays were none.

Absent or not voting:

Senators Bayless, Cassatt, Graves, Hendrie, Johnson, Ryder, and Wilkin—7.

So the bill passed and the title was agreed to.

On motion of Senator Sutton Senate File No. 84, a bill for an act to provide for the investment of the endowment funds of the Iowa State Agricultural College and Farm, with report of Committee on Judiciary reporting substitute and recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

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

Senator Hall moved a reconsideration by which rule was suspended.

Carried, and the vote was reconsidered.

Senator Hall offered the following amendment to lines eight and nine, section 2: strike out the words "and other improvements."

Carried.

Senator Hall offered a substitute for section 7, which was adopted.

Senator Gillett moved that the hour for adjournment be extended five minutes.

Carried.

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

The question being shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—42.

The nays were none.

Absent or not voting:

Senators Baker, Cassatt, Hendrie, Hunt, Johnson, Nichols, Rothert, and Ryder—8.

So the bill passed and the title was agreed to.

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## AFTERNOON SESSION.

2 O'CLOCK, P. M.

Senate reconvened, the president in the chair.

### REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 280, a bill for an act in relation to ditches, drains, levees, embankments, and changes in water courses, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted and when so adopted, that it do pass.

T. M. C. LOGAN, *Chairman.*

Ordered passed on file.

### PETITION.

Senator Rothert offered a series of resolutions adopted by citizens of Keokuk against the passage of Senate File No. 20.

Read and passed on file.

## BILLS ON THIRD READING.

Senate File No. 29, a bill for an act relating to a change of the place of trial in civil actions, amending section 2590 of the Code.

The amendment was read a third time.

The question being shall the amendment be concurred in?

The yeas were:

Senators Abraham, Baker, Barrett, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whiting, and Wilkin—42.

The nays were none.

Absent or not voting:

Senators Bayless, Cassatt, Eastman, Hall, Johnson, Poyneer, Russell, and Whaley—8.

So the amendment was concurred in.

On motion of Senator Sutton House File No. 519, a bill for an act to provide for the levy of one half mill State tax for the years 1884 and 1885 to complete the new capitol building and to provide increased accommodations for the insane and for other purposes, with report of committee recommending inserting the words "and for other purposes" between the words "State" and "the" in the third line, and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Larrabee moved that the 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 Abraham, Baker, Barrett, Bills, Bloom, Brown, Caldwell, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whiting, and Wilkin—44.

The nays were none.

Absent or not voting:

Senators Bayless, Carr, Cassatt, Johnson, Russell, and Whaley—6.

So the bill passed and the title was agreed to.

Senator Robinson called up motion to reconsider vote by which Senate File No. 90, and House File No. 10, was referred to Committee on Federal Relations, and the vote was reconsidered.

The question being upon the adoption of the amendment of Senator Graves.

Senator Hall withdrew his motion to refer the matter to the Committee on Federal Relations.

Senator Hemenway offered a substitute.

Senator Hunt moved the previous question, and the motion was seconded by the Senate.

The question being upon the adoption of the amendment offered by Senator Graves was lost.

On motion the bill was ordered engrossed.

Senator Robinson moved to reconsider the motion by which the bill was ordered engrossed.

Carried, and the vote was reconsidered.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 535, a bill for an act to amend sections 277, 267 and 268 of the Code, giving additional duties and privileges to county surveyors

House File No. 123, a bill for an act to amend section 2578, title 17, chapter 4 of the Code.

House File 307, a bill for an act to repeal section 10, chapter 70, acts of the Sixteenth General Assembly, relating to propagation of fish.

Also, Senate File No. 4, a bill for an act to provide a fund from which to pay for sheep or other domestic animals killed or injured by dogs.

Senator Barrett offered the following amendment:

Provided, however, that the conveyance herein contemplated shall not be made until it shall be fully and clearly ascertained how many and what lands have been earned by said railroad companies.

Lost.

Senator Hall moved to refer the bill to Committee on Federal Relations, with instructions to report to morrow when it shall be made a special order for 10½ o'clock A. M.

Lost.

The question being on the suspension of the rule, the yeas and nays were demanded, and the roll was called.

The yeas were:

Senators Abraham, Bayless, Bills, Bloom, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Duncan, Gault, Gillett, Hendrie, Hunt, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Smith, Stephens, Sudlow, Sutton, and Whiting—32.

The nays were:

Senators Barrett, Donnan, Graves, Hall, Hemenway, Henderson, Sweney, and Wilkin—8.

Absent or not voting:

Senators Baker, Brown, Cassatt, Eastman, Glass, Hutchison, Johnson, Russell, Ryder, and Whaley—10.

So the motion prevailed.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Bayless, Bills, Bloom, Brown, Caldwell, Carr,



Carson, Chambers, Chubb, Cotton, Duncan, Gault, Gillett, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Rothert, Smith, Stephens, Sudlow, Sutton, and Whiting—32.

The nays were:

Senators Barrett, Clark, Donnan, Eastman, Glass, Graves, Hall, Hemenway, Henderson, Marshall, Ryder, Sweney, and Wilkin—13.

Absent or not voting:

Senators Baker, Cassatt, Johnson, Russell, and Whaley—5.

So the bill passed and the title was agreed to.

Senator Russell was granted leave of absence.

On motion of Senator Glass, House File No. 45, a bill for an act to amend chapter 147, of the acts of the Nineteenth General Assembly, relating to the bonding of county indebtedness, was taken up and considered.

Senator Glass moved to amend section 2 by striking out the word "second," and inserting "third."

Adopted.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Carr, Carson, Chubb, Clark, Donnan, Duncan, Graves, Hall, Henderson, Hendrie, Miles, Nichols, Poyneer, Robinson, Rothert, Smith, Whaley, and Wilkin—24.

The nays were:

Senators Brown, Caldwell, Gault, Gillett, Glass, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, McDonough, Ryder, Sudlow, and Sweney—14.

Absent or not voting:

Senators Cassatt, Chambers, Cotton, Eastman, Johnson, Logan, McCoy, Marshall, Russell, Stephens, Sutton, and Whiting—12.

So the bill did not pass.

Senate File No. 186, a bill for an act to amend sections 277 and 3800 of the Code, and to make other provisions, in relation to county surveyor, with report of the Committee on Compensation of Public Officers, who reported a substitute and recommend it do pass, was taken up and considered.

Senator Sweney moved to amend by striking out all after the words "county auditors," in second section, and all of third section.

Lost.

Senator Hunt moved to strike out the word "investments."

Lost.

Report of committee adopted.

Senator Logan offered a petition on the same subject from citizens of Harrison county.

Read.

Senator Kamrar moved the rule be suspended, 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 Baker, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Gillett, Glass, Graves, Hall, Henderson, Hendrie, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Poyneer, Robinson, Rothert, Stephens, Sutton, Whiting and Wilkin—32.

The nays were:

Senators Abraham, Duncan, Eastman, Gault, Hemenway, Hunt, Nichols, Ryder, Sudlow, Sweney, and Whaley—11.

Absent or not voting:

Senators Barrett, Cassatt, Cotton, Donnan, Johnson, Russell, and Smith—7.

So the bill passed and the title was agreed to.

Senate File No. 187, a bill for an act to amend sections 1487 and 1488, chapter 3, title 2, Code of 1873, relating to bounty on wild animals, with report of Committee on Ways and Means recommending it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Bayless moved that the rule be suspended, 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 Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—40.

The nays were:

Senator Hemenway—1.

Absent or not voting:

Senators Abraham, Baker, Barrett, Cassatt, Chambers, Cotton, Donnan, Johnson, and Russell—9.

So the bill passed and the title was agreed to.

Senator Sutton moved that the sergeant-at-arms be granted leave of absence till next Tuesday.

Senator Hall moved to amend by making the door-keeper sergeant-at-arms in his absence.

Motion as amended carried.

Senator Kamrar was granted leave till next Tuesday.

Senate File No. 220, a bill for an act to amend section 3125 of the Code, in relation to the sale of real estate under execution, with report of Committee on Judiciary recommending amendments and it do pass, was taken up and the report of the committee was adopted.

Senator Smith moved the 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown,

Caldwell, Carr, Carson, Chambers, Chubb, Clark, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, McCoy, McDonough, Miles, Poyneer, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sweney, Whaley, Whiting, and Wilkin—42.

The nays were none.

Absent or not voting:

Senators Cassatt, Cotton, Johnson, Logan, Marshall, Nichols, Russell, and Sutton—8.

So the bill passed and the title was agreed to.

House File No. 10, a bill for an act authorizing the Governor to convey back to the government of the United States certain lands heretofore granted by the State of Iowa to the Sioux City & St. Paul railroad company, was taken up.

Senator Hemenway offered a substitute.

Senator Logan moved the further consideration of the bill be postponed until one week from to-day, and it be made a special order for that day at 2 o'clock, p. m.

Carried.

Senator Bills moved that Senate File No. 21 be made a special order for 10 o'clock Tuesday morning next.

Senator Rothert moved to amend by making the special order for that time Senate File No. 157.

Senator Larrabee moved to amend by taking up Senate File No. 71 now.

The question being upon the motion of Senator Larrabee, the roll was called.

The yeas were:

Senators Abraham, Baker, Brown, Caldwell, Carr, Chubb, Clark, Cotton, Donnan, Duncan, Gault, Henderson, Hendrie Hunt, Hutchison, Kamrar, Larrabee, McDonough, Marshall, Nichols, Poyneer, Robinson, Smith, Sudlow, Sweney, and Whaley—28.

The nays were:

Senators Bayless, Bills, Eastman, Gillett, Glass, Graves, Logan, McCoy, Miles, Rothert, Stephens, Sutton, and Wilkin—13.

Absent or not voting:

Senators Barrett, Bloom, Carson, Cassatt, Chambers, Hall, Hemenway, Johnson, Russell, Ryder, and Whiting—11.

So the motion prevailed.

Motion of Senator Rothert lost.

Senator Bills moved Senate File No. 21 be made special order for next Tuesday.

Senator Robinson moved to amend by making Senate File No. 80 a special order for that time.

Senator Smith moved to amend by making substitute for Senate Files Nos. 106 and 145 special order for that time.

At 6 o'clock the Senate adjourned.

SENATE CHAMBER,  
DES MOINES, IOWA, March 22, 1894. }

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

Journal of yesterday read and approved.

SPECIAL ORDER—LEGALIZING ACTS.

Senate File No. 341, a bill for an act to legalize the incorporation of the town of Sanborn, O'Brien county, Iowa, and the acts of the officers of said town, with report of Committee on Judiciary reporting substitute and recommending substitute be adopted, and that it do pass, was taken up and considered.

Senator Hunt moved the rule be suspended, 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 Abraham, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carson, Chambers, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Poyneer, Robinson, Rother, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—39.

The nays were none.

Absent or not voting:

Senators Baker, Carr, Cassatt, Chubb, Hutchison, Johnson, Kamrar, Nichols, Russell, Ryder, and Smith—11.

So the bill passed and the title was agreed to.

Senate File No. 347, a bill for an act to legalize the official acts of J. B. Mead, a justice of the peace in and for Lyon county, Iowa, with report of Committee on Judiciary recommending it do pass, was taken up and considered.

Senator Barrett moved that the 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 Abraham, Baker, Barrett, Bayless, Bills, Brown, Carr, Carson, Chambers, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rother, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—39.

The nays were none.

Absent or not voting:

Senators Bloom, Caldwell, Cassatt, Chubb, Hemenway, Johnson, Kamrar, Larrabee, Russell, Ryder, and Smith—11.

So the bill passed and the title was agreed to.

Senate File No. 348, a bill for an act to legalize the acts of and to establish the independent school district of Rock Valley, with report of Committee on Judiciary reporting substitute and recommending that substitute be adopted and it do pass, was taken up and considered.

Senator Barrett moved that the 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—43.

The nays were none.

Absent or not voting:

Senators Cassatt, Chambers, Chubb, Johnson, Kamrar, Russell, and Ryder—7.

So the bill passed and the title was agreed to.

#### INTRODUCTION OF A BILL.

By Senator Gault, Senate File No. 388, a bill for an act to legalize certain errors and omissions of the board of supervisors of Appanoose county.

Read a first and second time.

Senator Gault moved that the 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 Abraham, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Henderson, Hendrie, Hunt, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Rothert, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—38.

The nays were none.

Absent or not voting:

Senators Baker, Cassatt, Chambers, Chubb, Hall, Hemenway, Hutchison, Johnson, Kamrar, Robinson, Russell, and Ryder—12.

So the bill passed and the title was agreed to.

Senate File No. 377, a bill for an act to legalize the independent school district of Durham, Marion county, Iowa, together with report

of Committee on Judiciary recommending it do not pass, was taken up and considered, and the bill was indefinitely postponed.

Senate File No. 344, a bill for an act to amend section 1, chapter 59, laws of Iowa, in relation to the assessment and taxation of telegraph poles, with report of committee on Private Corporations recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate File No. 170, a bill for an act to amend sections 1144 and 1147 of the Code, with report of Committee on Judiciary recommending it be indefinitely postponed, was withdrawn by Senator Gault.

#### REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 414, a bill for an act to legalize the acts of the board of supervisors of Ida county in the establishment of roads, by order of said board, on June 6, 1876, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. HEMENWAY, *Chairman.*

On motion of Senator Hemenway the rule was suspended and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Smith, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—41.

The nays were none.

Absent or not voting:

Senators Cassatt, Chambers, Chubb, Hemenway, Johnson, Kamrar, Russell, Ryder, and Stephens—9.

So the bill passed and the title was agreed to.

#### REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 211, a bill for an act to legalize the incorporation of the Free Methodist church of Algona, and the acts of the trustees 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.

H. C. HEMENWAY, *Chairman.*

Report of committee adopted.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 362, a bill for an act to pay to the Hon. John Shane, late district judge, of the eighth judicial district of Iowa, the salary for his unexpired term as such judge, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. HEMENWAY, *Chairman.*

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

The question being shall the bill pass?

The yeas were:

Senators Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Smith, Stephens, Sudlow, Sweeney, Whaley, Whiting, and Wilkin—41.

The nays were none.

Absent or not voting:

Senators Abraham, Cassatt, Chubb, Johnson, Kamrar, Logan, Russell, Ryder, and Sutton—9.

So the bill passed and the title was agreed to.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 303, a bill for an act to legalize the levy of certain taxes in Van Buren 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.

H. C. HEMENWAY, *Chairman.*

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

The question being shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Smith, Sudlow, Sutton, Sweeney, Whaley, Whiting, and Wilkin—42.

The nays were none.

Absent or not voting:

Senators Cassatt, Chubb, Johnson, Kamrar, Rothert, Russell, Ryder, and Stephens—8.

So the bill passed and the title was agreed to.

Senate File No. 267, a bill for an act to repeal section 1377 and

1381 of chapter 1, title 2, of the Code of 1873, and to enact substitute therefor, in relation to the support of the poor, was withdrawn by Senator Brown.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 75, a bill for an act relating to superior 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 indefinitely postponed.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 86, a bill for an act to repeal sections 4413 and 4414 of the Code, and enact substitutes in lieu thereof, relating to jurors 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.

H. C. HEMENWAY, *Chairman.*

Report of committee adopted.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 179, a bill for an act to repeal section 2322 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.

H. C. HEMENWAY, *Chairman.*

Report of committee adopted.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 366, a bill for an act to amend section 2609 of the Code in relation to the truth of returns of notice served on patients in hospitals for the insane, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Senator Donnan, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments, to whom was referred Senate File No. 160, a bill for an act for a constitutional amendment, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

W. G. DONNAN, *Chairman.*

Report of committee adopted.

Senator Barrett, from the Committee on Judicial Districts, submitted the following report:



**MR. PRESIDENT**—Your Committee on Judicial Districts, to whom was referred House File No. 59, a bill for an act providing for holding terms of the circuit court at Avoca, Pottawattamie county, Iowa, and defining the territorial jurisdiction of said court and restricting that of the corresponding court to be held at Council Bluffs, in said county of Pottawattamie, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

O. M. BARRETT, *Chairman*.

Ordered passed on file.

Senator Graves, from the Committee on Municipal Corporations, submitted the following report:

**MR. PRESIDENT**—Your Committee on Municipal Corporations to whom was referred Senate File No. 380, a bill for an act to amend section 1, of chapter 95, of the laws of the Sixteenth General Assembly, in relation to the negotiations of loans by municipal corporations in anticipation of the revenue thereof, beg leave to report that they have had the same under consideration, and have prepared a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that it be adopted and that it do pass.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT**—Your Committee on Municipal Corporations, to whom was referred House File No. 260, a bill for an act to repeal section 468, of chapter 10, title 4, of the Code of 1873, in relation to sidewalks 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.

J. K. GRAVES, *Chairman*.

Ordered passed on file.

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

**MR. PRESIDENT**—Your Committee on Agriculture, to whom was referred Senate File No. 364, a bill for an act to regulate and provide for the construction of tile and other under-ground drains through lands of others, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the the recommendation that the accompanying substitute be adopted and when adopted that it do pass.

T. M. C. LOGAN, *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT**—Your Committee on Agriculture, to whom was referred Senate File No. 375, a bill for an act to appropriate money to aid exhibiting the resources and products of the State of Iowa at the World's Industrial and Cotton Exposition, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: Strike out the words "by the Execu-

tive Council," in lines four and five, section 3; also the words "to be disposed of as the General Assembly shall by law direct," and insert in lieu thereof the words "unless otherwise disposed of by order of the Executive Council," and as so amended that it do pass.

T. M. C. LOGAN, *Chairman*.

Ordered passed on file.

Senator Marshall, from the Committee on Agricultural College, submitted the following report:

MR. PRESIDENT—Your Committee on Agricultural College, to whom was referred House File No. 146, a bill for an act to amend sections 1604, 1606 and 1608, and to repeal and provide a substitute for section 1605 of chapter 3, title 12 of the Code in relation to the trustees of the State Agricultural College, 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 be amended by striking out that part of the 1st section commencing with the word "the" before the word "Governor" in the 5th line and ending with the word "and" in the 6th line, and as so amended that it do pass.

C. A. MARSHALL, *Chairman*.

Ordered passed on file.

Senator McCoy, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred House File No. 76, a bill for an act to amend sections 304 and 307, chapter 2, title 4 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows: After the word "number" in the 16th line in section 2, insert the words, "and the names."

Also, at the end of said section 2, add the following: "Said appeal shall be taken as in ordinary actions and in case of appeal neither publisher to the contest shall receive pay for publishing such proceedings until the case is disposed of in the circuit court." And that after it be so amended that it do pass.

BEN MCCOY, *Chairman*.

Ordered passed on file.

Senator Henderson offered a petition from citizens of Linn county against the passage of Senate Files Nos. 19 and 21.

Passed on file.

Senate File No. 71, a bill for an act to amend chapter 165 of the acts of the Seventeenth General Assembly, relating to the execution of the sentence of death, together with report of Committee on Judiciary reporting back substitute, with the recommendation that the substitute be adopted, and when adopted it do pass, was taken up and considered.

Senator Hall moved a reconsideration by which the report was adopted.

Senator Abraham moved further consideration be postponed and it be made a special order for next Monday at 3 o'clock, and that the substitute and proposed substitute be printed.

Carried.

Senate File No. 142, a bill for an act to revise the school laws of the State of Iowa, and to repeal certain sections thereof and to enact substitutes therefor, with report of Committee on Schools reporting substitute and recommending it do pass, was taken up, and on motion of Senator Hutchison was indefinitely postponed.

Senate File No. 161, a bill for an act relating to the disposition of concealed weapons found upon persons convicted of carrying the same, with report of Committee on Judiciary reporting substitute and recommending it do pass, was taken up and considered.

Senator McCoy moved that the 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 nays were:

Senators Abraham, Baker, Barrett, Bayless, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—41.

The yeas were none.

Absent or not voting:

Senators Bills, Cassatt, Chubb, Johnson, Kamrar, Russell, Ryder, Smith, and Stephens—9.

So the bill passed and the title was agreed to.

Senator Chubb was granted leave of absence.

Senate File No. 155, a bill for an act to protect stock breeders, with report of Committee on Agriculture recommending it do pass, was taken up and considered.

Senator McCoy moved that the 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 Abraham, Brown, Caldwell, Clark, Cotton, Donnan, Duncan, Gillett, Glass, Hemenway, Hendrie, Hunt, Hutchison, Larrabee, McCoy, McDonough, Marshall, Miles, Stephens, Sutton, Whaley, Whiting, and Wilkin—23.

The nays were:

Senators Barrett, Bayless, Eastman, Gault, Hall, Poyneer, Robinson, Rothert, Smith, Sudlow, and Sweney—11.

Absent or not voting:

Senators Baker, Bills, Bloom, Carr, Carson, Cassatt, Chambers, Chubb, Graves, Henderson, Johnson, Kamrar, Logan, Nichols, Russell, and Ryder—16.

So the bill was lost.

House File No. 63, a bill for an act to amend section 2 of chapter 156, of the laws of the Seventeenth General Assembly, as amended by chapter 198 of the laws of the Eighteenth General Assembly, in relation to the protection of game, together with report of Committee on Fish and Game recommending it do pass, was taken up.

Senator Whaley moved that the rule be suspended, 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 Abraham, Baker, Brown, Caldwell, Carr, Chambers, Clark, Donnan, Duncan, Eastman, Graves, Hall, Hemenway, Henderson, Hunt, Hutchison, Larrabee, Logan, McCoy, Miles, Nichols, Poynear, Stephens, Sutton, and Whaley—25.

The nays were:

Senators Barrett, Bayless, Gault, Gillett, Glass, Hendrie, McDonough, Marshall, Robinson, Rother, Smith, Sudlow, Sweney, Whiting, and Wilkin—15.

Absent or not voting:

Senators Bills, Bloom, Carson, Cassatt, Chubb, Cotton, Johnson, Kamrar, Russell, and Ryder—10.

So the bill was lost.

Senate File No. 133, a bill for an act to amend sections 1408, chapter 2, title 11 of the Code of Iowa, relating to the care of the insane, with report of Committee on Hospitals for the Insane recommending it do pass, was taken up and considered.

Senator Abraham moved that the 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 Abraham, Baker, Barrett, Bayless, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poynear, Robinson, Stephens, Sudlow, Sutton, Sweney, Whiting, and Wilkin—39.

The nays were none.

Absent or not voting:

Senators Bills, Cassatt, Chubb, Hemenway, Johnson, Kamrar, Rother, Russell, Ryder, Smith, and Whaley—11.

So the bill passed and the title was agreed to.

House File No. 150, a bill for an act to amend section 1464, of chapter 3 of the Code, in relation to the time of taking up strays, with report of Committee on Agriculture recommending it do pass, was taken up and considered.

Senator Caldwell moved that the 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 Abraham, Baker, Bayless, Caldwell, Carr, Carson, Chambers, Clark, Cotton, Donnan, Eastman, Gillett, Glass, Graves, Hall, Hunt, Larrabee, Marshall, Robinson, Sudlow, Sweney, Whaley, and Whiting—23.

The nays were:

Senators Barrett, Duncan, Gault, Hendrie, Hutchison, McCoy, McDonough, Miles, Poyneer, Stephens, Sutton, and Wilkin—12.

Absent or not voting:

Senators Bills, Bloom, Brown, Cassatt, Chubb, Hemenway, Henderson, Johnson, Kamrar, Logan, Nichols, Rothert, Russell, Ryder, and Smith—15.

So the bill was lost.

Senate File No. 163, a bill for an act to amend section 3730 of the Code, in relation to taking deposition, with report of Committee on Judiciary recommending it do pass, was taken up and considered.

Senator Smith moved that the 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 Abraham, Baker, Barrett, Bayless, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Rothert, Smith, Stephens, Sudlow, Sweney, Whiting, and Wilkin—39.

The nays were none.

Absent or not voting:

Senators Bills, Cassatt, Chubb, Hemenway, Johnson, Kamrar, Poyneer, Russell, Ryder, Sutton, and Whaley—11.

So the bill passed and the title was agreed to.

Senator Duncan moved that when Senate adjourn it adjourn to meet at 2 o'clock this afternoon.

Senator Caldwell moved as a substitute that the hour of adjournment be postponed until 1:30 o'clock this p. m.

Substitute lost.

Motion of Senator Duncan carried.

Senator Gillett moved a reconsideration of the vote by which House File No. 63 was lost.

Carried.

Senator Barrett moved a reconsideration of the vote by which it was ordered to a third reading.

Carried.

Senator Carson was excused until Monday.

Senator Gillett moved that the rule be suspended, 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 Abraham, Baker, Bills, Bloom, Brown, Carr, Carson, Chambers, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Stephens, Sudlow, Sutton, Whaley, and Wilkin—34.

The nays were:

Senators Barrett, Gault, Hendrie, Sweney, and Whiting—5.

Absent or not voting:

Senators Bayless, Caldwell, Cassatt, Chubb, Johnson, Kamrar, Poyneer, Rothert, Russell, Ryder, and Smith—11.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 79, a bill for an act to repeal section 866 of the Code of 1873, in relation to the collection of taxes and redeeming the penalties thereon.

I am also directed to inform you that the House has adopted the following resolutions in which the concurrence of the Senate is asked:

Joint resolution No. 8, relating to free homes for all surviving soldiers and sailors of the Union army.

Joint resolution No. 5, memorial and joint resolution asking Senators and members of Congress to procure the passage of a law giving pensions to all honorably discharged soldiers and sailors of the late war.

A memorial asking Congress to pension prisoners of war.

Also, that the House has adopted:

Senate joint resolution No. 17, authorizing the Governor to procure the portraits in oil of Hon. Ralph P. Lowe, Hon. Augustus C. Dodge, and deceased Territorial and State Governors of Iowa.

Also:

MR. PRESIDENT—I am directed to inform you that the House has passed without amendment:

Senate File No. 94, a bill for an act to amend section 368, chapter 7, title 4, Code of 1873, relating to the compensation of surgeons or physicians in coroners' inquests.

Senate File No. 138, a bill for an act to amend chapter 74, laws of the Eighteenth General Assembly.

Also that the house has passed Senate amendments to House File No. 56, a bill for an act to provide for selling, leasing and patenting the lands belonging to the Iowa Agricultural College and Farm.

House File No. 519, a bill for an act to provide for the levy of one half mill State tax for the years 1884 and 1885 to complete the new capitol building, and to provide increased accommodations for the insane of the State.

SIDNEY A. FOSTER, *Clerk.*

At 12:05 o'clock P. M., the Senate adjourned.

## AFTERNOON SESSION.

2 O'CLOCK P. M.

Senate reconvened, the President in the chair.

House File No. 172, a bill for an act authorizing the appointment of an agent to select certain lands along the line of the railroad from McGregor to Sheldon, and providing for the payment of the fees for such selection, with report of Committee on Public Lands recommending it do pass.

The rule was suspended and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bloom, Brown, Caldwell, Carr, Chambers, Clark, Cotton, Duncan, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Miles, Nichols, Robinson, Rothert, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—38.

The nays were none.

Absent or not voting:

Senators Bills, Carson, Cassatt, Chubb, Donnan, Eastman, Johnson, Kamrar, Marshall, Poyneer, Russell, and Ryder—12.

So the bill passed and the title was agreed to.

Senate File No. 227, a bill for an act repealing chapter 58 of the laws of Sixteenth General Assembly, amendatory of section 518 of the Code, in relation to the election of mayors in cities, with report of committee recommending it do pass, was taken up, considered, and the report of the committee was adopted.

Senator McCoy moved that the 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 Abraham, Baker, Barrett, Bayless, Bloom, Caldwell, Carr, Chambers, Cotton, Duncan, Gault, Gillett, Glass, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Rothert, Smith, Stephens, Sweney, Whiting, and Wilkin—33.

The nays were:

Senators Brown, Hemenway, and Sudlow—3.

Absent or not voting:

Senators Bills, Carson, Cassatt, Chubb, Clark, Donnan, Eastman, Johnson, Kamrar, Marshall, Russell, Ryder, Sutton, and Whaley—14.

So the bill passed and the title was agreed to.

Senator Clark was granted leave of absence until Monday.

Senate File No. 252, a bill for an act to amend section 1112 of the Code of 1873, relating to the membership money of county and district agricultural society, together with report of Committee on Agriculture recommending amendments, was taken up, considered, and the report of the committee was adopted.

Senator \_\_\_\_\_ moved that the 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 Abraham, Bayless, Carr, Chambers, Donnan, Gillett, Hall, Henderson, Hendrie, Hunt, Logan, McDonough, Miles, Nichols, Robinson, Rothert, Stephens, Sudlow, Sutton, Whaley, Whiting, and Wilkin—22.

The nays were:

Senators Baker, Bloom, Brown, Duncan, Gault, Glass, Hemenway, Larrabee, McCoy, and Sweney—10.

Absent or not voting:

Senators Barrett, Bills, Caldwell, Carson, Cassatt, Chubb, Clark, Cotton, Eastman, Graves, Hutchison, Johnson, Kamrar, Marshall, Poyneer, Russell, Ryder, and Smith—18.

So the bill was lost.

Senators Bills and Eastman were granted leave of absence until Monday.

Senator McCoy moved a reconsideration of the vote by which Senate File No. 252 was lost.

Carried.

Senator Smith moved a reconsideration of the vote by which the bill was ordered read a third time.

Carried.

Senator McCoy moved it be made a special order for 2 o'clock p. m. Monday.

Carried.

Senate File No. 121, a bill for an act appropriating the sum of \$645.24 in payment of claims held by John H. Gear and the Burlington Gas Light Company, with report of Committee on Claims recommending it do pass, was taken up and considered.

Senator Hall moved that the rule be suspended, 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 Abraham, Baker, Barrett, Bayless, Bloom, Brown, Carr, Chambers, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Larrabee, McCoy, McDonough, Miles, Nichols, Robinson, Rothert, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—36.

The nays were none.

Absent or not voting:

Senators Bills, Caldwell, Carson, Cassatt, Chubb, Clark, Eastman,



Johnson, Kamrar, Logan, Marshall, Poyneer, Russell, and Ryder—14.

So the bill passed and the title was agreed to.

Senate File No. 176, a bill for an act concerning bells and steam whistles on locomotives, with report of Committee on Railways, who report a substitute and recommend it do pass, was taken up and considered.

Senator Graves moved that the 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 Abraham, Baker, Barrett, Bayless, Bloom, Brown, Carr, Chambers, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Miles, Nichols, Robinson, Rothert, Smith, Stephens, Sudlow, Sweney, Whaley, Whiting, and Wilkin—35.

The nays were:

Senator Hemenway—1.

Absent or not voting:

Senators Bills, Caldwell, Carson, Cassatt, Chubb, Clark, Eastman, Johnson, Kamrar, Marshall, Poyneer, Russell, Ryder, and Sutton—14.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Senator Chambers, 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. 29, a bill for an act relating to a change of the place of trial in civil actions, amending section 2590 of the Code, and find the same correctly enrolled.

J. C. CHAMBERS, *Chairman*.

Senate File No. 181, a bill for an act to authorize railway corporations to condemn lands for additional depot grounds, with report of Committee on Railways recommending amendment and when amended it do pass, was taken up and considered.

Senator Glass moved to amend, by adding after the word "certificate" the words "to the clerk of the circuit court of the county in which the land is situated."

Adopted.

Senator Hall moved to amend, by adding after the words "who shall," in the 5th line, insert "give notice to the land owner and."

Adopted.

Senator Henderson moved that the 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 Barrett, Bayless, Bloom, Cotton, Donnan, Duncan, Graves, Hall, Henderson, Hutchison, McDonough, Robinson, Smith, Stephens, Sutton, Whaley, and Wilkin—17.

The nays were:

Senators Abraham, Baker, Brown, Carr, Gault, Hemenway, Hendrie, Hunt, Larrabee, Logan, McCoy, Miles, Nichols, Rothert, Sweney, and Whiting—16.

Absent or not voting:

Senators Bills, Caldwell, Carson, Cassatt, Chambers, Chubb, Clark, Eastman, Gillett, Glass, Johnson, Kamrar, Marshall, Poyneer, Russell, Ryder and Sudlow—17.

So the bill was lost.

Senator Sutton was granted leave of absence until Monday.

Senator Rothert filed the following motion:

I move that the vote by which Senate File No. 181 was lost be reconsidered; also, that the vote by which the bill was considered engrossed and read a third time be reconsidered.

Senate File No. 209, a bill for an act to repeal sections 1 and 2, chapter 210, of the acts of the Eighteenth General Assembly, with report of Committee on Insurance recommending it do pass, was taken up.

Senator Smith moved it be made a special order for Tuesday next at 11 o'clock A. M.

Lost.

Senator Donnan moved that the bill be engrossed, which motion prevailed, and the bill was considered engrossed.

Senate File 250, a bill for an act relating to conductors on steam railways, with report of Committee on Railways recommending amendments and when amended it do pass, was taken up and considered.

Senator Smith moved to strike out all after the word "arrested" in the 15th line.

Carried.

Senator Smith moved that the bill be engrossed, which motion prevailed, and the bill was ordered engrossed.

Senator Brown filed the following motion.

I move that the vote by which Senate File No. 209 was ordered engrossed be reconsidered, and that this motion will be for consideration on Tuesday next, March 25th.

Senate File No. 298, a bill for an act to amend section 2882 of the Code, in relation to the lien of judgments, was taken up and considered.

Senator Wilkin moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bloom, Brown, Cotton, Duncan, Gault, Gillett, Glass, Hall, Hemenway, Hendrie, Hunt,

Larrabee, Logan, McCoy, Miles, Nichols, Robinson, Smith, Stephens, Sutton, Sweney, Whaley, Whiting, and Wilkin—28.

The nays were none.

Absent or not voting:

Senators Bills, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Donnan, Eastman, Graves, Henderson, Hutchison, Johnson, Kamrar, McDonough, Marshall, Poyneer, Rothert, Russell, Ryder, and Sudlow—22.

So the bill passed and the title was agreed to.

Senate File No. 11, a bill for an act to protect all citizens in their civil and legal rights, with report of Committee on Judiciary recommending amendments and when amended it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Miles moved to insert the words "barber shops" before the word "theatres."

Adopted.

Senator Miles moved that the 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 Abraham, Baker, Bayless, Bloom, Brown, Carr, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Miles, Nichols, Robinson, Smith, Stephens, Sutton, Sweney, Whaley, Whiting, and Wilkin—32.

The nays were none.

Absent or not voting:

Senators Barrett, Bills, Caldwell, Carson, Cassatt, Chambers, Chubb, Clark, Eastman, Graves, Johnson, Kamrar, Marshall, Poyneer, Rothert, Russell, Ryder, and Sudlow—18.

So the bill passed and the title was agreed to.

Senate File No. 358, a bill for an act to amend section 797 of the Code, and to exempt from taxation certain homesteads, together with report of Committee on Ways and Means reporting substitute, recommending its adoption, and that it do pass, was taken up, considered, and the report of the committee adopted.

Senator McCoy moved to amend the substitute by striking out all after the word "widow" in first line to the word "whose" in third, and insert the word "has" before the word "died" in fourth line.

Adopted.

Senator Duncan moved to strike out the word "assessed."

Lost.

Senator McCoy moved that the bill be engrossed, which motion prevailed, and the bill was ordered engrossed.

Senator Larrabee moved that when the Senate adjourn it adjourn to 10 o'clock Monday.

Senator Brown moved to amend by making it 2 o'clock p. m., Monday.

Lost.

Motion of Senator Larrabee carried.

On motion of Senator Rothert House messages were taken up.

## HOUSE MESSAGES.

House File No. 79, a bill for an act to repeal section 866 of the Code of 1873, in relation to the collection of taxes and redeeming the penalties thereon.

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

Joint resolution No. 8, relating to free homes for all surviving soldiers and sailors of the Union army.

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

Joint resolution No. 5, memorial and joint resolution asking Senators and members of Congress to procure the passage of a law giving pensions to all honorably discharged soldiers and sailors of the late war.

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

A memorial, asking Congress to pension prisoners of war.

Read a first and second time and referred to same committee.

House File No. 535, a bill for an act to amend sections 277, 967 and 968 of the Code, giving additional duties and privileges to county surveyors.

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

House File No. 123, A bill for an act to amend section 2578, title 17, chapter 4, of the Code.

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

House File No. 307, a bill for an act to repeal section 10, chapter 70, acts of the Sixteenth General Assembly relating to propagation of fish.

Read a first and second time and referred to the Committee on Fish and Game.

Joint resolution No. 13, in relation to the relief of the heirs of John Elder, was withdrawn by Senator Rothert.

House File No. 104, a bill for an act to prohibit the selling or giving of fire arms to minors, with report of Committee on Judiciary recommending amendments, and when amended it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Stephens moved that the 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 Abraham, Baker, Barrett, Bayless, Brown, Carr, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Miles, Nichols, Poynear, Robinson, Smith, Stephens, Sweney, Whaley, Whiting, and Wilkin—33.

The nays were none.

Absent or not voting:

Senators Bills, Bloom, Clark, Caldwell, Carson, Cassatt, Chambers,

Chubb, Eastman, Johnson, Kamrar, Marshall, Rothert, Russell, Ryder, Sudlow, and Sutton—17.

So the bill passed and the title was agreed to.

Senate File No. 156, a bill for an act to amend section 2841 of the Code, with report of Committee on Judiciary recommending amendments, and when amended it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Larrabee moved that the 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 Abraham, Baker, Barrett, Bayless, Brown, Carr, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Miles, Nichols, Robinson, Smith, Stephens, Sweney, Whaley, Whiting, and Wilkin—32.

The nays were none.

Absent or not voting:

Senators Bills, Bloom, Caldwell, Carson, Cassatt, Chambers, Chubb, Clark, Eastman, Johnson, Kamrar, Marshall, Poynear, Rothert, Russell, Ryder, Sutton and Sudlow—18.

So the bill passed and the title was agreed to.

Senate File No. 193, a bill for an act to amend section 217, chapter 9 of the Code, with report of Committee on Judiciary recommending amendment and it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Wilkin moved that the 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 Abraham, Barrett, Bayless, Brown, Carr, Cotton, Donnan, Duncan, Gillett, Glass, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Miles, Nichols, Robinson, Rothert, Smith, Stephens, Sutton, Sweney, Whiting, and Wilkin—30.

The nays were none.

Absent or not voting:

Senators Baker, Bills, Bloom, Caldwell, Carson, Cassatt, Chambers, Chubb, Clark, Eastman, Gault, Graves, Johnson, Kamrar, Marshall, Poynear, Russell, Ryder, Sudlow, and Whaley—20.

So the bill passed and the title was agreed to.

Senator Abraham moved that the Senate adjourn.

Lost.

Senator Smith moved Senate File No. 294 be taken up.

Lost.

House File No. 194, a bill for an act to amend section 4039 of the Code of 1873, relating to the spread of small-pox and other infectious diseases, with report of Committee on Medicine, Surgery and Hygiene, recommending amendment and when amended it do pass,

was taken up, considered, and the report of the committee was adopted.

Senator Cotton moved that the 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 Abraham, Barrett, Bayless, Brown, Carr, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, Larrabee, McCoy, McDonough, Miles, Nichols, Robinson, Rothert, Smith, Stephens, Sutton, Sweney, Whaley, Whiting, and Wilkin—31.

The nays were none.

Absent or not voting:

Senators Baker, Bills, Bloom, Caldwell, Carson, Cassatt, Chambers, Chubb, Clark, Eastman, Hemenway, Johnson, Kamrar, Logan, Marshall, Poyneer, Russell, Ryder, and Sudlow—19.

So the bill passed and the title as amended was agreed to.

Senator Larrabee moved Senate File No. 194 be omitted to-day, but keep its place on the calendar.

Carried.

Senate File No. 248, a bill for an act to protect the fish in the waters of the State, and punishing the sale thereof in the spawning season, with report of committee recommending amendments and recommend their adoption and as thus amended it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Hall moved that the words "or Missouri" be added after the word "Mississippi" in 4th line.

Carried.

Senator Donnan moved to amend by adding after the word "streams" in 4th line of section 1, "or in any of the lakes or ponds."

Carried.

Senator Glass moved to strike out the word "pickerel" in 7th line.

Lost.

Senator Hall moved that the 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 Abraham, Barrett, Bayless, Bloom, Brown, Carr, Cotton, Donnan, Duncan, Gault, Gillett, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Miles, Nichols, Robinson, Rothert, Smith, Stephens, Sudlow, Sutton, Whaley, Whiting, and Wilkin—32.

The nays were:

Senator Glass—1.

Absent or not voting:

Senators Baker, Bills, Caldwell, Carson, Cassatt, Chambers, Chubb, Clark, Eastman, Graves, Johnson, Kamrar, Marshall, Poyneer, Russell, Ryder, and Sweney—17.

So the bill passed and the title was agreed to.

Senator Robinson filed the following motion:

I move a reconsideration of the vote by which Senate File No. 155 failed to pass the Senate. I also move a reconsideration of the vote by which the rule was suspended and said bill was ordered to a third reading.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has passed the following without amendment.

Substitute for a Senate File No. 90, a bill for an act to relinquish and reconvey to the United States all lands and rights to lands granted to the State of Iowa by the acts 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 the State of Iowa; approved May 12, 1864;" which have not been earned pursuant to the provisions of said act.

Also, that the House has adopted without amendment Senate joint resolution No. 6, in regard to grant of public lands to railroads.

Also, that the House has adopted the following joint resolutions, in which the concurrence of the Senate is asked:

Joint resolution No 7, H. R., in relation to a claim of Benjamin J. Everett for damage caused by Cheyenne Indians.

Joint resolution No. 12, H. R. Joint resolution relative to the appointment of an agent for the collection of any amount that may be due the State of Iowa from the United States, as a refund of the direct war tax, and also as a refund of interest on money advanced by the State during the civil war.

SIDNEY A. FOSTER, *Clerk.*

Senate File No. 329, a bill for an act to repeal section 1381, of chapter 1, title 11, of the Code of 1873, and to enact a substitute therefor, with report of Committee on Ways and Means report substitute and recommending it do pass, was taken up and considered.

Senator Brown moved to amend by adding to end of section the following: "The expense of the poor-house shall include such an amount of tuition for the instruction of pauper children as the whole number of days attendance of such pauper children is to the total number of days attendance to the school at which such pauper children attend and such amount shall be paid into the treasury of the district where said children reside."

Adopted.

Senator Brown moved that the 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 Abraham, Baker, Barrett, Bloom, Brown, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Henderson, Hendrie, Hunt, Hutchison,

Larrabee, Logan, McCoy, McDonough, Miles, Nichols, Robinson, Stephens, Sutton, Whaley, Whiting, and Wilkin—27.

The nays were:

Senator Sweney—1.

Absent or not voting:

Senators Bayless, Bills, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Eastman, Graves, Hall, Hemenway, Johnson, Kamrar, Marshall, Poyneer, Rothert, Russell, Ryder, Smith, and Sudlow—22.

So the bill passed and the title was agreed to.

Senator Robinson moved a reconsideration of vote by which House File No. 10, was made a special order.

Carried.

Senator Robinson moved that the bill be indefinitely postponed.

Carried.

Senator Hutchison moved that the hour for adjournment be extended ten minutes.

Carried.

#### HOUSE MESSAGES.

Joint resolution No. 7, H. R., in relation to a claim of Benjamin J. Everett, for damages caused by Cheyenne Indians.

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

Joint resolution No. 12, H. R., joint resolution relative to the appointment of an agent for the collection of any amount that may be due the State of Iowa from the United States, as a refund of the direct war tax, and also as a refund of interest on money advanced by the State during the civil war.

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

At 6:05 o'clock, on motion of Senator Duncan the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, March 24, 1884. }

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

Prayer by Rev. E. K. Young.

Journal of Saturday 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 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. 138, a bill for an act to amend chapter 74 of the laws of the Eighteenth General Assembly.

Senate File No. 94, a bill for an act to amend section 368, chapter 7, title 4 of the Code of 1873, relating to the compensation of surgeons or physicians in coroners' inquests.

SIDNEY A. FOSTER, *Clerk.*

#### PETITIONS, MEMORIALS, ETC.

Senator McDonough offered a petition from citizens of Iowa relative to military instruction at the Agricultural College.

Senator Sudlow offered a petition from citizens of Jasper county for Referred to Committee on Agricultural College.  
a normal school.

Referred to Committee on Normal Schools.

#### REPORTS OF COMMITTEES.

Senator Sudlow, from the Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your committee on Engrossed Bills respectfully report that they have examined:

Senate Files Nos. 209, 250, and substitute for Senate File No. 358, and find the same correctly engrossed.

E. C. SUDLOW, *Chairman.*

Senator Sweney, 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. 138, a bill for an act to amend chapter 74 of the laws of Eighteenth General Assembly.

Senate File No. 94, a bill for an act to amend section 368, chapter 7, title 4 of the Code of 1873, relating to the compensation of surgeons or physicians in coroners' inquests.

And find the same correctly enrolled.

J. H. SWENEY, *Acting Chairman.*

The President signed Senate Files Nos. 138 and 94 in the presence of the Senate.

#### INTRODUCTION OF BILLS.

By Senator Clark, Senate File No. 389, a bill for an act to provide for appointment of justices of the peace in certain cities.

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

By Senator Sudlow, Senate File No. 390, a bill for an act to legalize the acts of the Lynnville Building Association, of Lynnville, Jasper county, Iowa.

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

By Judiciary Committee, Senate File No. 391, a bill for an act to punish public officers for the illegal levying and collecting of taxes.

Read a first and second time.

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

Carried.

Senator Donnan moved that all that part in relation to the county auditors and county treasurers be stricken out.

Senator Robinson moved to amend by striking out all that which applies to secretary of school board, clerk of city, and recorder.

Accepted.

The question being upon the adoption of the amendment offered by Senator Donnan, the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Bayless, Carson, Clark, Cotton, Donnan, Duncan, Henderson, Hunt, McDonough, Miles, Robinson, Rother, Sutton, and Whiting—14.

The nays were:

Senators Abraham, Barrett, Bloom, Carr, Gault, Gillett, Glass, Hemenway, Hendrie, Larrabee, Logan, Nichols, Stephens, Sudlow, Whaley, and Wilkin—16.

Absent or not voting:

Senator Baker, Bills, Brown, Caldwell, Cassatt, Chambers, Chubb, Eastman, Graves, Hall, Hutchison, Johnson, Kamrar, McCoy, Marshall, Poynear, Russell, Ryder, Smith, and Sweney—20.

So the motion was lost.

Senator Robinson moved that the bill be committed to Committee on Judiciary.

Carried.

#### REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 344, a bill for an act to repeal sections 3909, chapter 4, title 24, of the Code and enact a substitute therefor in relation to embezzlement, beg leave to report that they 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. HEMENWAY, *Chairman.*

Report of committee adopted.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 76, a bill for an act to suppress the circulation and vending of obscene literature and articles of indecent and immoral use, and to confiscate such property used or designed to be in the manufacture of such 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 accompanying substitute, with the recommendation that the substitute be adopted, and when adopted that it do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 276, a bill for an act legalizing conveyances, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that said bill be amended by striking out section 2 and inserting the following:

Sec. 2. That the acknowledgments of all deeds, mortgages, or other instruments in writing, taken and certified in this State previous to the first day of January, 1884, and which have been duly recorded in the proper counties of this State, be and the same are hereby declared to be legal and valid in all courts of law or equity in this State, anything in the laws of the State to the contrary notwithstanding, and such service shall impart constructive notice of the contents of such instrument, in the same manner as though the same had been properly acknowledged.

And that so amended that it do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 371, a bill for an act to amend section 1 and to strike out a part of section 1, and to strike out all of section 2, of chapter 79, of the acts of the Sixteenth General Assembly, in relation to tax sales, and notice in tax sales, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. C. HEMENWAY, *Chairman*.

Report of committee adopted.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 369, a bill for an act to repeal section 4712 of the Code, and to enact a substitute therefor, providing for a board of pardons, etc., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. C. HEMENWAY, *Chairman*.

Report of committee adopted.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 381, a bill for an act to authorize township trustees to employ attorneys 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.

H. C. HEMENWAY, *Chairman*.

On motion of Senator McDonough the rule was suspended and this bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bayless, Bloom, Carr, Carson, Clark, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Hall, Hemenway, Henderson, Hendrie, Hunt, Larrabee, Logan, McCoy, McDonough, Miles, Rothert, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—31.

The nays were none:

Absent or not voting:

Senators Baker, Bills, Brown, Caldwell, Cassatt, Chambers, Chubb, Eastman, Graves, Hutchison, Johnson, Kamrar, Marshall, Nichols, Poyneer, Robinson, Russell, Ryder, and Smith—19.

So the bill passed and the title was agreed to.

#### REPORTS OF COMMITTEES.

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

**MR. PRESIDENT**—Your Committee on Judiciary, to whom was referred House File No. 54, a bill for an act to amend chapter 211, laws of 1880, relating to 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 be referred to the committee on Insurance.

H. C. HEMENWAY, *Chairman.*

Report of committee adopted.

Also:

**MR. PRESIDENT**—Your Committee on Judiciary, to whom was referred a resolution instructing said committee to prepare and present a resolution referring back to the Governor all matters of application for pardon, beg leave to report 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.

H. C. HEMENWAY, *Chairman.*

The question being upon the adoption of the joint resolution, Senator Bloom moved to amend by adding the following:

*Provided*, That the resolution shall not apply to the application of Wm. Dilley.

Senator Stephens moved to amend the amendment by adding the case of Finis Allen.

Senator Logan moved postponement of the matter until next Friday.

Senator Hall moved to amend by making it a special order for four o'clock this afternoon.

Carried.

Motion as amended carried.

Senator Sweney, 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. 138, an act to amend chapter 74, laws of the Eighteenth General Assembly.

Senate File No. 94, an act to amend section 368, chapter 7, title 4, Code of 1873, relating to the compensation of surgeons or physicians in coroner's inquests.

**J. H. SWENEY, *Acting Chairman.***

Senator Whaley, from the Committee on Military, submitted the following report:

**MR. PRESIDENT**—Your Committee on Military, to whom was referred joint House resolution and memorial No. 8, in relation to free homes for all surviving soldiers and sailors of the Union army, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

**WHALEY, *Chairman.***

On motion of Senator Whaley the rule was suspended and the joint resolution was read a third time.

The question being shall the joint resolution pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bloom, Carson, Clark, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Hall, Henderson, Hunt, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Rothert, Smith, Stephens, Sudlow, Sweney, Whaley, Whiting, and Wilkin—29.

The nays were none.

Absent or not voting:

Senators Bills, Brown, Caldwell, Carr, Cassatt, Chambers, Chubb, Eastman, Graves, Hemenway, Hendrie, Hutchison, Johnson, Kamrar, Logan, Poyneer, Robinson, Russell, Ryder, and Sutton—21.

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

#### REPORT OF COMMITTEE.

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

**MR. PRESIDENT**—Your Committee on Appropriations, to whom was referred House File No. 199, a bill for an act to authorize the trustees of the Iowa Hospital for the Insane at Independence to purchase 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 it do pass.

**P. M. SUTTON, *Chairman.***

Ordered passed on file.

Senator Hemenway moved the reports of Committee on Appropriations be placed on the calendar to be taken up when the Senate so desires.

Carried.

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

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 177, a bill for an act making appropriations for the Boys' Reform School at Eldora, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report that they have prepared a substitute therefor, and recommend that the substitute be adopted, and when adopted that the bill do pass.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 311, a bill for an act making appropriations for the College for the Blind at Vinton, Iowa, beg leave to report that they have had the same under consideration, and have prepared a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted and when adopted that the bill do pass.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 361, a bill for an act to amend section 1121, chapter 3, title 9 of the Code of 1873, to increase the annual appropriations to the State Horticultural 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.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 286, a bill for an act making an appropriation for the State Fish Commission, with the accompanying report of the Committee on Fish and Game, beg leave to report that they have had the same under consideration, and have instructed me to report the bill back to the Senate with the recommendation that it do pass.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 257, a bill for an act to appropriate funds to carry on the work at the Additional Penitentiary at Anamosa, beg leave to report that they have had the same under consideration, and have instructed me to report an amendment thereto back to the Senate with the recommendation that it be adopted, amended by striking out all after the words "and the architect" in section 2, and inserting, "not more than one-half of the total sum appropriated herein shall be drawn during the year 1884; and, *provided, also,* that no sum appropriated by this act for any specified purpose shall be used for any

other purpose, and only so much thereof for any specified purpose as may be found necessary;" and when so amended that the bill do pass.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 125, a bill for an act to appropriate funds to furnish buildings, buy land, and make improvements for the Soldiers' Orphans' Home at Davenport, Iowa, beg leave to report that they have had the same under consideration, and have prepared a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and when adopted, that the bill do pass.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 264, a bill for an act for an appropriation in aid and support of the State University of Iowa, beg leave to report that they have had the same under consideration, and have prepared a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted and when adopted that the bill do pass.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 254, a bill for an act making appropriations for the improvement of the Iowa Penitentiary at Ft. Madison, beg leave to report that they have had the same under consideration, and have adopted amendments thereto, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out item 1, of section 1, and inserting the following in lieu thereof: "For completing steam heating apparatus, \$2,000;" and also by striking out item 4, of section 1; and also by adding to section 2 the following: "and provided, further, that no sum appropriated by this act for any specified purpose shall be used for any other purpose, and only so much thereof for any specified purpose as may be found necessary;" and when so amended that the bill do pass.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 200, a bill for an act making appropriations for the girls' department of the Iowa Reform School, beg leave to report that they have had the same under consideration, and have prepared a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted and when adopted that the bill do pass.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 192, 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 adopted amendments thereto, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out all between the words "provided" and "provided further," in section 2, and inserting the following: "That no sum appropriated for any specified object shall be used for any other, and only so much thereof for the specified object as the trustees and Executive Council shall deem necessary;" also by striking out the words and figures of item 7, in section 1, "three thousand dollars (\$3,000)," and inserting "six hundred dollars (\$600);" and when so amended that the bill do pass.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 185, a bill for an act making appropriations for the Iowa Agricultural College, beg leave to report that they have had the same under consideration, and have prepared a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted and when adopted that the bill do pass.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 208, a bill for an act making appropriations for the Iowa Institution for Feeble-Minded Children at Glenwood, beg leave to report that they have had the same under consideration, and have prepared a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted and when adopted that the bill do pass.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 352, a bill for an act making an appropriation for the support of the State Normal School at Cedar Falls, and conferring certain authority upon the board of directors thereof, beg leave to report that they have had the same under consideration, and have prepared a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted and when adopted that the bill do pass.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 229, a bill for an act making appropria-



tions for the institution for the Deaf and Dumb, beg leave to report that they have had the same under consideration, and have prepared a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted and when adopted that the bill do pass.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

#### BILLS ON SECOND READING.

Senate File No. 359, a bill for an act to prohibit the use of barb wire in enclosing public school grounds, with report of Committee recommending that it do pass, was taken up and considered.

Senator Wilkin moved that the 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 Abraham, Baker, Barrett, Bloom, Carson, Clark, Cotton, Donnan, Duncan, Gillett, Glass, Hall, Hemenway, Henderson, Hunt, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Rothert, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—32.

The nays were:

Senators Carr, Gault, and Hendrie—3.

Absent or not voting:

Senators Bayless, Bills, Brown, Caldwell, Cassatt, Chambers, Chubb, Eastman, Graves, Hutchison, Johnson, Kamrar, Poynear, Russell, and Ryder—15.

So the bill passed and the title was agreed to.

Senator Hutchison was granted leave of absence until to-morrow.

Senate File No. 380, a bill for an act to amend section 1 of chapter 95 of the laws of the Sixteenth General Assembly, in relation to the negotiation of loans by municipal corporations in anticipation of the revenues thereof, with report of committee reporting substitute, recommending its adoption, and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Gillett moved that the 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 Abraham, Baker, Barrett, Bayless, Bloom, Carr, Carson, Clark, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Hall, Henderson, Hendrie, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Smith, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—32.

The yeas were none.

Absent or not voting:

Senators Bills, Brown, Caldwell, Cassatt, Chambers, Chubb, East-

man, Graves, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Poyneer, Rothert, Russell, Ryder, and Stephens—18.

So the bill passed and the title was agreed to.

Senate File No. 191, a bill for an act relating to the study of physiology and hygiene in the public schools with special reference to the effects of alcoholic drinks, tobacco, and all narcotics upon the human system, with report of committee reporting substitute and recommending that substitute be adopted, and when adopted it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Larrabee moved that the 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 Abraham, Baker, Barrett, Carson, Clark, Cotton, Donnan, Duncan, Gillett, Glass, Hemenway, Henderson, Hunt, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—29.

The nays were:

Senators Bayless, Carr, and Hendrie—3.

Absent or not voting:

Senators Bills, Bloom, Brown, Caldwell, Cassatt, Chambers, Chubb, Eastman, Gault, Graves, Hall, Hutchison, Johnson, Kamrar, Poyneer, Rothert, Russell, and Ryder—18.

So the bill passed and the title was agreed to.

Senate File No. 366, a bill for an act to amend section 2609 of the Code, in relation to the truth of return of notice served on patients in hospitals for the insane, was taken up and considered.

Senator Donnan moved the rule be suspended, the bill 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 Abraham, Baker, Barrett, Bayless, Bloom, Carr, Carson, Clark, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Smith, Stephens, Sudlow, Sweney, Whaley, Whiting, and Wilkin—34.

The nays were none.

Absent or not voting:

Senators Bills, Brown, Caldwell, Cassatt, Chambers, Chubb, Eastman, Hutchison, Johnson, Kamrar, Poyneer, Rothert, Russell, Ryder, and Sutton—16.

So the bill passed and the title was agreed to.

At 12:10 o'clock the Senate adjourned.

## AFTERNOON SESSION.

2 O'CLOCK P. M

Senate reconvened, with the President in the chair.

## BILLS ON THIRD READING.

Senate File No. 358, a bill for an act to amend section 797 of the Code, and to exempt from taxation certain homesteads.

The bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Brown, Caldwell, Carson, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Henderson, Hunt, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Rothert, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—33.

The nays were:

Senators Bayless, Carr, Gault, Hall, and Hendrie—5.

Absent or not voting:

Senators Bills, Bloom, Cassatt, Chambers, Chubb, Glass, Hemenway, Hutchison, Johnson, Kamrar, Poyneer, and Ryder—12.

So the bill passed and the title was agreed to.

Senator Eastman moved a reconsideration of the vote by which the bill passed.

Lost.

Senate File No. 250, a bill for an act relating to conductors on steam railways.

The bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bloom, Caldwell, Carson, Chambers, Clark, Donnan, Duncan, Glass, Graves, Hall, Henderson, Hendrie, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Smith, Stephens, Sutton, Sweney, and Whiting—29.

The nays were:

Senators Bills, Brown, Cotton, Eastman, Hemenway, Hunt, Larrabee, Logan, McCoy, and Sudlow—10.

Absent or not voting:

Senators Carr, Cassatt, Chubb, Gault, Gillett, Hutchison, Johnson, Kamrar, Ryder, Whaley, and Wilkin—11.

So the bill passed and the title was agreed to.

## INTRODUCTION OF A BILL.

By Senator Miles (by leave) Senate File No. 392, a bill for an act concerning the impannelling of grand jurors.

Read a first and second time.

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

Senator Russell moved that the bill be referred to the Committee on Judiciary.

Lost.

Senator Rothert moved to amend by committing the bill to a special committee of five.

Senator Miles moved to amend by referring it to the Committee on Suppression of Intemperance.

Accepted.

So referred.

## BILLS ON SECOND READING.

Senate File No. 194, a bill for an act to prevent riotous mobs and and the lynching of persons in this State, with report of committee reporting a substitute, and recommending that the substitute be adopted, and when adopted it do pass, was taken up.

Senator Smith moved that section 3 be stricken from the bill.

Carried.

Senator Hall moved that the bill be indefinitely postponed.

Carried.

Senate File No. 261, a bill for an act to repeal section 1729 of the Code, and to enact a substitute therefor, in relation to powers of school directors, together with report of committee recommending it do pass, was taken up and considered.

Senator Duncan moved to strike out the words "works of science, travel and history."

Lost.

Senator Russell moved the rules 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 Abraham, Baker, Barrett, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Clark, Cotton, Eastman, Gault, Glass, Graves, Hall, Hemenway, Henderson, Hunt, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Rothert, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—37.

The nays were:

Senators Donnan, Duncan, and Robinson—3.

Absent or not voting:

Senators Bayless, Cassatt, Chubb, Gillett, Hendrie, Hutchison, Johnson, Kamrar, Poyneer, and Ryder—10.

So the bill passed and the title was agreed to.

## SPECIAL ORDER.

Senate File No. 71, a bill for an act to amend chapter 165 of the acts of the Seventeenth General Assembly, relating to the execution of the sentence of death, with report of committee reporting back substitute, with the recommendation that the substitute be adopted, and when adopted it do pass, was taken up and considered.

Senator Smith moved to amend by striking out the word "shall," and insert "may" in seventh line, fourth section.

Carried.

Senator Hall offered a substitute, which was lost.

The substitute offered by the committee was adopted.

Senator Smith moved that the bill be engrossed, which motion prevailed, and the bill was ordered engrossed.

Senate File No. 277, a bill for an act to regulate admission to practice as attorney and counselor in the courts in this State, with report of committee recommending amendment and it do pass, was taken up and considered.

Senator Glass moved to amend by striking out the words "one year," and substitute "two years" in section 5, line 5.

Lost.

Senator Larrabee moved to strike out the words "exclusively in the supreme," or insert, "any court of record."

Upon this the yeas and nays were demanded, and the roll was called.

The yeas were:

Senators Caldwell Carr, Cotton, Donnan, Gault, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Poyneer, and Sutton—13.

The nays were:

Senators Abraham, Bayless, Bills, Bloom, Brown, Carson, Clark, Duncan, Gillett, Glass, Hall, Hemenway, Henderson, Hendrie, Nichols, Robinson, Rothert, Russell, Sudlow, Sweney, Whaley, Whiting, and Wilkin—23.

Absent or not voting:

Senators Baker, Barrett, Cassatt, Chambers, Chubb, Eastman, Graves, Hunt, Hutchison, Johnson, Kamrar, Ryder, Smith, and Stephens—14.

So the amendment was lost.

## MESSAGE FROM THE HOUSE

The following message was received from the House:

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

House File No. 422, a bill for an act to provide for the erection of monuments to deceased soldiers of the late war.

House File No. 528, a bill for an act authorizing the Auditor of State to issue certificates of purchase to the owners of certain school lands in Decatur county.

House File No. 272, a bill for an act to legalize the incorporation of the town of Nashua, Chickasaw county, etc.

House File No. 467, a bill for an act for an appropriation in aid and support of the State University of Iowa.

House File No. 465, a bill for an act to promote the cheese and dairy interests of the State of Iowa.

House File No. 460, a bill for an act making an appropriation for the College for the Blind.

House File No. 544, a bill for an act providing for the care and management of the new capitol.

House File No. 482, a bill for an act to provide for a board of supervisors of State institutions and to define their powers.

House File No. 461, a bill for an act making an appropriation to employ an expert oculist for the benefit of the inmates of the College for the Blind.

House File No. 545, a bill for an act making an appropriation for the better support of the State University.

Also, that the House has adopted the following concurrent resolution, and asks the concurrence of the Senate.

Concurrent resolution No. 25, relating to the pardon of Lewis Wreck.

House File No. 511, a bill for an act to relieve Mrs. J. W. Maddy, of Marne, Cass county, Iowa, whose husband was killed July 14, 1883, by the murderers of Postmaster Clingan, of Polk City, Iowa.

I am also directed to inform you that the House has passed without amendment:

Senate File No. 303, a bill for an act to legalize the levy of certain taxes in Van Buren county, Iowa.

SIDNEY A. FOSTER, *Clerk.*

The substitute as amended was adopted and the bill was ordered engrossed.

Senate File No. 305, a bill for an act to provide for the inspection and to regulate the sale of petroleum and its products, and to repeal chapter 172 of the acts of the Seventeenth General Assembly and section 3901 of the Code, was taken up for consideration.

Senator Bayless moved to amend by adding the word "half" before the word "pint" in line 11, section 2.

Adopted.

Senator Bayless moved to amend same section by striking out the words "Iowa State Board of Health," and inserting the words "professor of chemistry of the State University."

Lost.

Senator Rothert moved to amend by inserting after the word "health" in twelfth line, section 2, the words "in connection with the professor of chemistry of the State University."

Lost.

Senator Caldwell moved to strike out the words "fifty" in lines seven and eight in section 4, and insert "one hundred."

Adopted.

Senator Wilkin moved to strike out the words, "the same as if inspected in such package, barrel, or cask" in twelfth and thirteenth lines, section 4, and insert, "four dollars for each tank."

Adopted.

Senator Sweney moved to strike out the word "or" in line six, section 7, and insert the word "the."

Adopted.

Senator Caldwell moved to amend by striking out the words "two hundred and fifty" in line three, section 10; also, to insert the words, "open test" after the word "thermometer" in third line same section.

Adopted.

Senator Bayless moved to strike out all of section 13 after the word "oil" in fifth line.

Carried.

Senator Glass moved to amend by adding to end of section the following: "Providing the same shall be branded below the test required in this act."

Lost.

Senator Robinson moved to amend by inserting the words "knowingly or negligently" after the word "shall" in first line, section 13.

Adopted.

Senator Whaley moved that when the Senate adjourn it adjourn to 7:30 o'clock to-night.

Senator Bloom moved to amend by substituting eight.

Accepted.

Senator Rothert moved to amend by substituting 10 o'clock to-morrow morning.

Lost.

Motion carried.

Senator Larrabee moved to strike out the words "professor of chemistry in the State University at Iowa City" and the word "his" in second and third lines, section 14.

Pending discussion at 6 o'clock the Senate adjourned.

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### EVENING SESSION.

8:00 O'CLOCK P. M.

Senate reconvened, the President in the chair.

### CONCURRENT RESOLUTION.

Senator Logan offered the following concurrent resolution:

*Resolved by the Senate, the House concurring,* That there be

printed for distribution 3,000 copies of the special report of Mr. Stalker, veterinary surgeon, in relation to the foot and mouth disease, in Woodson county, Kansas.

Lost.

Consideration of Senate File No. 305 resumed.

Senator Larrabee's amendment was adopted.

Senator Robinson moved to strike out section 14.

Senator Bayless moved to insert in place thereof a substitute.

Lost.

Motion of Senator Robinson prevailed.

Senator Chambers moved to insert the word "not" after the word "barrels" in seventh line, section 6.

Senator Hall moved to strike out the words "before having been" in third line, section 6, and insert "which has not been."

Adopted.

Senator Robinson moved to amend by inserting the words "and such packages, casks or barrels rebranded," after the word "inspected" in eighth line, section 6.

Adopted.

Senator Bloom moved to add another section to the bill, which he offered.

Lost.

Senator Poyneer moved to amend by striking out the word "use" in seventh line, section 6, and insert the word "refill."

Senator Robinson moved to amend by inserting the words "erasing such brand and" after the word "method" in eighth line, section 6.

Adopted.

Senator Sweney moved to amend by inserting after the word "oil" in second line, section 6, the words "products of petroleum."

Adopted.

Senator Larrabee moved to strike out publication clause.

Carried.

Senator Bayless moved that the bill be engrossed, and it was so ordered.

Senator Graves moved that Senate File No. 233 be now taken up.

Senator Bills moved to amend by taking up Senate File No. 21.

Carried.

Senate File No. 21, a bill for an act to prevent unjust discrimination in rates for transportation of freight by railway corporations, companies, or individuals, doing business as common carriers in whole or in part within the State of Iowa, and to provide a punishment therefor, together with report of committee recommending that it do not pass, was taken up.

Senator Whaley moved a reconsideration of the vote by which Senate File No. 21 was taken up.

Lost.

Senator Bills moved to amend by inserting after the word "line" in fifth line, section 1; also at end of seventh line the words "within this State."

Carried.

Pending discussion, at 11:05 o'clock, on motion of Senator Clark, the Senate adjourned.



SENATE CHAMBER.  
DES MOINES, IOWA, March 25, 1884 }

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

Prayer by Rev. Mr. Davis.

Journal of yesterday read and approved.

Senator Chubb moved that Senate File No. 252 be taken up immediately after disposal of Senate File No. 21.

Carried.

Consideration of Senate File No. 21 resumed.

Senator Sutton offered the following amendment:

Add to Section 1: "*Provided*, that no provision of this act shall prevent any railway company from giving such rates to farmers, manufacturers, wholesale dealers and business men of this State such rates as will enable them to compete on equal terms at all railway stations in this State with farmers, manufacturers, wholesale dealers and business men of other States."

Senator Sweney moved to add the following:

"And provided further, that there shall be no discrimination between any of the classes of persons herein named."

Accepted.

Upon the adoption of the amendment the yeas and nays were demanded, and the roll was called.

The yeas were:

Senators Abraham, Baker, Brown, Carson, Clark, Cotton, Donnan, Duncan, Gault, Gillett, Graves, Hall, Henderson, Hutchison, Johnson, Kamrar, Larrabee, Logan, McDonough, Marshall, Miles, Robinson, Rothert, Russell, Ryder, Sutton, Whaley, and Wilkin—28.

The nays were:

Senators Bayless, Bills, Caldwell, Carr, Chambers, Eastman, Glass, Hemenway, Hendrie, Hunt, Poyneer, Stephens, Sudlow, Sweney, and Whiting—15.

Absent or not voting:

Senators Barrett, Bloom, Cassatt, Chubb, McCoy, Nichols, and Smith—7.

So the amendment was adopted.

REPORT OF COMMITTEE.

Senator Sudlow, 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. 277, and substitute for Senate File No. 71, and find the same correctly engrossed.

E. C. SUDLOW, *Chairman*.

Senator Rothert moved that the hour of adjournment be extended ten minutes.

Carried.

Senator Hutchison moved that the time fixed for adjournment be extended until fifteen minutes after twelve.

Senator Abraham moved the vote by which the amendment was adopted be reconsidered.

Upon this the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Abraham, Bills, Brown, Carr, Chambers, Chubb, Duncan, Eastman, Glass, Hemenway, McCoy, Miles, Poyneer, Stephens, Sudlow, Sweney, Whaley, and Whiting—18.

The nays were:

Senators Baker, Caldwell, Carson, Cotton, Donnan, Graves, Hall, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McDonough, Marshall, Nichols, Robinson, Rothert, Russell, Ryder, Sutton, and Wilkin—23.

Absent or not voting:

Senators Barrett, Bayless, Bloom, Cassatt, Clark, Gault, Gillett, Hendrie, and Smith—9.

So the motion was lost.

The question being, shall the bill be engrossed, the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Abraham, Bills, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Cotton, Donnan, Duncan, Eastman, Glass, Graves, Hemenway, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—28.

The nays were:

Senators Baker, Clark, Gillett, Henderson, Hunt, Johnson, Kamrar, Larrabee, Logan, Robinson, Rothert, Russell, and Ryder—13.

Absent or not voting:

Senators Barrett, Bayless, Bloom, Cassatt, Gault, Hall, Hendrie, Hutchison, and Smith—9.

So the bill was ordered engrossed.

At 12:15 o'clock the Senate adjourned.

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## AFTERNOON SESSION.

2:00 O'CLOCK P. M.

Senate reconvened, the President in the chair.

### PETITIONS, MEMORIALS, ETC.

Senator Smith offered a petition from citizens of Polk county for aid in erection of soldiers' home.

Referred to Committee on Military.

Senator Kamrar offered a petition from citizens of Hamilton county in reference to trustees of Agricultural College.

Referred to Committee on Agricultural College.

Senator Chubb offered a remonstrance from citizens of Kossuth county against dividing the county.

Referred to Committee on County and Township Organization.

#### HOUSE MESSAGES.

House File No. 422, a bill for an act to provide for the erection of monuments to deceased soldiers of the late war.

Read a first and second time and referred to the Committee on Military.

House File No. 528, a bill for an act authorizing the Auditor of State to issue certificates of purchase to the owners of certain school lands in Decatur county.

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

House File No. 272, a bill for an act to legalize the incorporation of the town of Nashua, Chickasaw county, etc.

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

House File No. 544, a bill for an act providing for the care and management of the new capitol.

Read a first and second time and referred to the Committee on Public Buildings.

House File No. 432, a bill for an act to provide for a board of supervisors of State institutions, and to define their powers.

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

House File No. 467, a bill for an act for an appropriation in aid and support of the State University of Iowa.

Read a first and second time and referred to the Committee on Appropriations.

House File No. 465, a bill for an act to promote the cheese and dairy interests of the State of Iowa.

Read a first and second time and referred to the Committee on Agriculture.

House File No. 460, a bill for an act making an appropriation for the College for the Blind.

Read a first and second time and referred to the Committee on Appropriations.

House File No. 461, a bill for an act making an appropriation to employ an expert oculist for the benefit of the inmates of the College for the Blind.

Read a first and second time and referred to the Committee on Appropriations.

House File No. 511, a bill for an act to relieve Mrs. J. W. Maddy, of Marne, Cass county, Iowa, whose husband was killed July 14, 1883, by the murderers of Postmaster Clingan, of Polk City, Iowa.

Read a first and second time and referred to the Committee on Appropriations.

House File No. 545, a bill for an act making an appropriation for the better support of the State University.

Read a first and second time and referred to the Committee on Appropriations.

Concurrent resolution No. 25, relating to the pardon of Lewis Weirich.

Read a first and second time and referred to the Committee on Penitentiary.

Senator Sweney moved that House File No. 47, be taken up and considered.

Senator Whaley moved to amend by substituting Senate File No. 233.

Senator Brown called up his motion to reconsider the vote by which Senate File No. 209 was ordered engrossed, and the vote was reconsidered, and on motion of Senator Brown the bill was referred to the Committee on Insurance.

#### REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 379, a bill for an act making an appropriation for the Hospital for the Insane at Independence, beg leave to report that they have had the same under consideration, and have prepared a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and when adopted that the bill do pass.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred a substitute for Senate Files Nos. 38, 39, 99, 110, 112, 147, 198, 273, 281, 297 and 324, a bill for an act to establish and maintain the northwestern normal school for the instruction and training of teachers and to provide for the selection of sites for other normal schools, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 292, a bill for an act to better provide for the maintenance of the Girls' Reform School at Mitchellville, beg leave to report that they 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.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 195, a bill for an act to appropriate ninety-five dollars and fifty cents to defray additional expenses of the inaugural ceremonies, beg leave to report that they have had the same under consideration, and have prepared a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and when adopted that the bill do pass.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 8, a bill for an act to amend sections 9 and 10, chapter 40 of the acts of the Nineteenth General Assembly, and to increase the appropriation for ordinary expenses and provide for drawing clothing funds for the Iowa Institution for Feeble-Minded Children at Glenwood, beg leave to report that they 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.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 87, a bill for an act making an appropriation for erecting two additional wings to the Iowa Hospital for the Insane at Mt. Pleasant, beg leave to report that they have had the same under consideration and have prepared a substitute therefor, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and when adopted that the bill do pass.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 288, a bill for an act making an appropriation for the Benedict Home, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Senator Eastman, from the Committee on Retrenchment, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment, to whom was referred a petition to amend section 4013 of the Code of Iowa, in relation to 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 it be referred to the Committee on Penitentiary.

EASTMAN, *Chairman*.

Report of Committee adopted.

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

MR. PRESIDENT—Your Committee on Insurance, to whom was referred House File No. 54, a bill for an act to amend chapter 211, laws of 1880, relating to 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 do pass.

HIRAM Y. SMITH, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No 210, a bill for an act to revise the school laws of the State of Iowa, and to repeal certain sections thereof, and to enact substitutes 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.

J. G. HUTCHISON, *Chairman.*

Ordered passed on file.

Senator Clark, 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. 392, a bill for an act concerning the empanneling of grand juries, beg leave to report 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 returned be adopted, and when adopted that it do pass.

T. E. CLARK, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 123, a bill for an act to amend section 2578 of the Code, relating to the foreclosure of mortgages and other 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 do pass.

H. C. HEMENWAY, *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. 226, a bill for an act repealing section 58, chapter 1, title 2, Code of 1873, and enacting a substitute therefor, in relation to rewards offered by the Governor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LARRABEE, *Chairman.*

Ordered passed on file.

Also.

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred joint resolution (House) No. 12, in relation to the appointment of an agent for any amount that may be due the State of Iowa from the United States as a refund of the direct war tax, and also as a fund of interest on money advanced by the State during the civil war, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

LARRABEE, *Chairman.*

Report of committee adopted.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred House File No. 79, a bill for an act to repeal section 866 of the Code of 1873, in relation to the collection of taxes and reducing the penalty thereon, beg leave to report that they have had the same under consideration, and after amending it by striking out the words "one per cent a month," in line seventeen, section 1, and inserting in lieu thereof the words "one per cent a month for the first three months, and two per cent a month thereafter," 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 Eastman, from Committee on Retrenchment, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment to whom was referred Senate File No. 308, a bill for an act to repeal section 2, chapter 68, of the acts of the Fifteenth General Assembly, 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.

EASTMAN, *Chairman.*

Report of committee adopted.

#### BILLS ON THIRD READING.

Senate File No. 71, a bill for an act to amend chapter 165 of the acts of the Seventeenth General Assembly, relating to the execution of the sentence of death.

The bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Bloom, Caldwell, Carr, Carson, Chubb, Cotton, Duncan, Eastman, Glass, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Miles, Nichols, Robinson, Rothert, Smith, Sudlow, Sutton, Sweney, Whaley, and Whiting—30.

The nays were:

Senators Abraham, Baker, Bills, Brown, Clark, Donnan, Gault, Marshall, Russell, Stephens, and Wilkin—11.

Absent or not voting:

Senators Barrett, Bayless, Cassatt, Chambers, Gillett, Graves, Hall, Poyneer, and Ryder—9.

So the bill passed and the title was agreed to.

Senator Larrabee moved a reconsideration of the vote by which Senate File No. 305 was ordered engrossed.

Carried.

Senator Larrabee moved to postpone consideration until the bill is returned to the Senate.

Carried.

Senate File No. 277, a bill for an act to regulate admission to practice as attorney and counselor in the courts in this State.

The bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Johnson, Kamrar, Logan, Nichols, Robinson, Rother, Russell, Smith, Stephens, Sudlow, Sweney, Whaley, Whiting, and Wilkin—31.

The nays were:

Senators Bayless, Clark, Donnan, Larrabee, McCoy, and Miles—6.

Absent or not voting:

Senators Baker, Barrett, Bills, Cassatt, Chambers, Cotton, Duncan, Hutchison, McDonough, Marshall, Poyneer, Ryder, and Sutton—13.

So the bill passed and the title was agreed to.

#### BILLS ON SECOND READING.

On motion of Senator Chubb, Senate File No. 252, a bill for an act to amend section 1112 of the Code of 1873, relating to the membership money of county and district agricultural societies, with report of committee recommending amendments, and when amended it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Chubb moved the rule be suspended, 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 Abraham, Bayless, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Donnan, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Logan, McCoy, McDonough, Marshall, Nichols, Robinson, Russell, Stephens, Sudlow, Sutton, Whaley, Whiting, and Wilkin—31.

The nays were:

Senators Baker, Bloom, Brown, Duncan, Eastman, Gault, and Miles—7.

Absent or not voting:

Senators Bills, Cassatt, Cotton, Gillett, Glass, Larrabee, Poyneer, Rother, Ryder, Smith, and Sweney—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 you that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 337, a bill for an act making appropriations for the Institution for the Deaf and Dumb at Council Bluffs, Iowa.

Also, that the House passed Senate amendments to:

House File No. 194, a bill for an act to amend section 4039, of the Code of 1873, relating to the spread of small-pox.

Also, Senate File No. 341, a bill for an act to legalize certain ordinances of the town of Sanborn, in O'Brien county, Iowa, and the acts of its officers thereunder.

Senate File No. 347, a bill for an act to legalize the official acts of J. B. Mead, a justice of the peace in and for Lyon county, Iowa.

Senate File No. 348, a bill for an act to legalize the organization of the independent school district of Rock Valley, in Sioux county, Iowa, and the acts of the officers thereof.

Senate File No. 362, a bill for an act to compensate Hon. John Shane, late district judge of the eighth judicial district for his unexpired term.

Also, that the House has amended and passed as amended:

Senate File No. 152, a bill for an act to legalize certain acts of the First Universalist society of Dubuque.

I am also directed to inform you that the House has passed without amendment:

Senate File No. 28, a bill for an act to amend chapter 147 of the acts of the Nineteenth General Assembly, relating to the bonding of county indebtedness.

Senate File No. 11, a bill for an act to protect all citizens in their civil and legal rights.

Senate File No. 176, a bill for an act concerning bells and steam whistles on locomotives.

Senate File No. 121, a bill for an act appropriating the sum of \$645.24 in payment of claims held by John H. Gear and the Burlington Gas Light Company.

Senate File No. 380, a bill for an act to amend section 1 of chapter 95 of the laws of the Sixteenth General Assembly, in relation to the negotiation of loans by municipal corporations in anticipation of the revenues thereof.

Senate File No. 359, a bill for an act to prohibit the use of barb wire in enclosing public school grounds.

SIDNEY A. FOSTER, *Clerk.*

## BILLS ON SECOND READING.

Senate File No. 233, a bill for an act to amend section 4611 of the Code, together with report of committee reporting back substitute and recommending substitute be adopted, and when adopted it do pass, was taken up and considered.

Senator Clark moved to amend by inserting the following after the word "seven" in first line, section 1: "Title twenty-five."

Adopted.

Senator Bills moved to strike out publication clause.

Lost.

Substitute as amended adopted.

Senator Whaley moved the rules be suspended, 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 Abraham, Baker, Brown, Caldwell, Carson, Chambers, Chubb, Clark, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, McDonough, Marshall, Miles, Nichols, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Whaley, and Wilkin—31.

The nays were:

Senators Bayless, Bills, Bloom, Carr, Cassatt, Graves, Hall, Henderson, Hendrie, McCoy, Rothert, Ryder, and Whiting—13.

Absent or not voting:

Senators Barrett, Cotton, Johnson, Logan, Poyneer, and Sweney—6.

So the bill passed.

Senator Whaley moved the title be amended by adding after the words "chapter forty-seven" the words "title twenty-five," and to end of title the words, "relating to the discharge of poor convicts," and as amended the title was agreed to.

Senate File No. 235, a bill for an act to repeal section 10 of chapter 70 of the laws of the Sixteenth General Assembly, and enact a substitute therefor, with report of committee recommending it do pass, was taken up and considered.

Senator Bills moved to strike out all after and including the word "repealed" in second line of first section to section 10, and insert the following: "Amended as follows, to-wit."

Adopted.

Senator Robinson moved to strike out all of section 10 to word "within" in seventh line.

Adopted.

Senator Rothert moved to strike out the word "one" in seventh line same section and insert "half."

Adopted.

Senator Robinson moved to insert the words "except that" as first two words of section 10.

Adopted.

Report as amended adopted.

Senator Bayless moved that the rule be suspended, and the bill 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 Abraham, Bayless, Bills, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Hemenway, Henderson, Hunt, Hutchison, Kamrar,

Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—41.

The nays were none.

Absent or not voting:

Senators Baker, Barrett, Bloom, Clark, Gault, Glass, Hendrie, Johnson, and Poyneer—9.

So the bill passed and the title was agreed to.

Senate File No. 318, a bill for an act for the protection and preservation of quail, was taken up.

Senator Chambers moved that the 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 Abraham, Bayless, Caldwell, Chambers, Chubb, Clark, Duncan, Gault, Hemenway, Hunt, Kamrar, Larrabee, Logan, Marshall, Miles, Nichols, Robinson, Rothert, Russell, Smith, Sudlow, Sutton, and Whiting—23.

The nays were:

Senators Bills, Brown, Carr, Carson, Cassatt, Cotton, Donnan, Eastman, Graves, Hall, Hendrie, Hutchison, McCoy, Ryder, and Whaley—15.

Absent or not voting:

Senators Baker, Barrett, Bloom, Gillett, Glass, Henderson, Johnson, McDonough, Poyneer, Stephens, Sweney, and Wilkin—12.

So the bill was lost.

Senate File No. 207, a bill for an act to donate certain arms to the Grand Army of the Republic, Department of Iowa, with report of committee recommending it do pass, was taken up.

Senator Abraham moved that the 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 Abraham, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Smith, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—39.

The nays were none.

Absent or not voting:

Senators Baker, Barrett, Cassatt, Chambers, Gault, Glass, Henderson, Hendrie, Johnson, Ryder, and Stephens—11.

So the bill passed and the title was agreed to.

Senate File No. 240, a bill for an act repealing section 4461 of the Code, and enacting a substitute therefor, with report of committee recommending amendments and it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Miles moved that the 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 Abraham, Bilis, Bloom, Brown, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Graves, Hall, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Ryder, Smith, Sudlow, Sutton, Sweney, Whaley, and Whiting—36.

The nays were none.

Absent or not voting:

Senators Baker, Barrett, Bayless, Caldwell, Cassatt, Chambers, Glass, Henderson, Hendrie, Johnson, Logan, Rotherth, Stephens, and Wilkin—14.

So the bill passed and the title was agreed to.

Senate File No. 244, a bill for an act for the determination of vacancies of State offices, with report of committee recommending amendments and it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Logan moved that the 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 Abraham, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Gault, Gillett, Graves, Hall, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Russell, Ryder, Smith, Stephens, Sudlow, Whaley, Whiting, and Wilkin—37.

The nays were:

Senator Robinson—1.

Absent or not voting:

Senators Baker, Barrett, Bayless, Cassatt, Eastman, Glass, Henderson, Hendrie, Johnson, Rotherth, Sutton, and Sweney—12.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 23, a bill for an act to amend section 1384, chapter 2, title 11 of the Code of Iowa, in relation to care of insane, regulating time of meeting of trustees.

Substitute for House File No. 56, a bill for an act to provide for selling, leasing and patenting the lands belonging to the Iowa State Agricultural College and Farm.

House File No. 3, a bill for an act to amend section 2, of chapter 156 of the laws of the Seventeenth General Assembly, as amended by chapter 193 of the laws of the Eighteenth General Assembly, in relation to the protection of game.

House File No. 172, a bill for an act authorizing the appointment of an agent to select certain lands along the line of the railroad from McGregor to Sheldon, and providing for the payment of the fees for such selection.

House File No. 519, a bill for an act to provide for the levy of one-half mill State tax for the years 1884 and 1885, to complete the new Capitol building, and to provide increased accommodations for the insane of the State.

Senate File No. 4, a bill for an act to provide a fund from which to pay for sheep or other domestic animals killed or injured by dogs.

Senate File No. 90, a bill for an act to relinquish and reconvey to the United States all lands and rights to lands granted to the State of Iowa by the acts 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 the State of Iowa; approved May 12, 1864"; which have not been earned pursuant to the provisions of said act.

Senate joint resolution No. 6.

Joint resolution in regard to grants of public lands to railroads.

Senate joint resolution No. 17.

SIDNEY A. FOSTER, *Clerk.*

Senate File No. 249, a bill for an act in relation to the election of warden of the Ft. Madison Penitentiary, was withdrawn by Senator Kamrar.

Senate File No. 255, a bill for an act to repeal section 3826, chapter 2, title 23 of the Code of 1873, as to compensation of visiting committee to Hospitals for Insane, and providing a substitute therefor, with report of committee recommending it do pass, was taken up.

Senator Donnan moved that the rule be suspended, the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Ryder, Stephens, Sudlow, Sutton, Whaley, Whiting, and Wilkin—40.

The nays were none.

Absent or not voting:

Senators Baker, Barrett, Bayless, Cassatt, Eastman, Hemenway, Johnson, Rothert, Smith, and Sweney—10.

So the bill passed and the title was agreed to.

Senate File No. 270, a bill for an act to provide for certain deficiencies to Company I, 4th regiment of the State militia, for expenses incurred in preventing anticipated riots in 1877, with report of committee recommending it do pass, was taken up.

Senator Donnan moved that the rule be suspended, 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 Abraham, Bloom, Brown, Caldwell, Carson, Chambers, Chubb, Clark, Donnan, Gault, Gillett, Glass, Graves, Hall, Hemenway, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Russell, Ryder, Smith, Stephens, Sweney, Whaley, Whiting, and Wilkin.—35.

The nays were none.

Absent or not voting:

Senators Baker, Barrett, Bayless, Bills, Carr, Cassatt, Cotton, Duncan, Eastman, Henderson, Johnson, Poyneer, Rothert, Sudlow, and Sutton—15.

So the bill passed and the title was agreed to.

Senate File No. 294, a bill for an act to amend section 3948 of the Code, to prevent the acceptance of bribes by marshals, deputy marshals, policemen, and other police officers of cities and towns, with report of committee recommending it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Smith moved that the 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 Abraham, Bills, Bloom, Brown, Carr, Carson, Cassatt, Chambers, Chubb, Cotton, Donnan, Duncan, Gillett, Glass, Graves, Hall, Hendrie, Hunt, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—37.

The nays were none.

Absent or not voting:

Senators Baker, Barrett, Bayless, Caldwell, Clark, Eastman, Gault, Hemenway, Henderson, Hutchison, Johnson, Logan, and Nichols—13.

So the bill passed and the title was agreed to.

Senate File No. 314, a bill for an act to repeal section 8 of chapter 75, of the laws of the Eighteenth General Assembly, and sections 1529, 1537, of the Code, and to enact substitutes therefor, and to repeal section 1527 of the Code, also for an act to amend sections 1 and 4, chapter 137, of the acts of the Nineteenth General Assembly, with report of committee recommending amendments and it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Caldwell moved that the rule be suspended, and the bill be considered engrossed, and read a third time now, when the yeas and nays were demanded, and the roll was called.

The question being shall the bill pass?

The yeas were:

Senators Brown, Caldwell, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Hemenway, Hutchison, Kamrar, Larrabee, Logan, McDonough, Marshall, Miles, Nichols,

Poyneer, Robinson, Stephens, Sudlow, Sutton, Sweney, and Wilkin—28.

The nays were:

Senators Bayless, Bills, Bloom, Carr, Cassatt, Graves, Hall, Henderson, Hendrie, Johnson, McCoy, Russell, Ryder, and Whiting—14.

Absent or not voting:

Senators Abraham, Baker, Barrett, Gault, Hunt, Rotherbert, Smith, and Whaley—8.

So the bill passed and the title was agreed to.

Senator Stephens moved to reconsider the vote by which the rule was suspended.

Carried.

Senator Bloom moved to amend by adding to section 8, in the sixth line after the word "poisons," the words, "except intoxicating liquors to be kept on the premises to be sold by the drink."

Lost.

Senator Bayless offered a substitute.

Senator Bayless moved the matter be postponed until to-morrow afternoon at 2 o'clock, and it be made a special order for that hour.

Lost.

#### REPORT OF COMMITTEE.

Senator Chambers, 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, an act to provide a fund from which to pay for sheep or other domestic animals killed or injured by dogs.

Joint resolution No. 6, in regard to grants of public lands to railroads.

Joint resolution No. 17, in regard to the Governor procuring portraits in oil of the deceased Governors.

Senate File No. 90, an act to relinquish and reconvey to the United States all lands and rights to lands granted to the State of Iowa by the act of Congress, entitled, "an act for a grant of land to the State of Iowa in alternate sections to aid in the construction of a railroad in the State of Iowa," approved May 12th, A. D. 1864, which have not been earned pursuant to the provisions of said act.

And find the same correctly enrolled.

J. C. CHAMBERS, *Chairman.*

Senator McCoy moved to amend the original bill by striking out section 3.

Lost.

Senator McCoy moved to amend the original bill by striking out section 4.

Lost.

Senator Russell moved that the publication clause be stricken out.

Carried.

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

The question being shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Brown, Caldwell, Carson, Chambers, Chubb, Clark, Donnan, Duncan, Eastman, Gillett, Glass, Hemenway, Hunt, Kamrar, Larrabee, Logan, McDonough, Marshall, Miles, Nichols, Poynear, Robinson, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin—30.

The nays were:

Senators Bayless, Bills, Bloom, Carr, Cassatt, Graves, Hall, Hendrie, McCoy, Rothert, Russell, Ryder, and Whiting—13.

Absent or not voting:

Senators Baker, Cotton, Gault, Henderson, Hutchison, Johnson, and Smith—7.

So the bill passed and the title was agreed to.

Senator Hemenway moved that when the Senate adjourn it adjourn until 7:45 this evening.

Carried.

Claim of Samuel Morrison with report of committee recommending it be indefinitely postponed, was taken up and report of committee adopted.

Senate File No. 271, a bill for an act to provide for the purchase of lands for the use of the Iowa State Agricultural Society, with report of committee recommending it do pass, was taken up.

Senator Logan offered a substitute.

Senator Bills moved the bill and substitute be referred to Committee on Appropriations.

Pending discussion at six o'clock the Senate adjourned.

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## EVENING SESSION.

7:45 O'CLOCK P. M.

The Senate reconvened, President pro tem Gillett in the chair.

Senator Graves filed the following motion:

MR. PRESIDENT—I move to reconsider the vote by which Senate File No. 318 was lost to-day. I voted in the negative.

J. K. GRAVES.

Filed March 25, 1884.

Senator Bloom was granted leave of absence until to-morrow.

Consideration of Senate File No. 271 resumed.

The following communication was read:

*To the Twentieth General Assembly of the State of Iowa:*

Dubuque, the metropolis of Iowa, with her thirty-three miles of macadamized streets, her convenient and well managed system of steam and horse railways, together with the proverbial hospitality of her citizens, would be glad to donate to the State its ample fair



grounds of ninety acres, with the spacious buildings thereon, erected at a cost of over \$80,000 dollars, without money and without price, on condition that henceforward the State Fair shall be annually held upon said grounds.

J. K. GRAVES,

*For the city and county of Dubuque.*

Senator Hemenway moved to strike out the word "that" in the sixth line, section 1.

Carried.

Senator Bayless moved to amend first section by adding after "1885" eleventh line, the following:

And that no part of said appropriation shall be paid as aforesaid until an amount not less than this appropriation be donated in cash or property by the city or locality where said Iowa State Agricultural Society shall locate its fairs.

Upon the adoption of the amendment the yeas and nays were demanded and the roll was called:

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Brown, Carr, Carson, Chubb, Donnan, Duncan, Gault, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hutchison, Johnson, Kamrar, McDonough, Marshall, Miles, Poyneer, Stephens, Sutton, Sweney, Whaley, and Whiting—30.

The nays were:

Senators Bloom, Caldwell, Chambers, Clark, Eastman, Gillett, Hunt, Larrabee, Logan, McCoy, Nichols, Robinson, Rothert, Russell, Smith, Sudlow, and Wilkin—17.

Absent or not voting:

Senators Cassatt, Cotton, and Ryder—3.

So the amendment was adopted.

Senator Hall moved to amend by adding after the word "purchase" in first line section 1 the words "within ten miles of the State capital."

Lost.

Senator Graves offered a substitute.

Upon which the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Baker, Bayless, Donnan, Glass, Graves, Hendrie, Johnson, Marshall, Stephens, Whaley, and Whiting—11.

The nays were:

Senators Brown, Caldwell, Carr, Carson, Eastman, Henderson, Hunt, Larrabee, Logan, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Smith, Sudlow, Sutton, Sweney, and Wilkin—22.

Absent or not voting:

Senators Abraham, Barrett, Bills, Bloom, Cassatt, Chambers, Chubb, Clark, Cotton, Duncan, Gault, Gillett, Hall, Hemenway, Hutchison, Kamrar, and Ryder—17.

So the substitute was lost.

Senator Glass moved to amend by adding after the word "needed"

in the 8th line, section 1, the following, "to purchase said grounds."  
Adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Abraham, Bayless, Brown, Caldwell, Carson, Chambers, Chubb, Clark, Donnan, Duncan, Eastman, Glass, Hemenway, Hender-son, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin—35.

The nays were:

Senators Baker, Graves, Hendrie, Johnson, and Whiting—5.

Absent or not voting:

Senators Barrett, Bills, Bloom, Carr, Cassatt, Cotton, Gault, Gillett, Hall, and Ryder—10.

So the bill passed and the title was agreed to.

At 10:15 o'clock the Senate adjourned.

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SENATE CHAMBER, }  
DES MOINES, IOWA, March 26, 1884. }

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

Prayer by Rev. Mr. Talbot.

Pending reading of journal Senator Johnson moved further reading be dispensed with.

Lost.

Reading continued.

Pending reading Senator Donnan moved further reading be dis- pensed with.

Carried.

#### PETITIONS, MEMORIALS, ETC.

Senator McCoy offered a petition from citizens of Iowa relative to Soldiers' Home.

Referred to Committee on Military.

Senator Clark offered one of same character.

Referred to same committee.

Senator Chubb offered a remonstrance against division of Kossuth county.

Referred to Committee on County and Township Organization.

Senator Eastman offered a petition from citizens of Hardin county relating to Trustees of Agricultural College.

Referred to Committee on Agricultural College.

Resolutions in relation to the number of Codes and session laws on hand, with report of committee, was taken up and passed on file.

## REPORT OF COMMITTEE.

Senator Sudlow, 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. 21, substitute for Senate File No. 130.

And find the same correctly engrossed.

E. C. SUDLOW, *Chairman.*

## RESOLUTION.

Senator Larrabee offered the following resolution, which was adopted:

*Resolved*, That all committee clerks are hereby ordered to report every morning to the Secretary of Senate for duty and the Secretary is authorized to assign such work to them as will expedite the business of the Senate.

On motion of Senator Hall the joint resolution relative to pardons was taken up for consideration.

Senators Bloom and Stephens withdrew their amendments.

Senator Logan moved to amend as follows: Provided that nothing in this resolution shall influence action in the cases now pending.

Adopted.

The resolution was read a third time.

The question being, shall the resolution pass?

The yeas were:

Senators Abraham, Barrett, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Clark, Duncan, Eastman, Gault, Gillett, Hemenway, Hendrie, Johnson, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Sudlow, Whaley, Whiting, and Wilkin—31.

The nays were:

Senators Chubb, Donnan, Glass, Hunt, Stephens, Sutton, and Sweney—7.

Absent or not voting:

Senators Baker, Bayless, Bills, Chambers, Cotton, Graves, Hall, Henderson, Hutchison, Logan, Russell, and Smith—12.

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

On motion of Senator Larrabee Senate File No. 305, a bill for an act to provide for the inspection and to regulate the sale of petroleum and its products, and to repeal chapter 172 of the acts of the Seventeenth General Assembly, and section 3901 of the Code, was taken up and considered.

Senator Larrabee moved to amend, by adding publication clause.

Adopted.

Senator Robinson moved to make term of office commence April 1, instead of May 1.

Adopted.

Senator Larrabee moved that the bill be engrossed, and it was so ordered.

## REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred joint resolution No. 16, in relation to pensioning Union soldiers who were confined in southern prisons during the late war of the rebellion, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that the provisions of the same are fully covered in another joint resolution, which is recommended for passage.

A. N. POYNEER, *Chairman*

Report of committee adopted.

Also:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred House memorial to Congress asking that certain prisoners of the war of the rebellion be placed on the pension rolls, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. N. POYNEER, *Chairman*.

Senator Smith moved that the rule be suspended, the joint resolution be considered engrossed, and 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 Abraham, Barrett, Bayless, Bloom, Brown, Caldwell, Carson, Cassatt, Clark, Donnan, Duncan, Eastman, Gault, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hatchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rother, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—41.

The nays were none.

Absent or not voting:

Senators Baker, Bills, Carr, Chambers, Chubb, Cotton, Gillett, Glass, and Russell—9.

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

Senator Sudlow, 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. 305, and find the same correctly engrossed.

E. C. SUDLOW, *Chairman*.

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

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred House joint resolution and memorial No. 7 of the General Assembly of the State of Iowa, relating to the claim of Benjamin J. Everett for damages on account of depredations by Cheyenne Indians, August 27, 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 indefinitely postponed.

A. N. POYNEER, *Chairman.*

On motion of Senator Gillett this matter was recommitted.

Senator Chubb, from the Committee on Fish and Game, submitted the following report:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred substitute for House File No. 307, a bill for an act to repeal section 10, chapter 79, acts of Sixteenth General Assembly, relating to 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.

C. C. CHUBB, *Chairman.*

Ordered passed on file.

Senator Whaley, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred House File No. 422, a bill for an act to provide for the erection of monuments to deceased soldiers of the late war, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

WHALEY, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 97, a bill for an act to provide for the exclusive use of the English language in the common schools, beg leave to report that they have had the same under consideration, since it was recommitted, 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 words "except the high schools," and that so amended that it do pass.

J. G. HUTCHISON, *Chairman.*

Ordered passed on file.

#### BILL ON SECOND READING.

On motion of Senator Duncan Senate File No. 97, a bill for an act to provide for the exclusive use of the English language in the common schools, with report of committee recommending amendment, was taken up and considered.

Senator Rothert moved to amend by inserting "and grammar schools" after the words "high schools."

Senator Marshall moved to amend by inserting the words "and German" after the word "English."

Adopted.

Senator Chambers moved that the bill be indefinitely postponed, upon which the yeas and nays were demanded, and the roll was called.

The yeas were:

Senators Baker, Bayless, Bills, Bloom, Caldwell, Carson, Cassatt, Chambers, Clark, Cotton, Donnan, Eastman, Gault, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Rother, Russell, Ryder, Smith, Sudlow, Sutton, Sweney, Whaley, and Whiting—40.

The nays were:

Senators Carr, Chubb, Duncan, Marshall, Stephens, and Wilkin—6.

Absent or not voting:

Senators Abraham, Barrett, Brown, and Gillett.—4.

So the motion prevailed.

#### HOUSE MESSAGES.

House File No. 337, a bill for an act making appropriations for the Institution for the Deaf and Dumb at Council Bluffs, Iowa.

Read a first and second time and referred to the Committee on Appropriations.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 211, a bill for an act for the support of the Institution of Deaf and Dumb. An act to amend section 1, chapter 105, laws of the Nineteenth General Assembly, relating to the Institution for the Deaf and Dumb.

House File No. 181, a bill for an act making appropriations for the Iowa Agricultural College.

House File No. 214, a bill for an act making appropriations for the Hospital for the Insane at Mt. Pleasant.

House File No. 498, a bill for an act to provide for the publication of the present address of ex-officers of Iowa regiments during the war of the rebellion.

House File No. 505, a bill for an act making appropriations for the Boys Reform School at Eldora.

House File No. 334, a bill for an act making appropriations for the Iowa Institution for Feeble-Minded Children at Glenwood, Iowa.

Also, I am directed to inform you that the House has passed without amendment the following bills:

Senate File No. 49, a bill for an act making an appropriation to the Iowa Prisoners' Aid Association.

Senate File No. 366, a bill for an act to amend section 2809 of the Code, in relation to the truth of return of notice served on patients in hospitals for the insane.

Senate File No. 388, a bill for an act to legalize certain errors and omissions of the board of supervisors of Appanoose county, Iowa.

Also, that the House has agreed to Senate joint resolution No. 12,

agreeing to certain amendments to the Constitution of the State of Iowa, proposed by the Nineteenth General Assembly.

Also, that the House has indefinitely postponed Senate File No. 20, a bill for an act to amend section 797, title 5, chapter 10 of the Code, relating to exemptions of property from taxation.

SIDNEY A. FOSTER, *Clerk*:

At 12 o'clock the Senate adjourned.

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### AFTERNOON SESSION.

2 O'CLOCK P. M.

Senate reconvened, the President in the chair.

#### REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 528, a bill for an act authorizing the Auditor of State to issue certificates of purchase to the owners of certain school lands in Decatur county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. G. HUTCHISON, *Chairman*.

On motion of Senator McDonough the rule was suspended and the bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Clark, Cotton, Donnan, Gillett, Graves, Hall, Henderson, Hunt, Hutchison, Johnson, Kamrar, McCoy, McDonough, Marshall, Miles, Smith, Stephens, Sudlow, Sutton, Sweney, and Wilkin—31.

The nays were:

Senators Eastman, and Gault—2.

Absent or not voting:

Senators Cassatt, Chambers, Chubb, Duncan, Glass, Hemenway, Hendrie Larrabee, Logan, Nichols, Poyneer, Robinson, Rotherth, Russell, Ryder, Whaley, and Whiting—17.

So the bill passed and the title was agreed to.

## BILLS ON THIRD READING.

**Senate File No. 152**, a bill for an act to legalize certain acts of the First Universalist church of Dubuque, and to relinquish an escheat, was taken up, and amendments of the House concurred in.

The bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Baker, Barrett, Bayless, Bills, Bloom, Caldwell, Carr, Carson, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Graves, Hall, Henderson, Hunt, Hutchison, Johnson, Kamrar, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—34.

The nays were none.

Absent or not voting:

Senators Abraham, Brown, Cassatt, Chambers, Chubb, Gillett, Glass, Hemenway, Hendrie, Larrabee, Poyneer, Robinson, Rothert, Russell, and Ryder—16.

So the bill passed and the title as amended was agreed to.

**Senate File No. 130**, a bill for an act to establish a separate insurance department.

The bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Baker, Bayless, Bills, Brown, Carr, Carson, Clark, Eastman, Gillett, Graves, Henderson, Hunt, Kamrar, McDonough, Miles, Robinson, Smith, Sutton, Sweney, and Wilkin—20.

The nays were:

Senators Bloom, Caldwell, Cassatt, Chubb, Donnan, Duncan, Gault, Hall, Hemenway, Hendrie, Hutchison, Johnson, Logan, McCoy, Marshall, Nichols, Stephens, Sudlow, and Whiting—19.

Absent or not voting:

Senators Abraham, Barrett, Chambers, Cotton, Glass, Larrabee, Poyneer, Rothert, Russell, Ryder, and Whaley—11.

So the bill was lost.

**Senate File No. 305**, a bill for an act to provide for the inspection and to regulate the sale of petroleum and its products, and to repeal chapter 172 of the acts of the Seventeenth General Assembly, and section 3901 of the Code.

The bill was read a third time.

The question being, shall the bill pass?

The yeas were:

Senators Brown, Caldwell, Clark, Donnan, Duncan, Eastman, Gillett, Hemenway, Hunt, Hutchison, Logan, McCoy, McDonough, Miles, Nichols, Robinson, Smith, Stephens, Sudlow, Sutton, and Sweney—21.

The nays were:

Senator Bills, Bloom, Carr, Chubb, Gault, Hall, Hendrie, Johnson, Kamrar, Marshall, Rothert, Whiting, and Wilkin—13.

Absent or not voting:

Senators Abraham, Baker, Barrett, Bayless, Carson, Cassatt, Cham-



bers, Cotton, Glass, Graves, Henderson, Larrabee, Poyneer, Russell, Ryder, and Whaley—16.

So the bill was lost.

Senate File No. 21, a bill for an act to prevent unjust discrimination in rates for transportation of freight by railway corporations, companies, or individuals, doing business as common carriers in whole or in part within the State of Iowa, and to provide a punishment therefor.

The bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Bills, Brown, Caldwell, Carr, Carson, Chubb, Donnan, Duncan, Eastman, Gault, Hendrie, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin—24.

The nays were.

Senators Baker, Bloom, Chambers, Clark, Gillett, Graves, Hall, Hemenway, Hunt, Hutchison, Johnson, Kamrar, Logan, Robinson, and Rothert—15.

Absent or not voting:

Senators Abraham, Barrett, Bayless, Cassatt, Cotton, Glass, Henderson, Larrabee, Russell, Ryder, and Whiting—11.

So the bill was lost.

Senator Larrabee was granted leave of absence.

Senator Wilkin gave notice that he would file a motion to reconsider vote by which Senate File No. 305 was lost.

Motion filed.

#### BILLS ON SECOND READING.

Senate File No. 334, a bill for an act to repeal section 1, of chapter 60, of the acts of the Eighteenth General Assembly, in relation to the publication of the supreme court reports, and to enact a substitute therefor, was taken up.

Senator Hemenway moved that the 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 Baker, Bayless, Bills, Bloom, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Gault, Graves, Hall, Hemenway, Henderson, Hendrie, Johnson, Kamrar, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Stephens, Sudlow, Sutton, Sweney, Whiting, and Wilkin—34.

The nays were none.

Absent or not voting:

Senators Abraham, Barrett, Brown, Cassatt, Chambers, Eastman, Gillett, Glass, Hunt, Hutchison, Larrabee, Logan, Russell, Ryder, Smith, and Whaley—16.

So the bill passed and the title was agreed to.

Senate File No. 235, a bill for an act to amend section 3814 of the Code, in relation to witness fees, was taken up.

Senator Hemenway moved that the 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 Baker, Bayless, Bloom, Caldwell, Carr, Carson, Cassatt, Chambers, Clark, Cotton, Donnan, Duncan, Gault, Gillett, Graves, Hall, Hemenway, Henderson, Hutchison, Kamrar, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Smith, Stephens, Sudlow, Sutton, Sweney, Whiting, and Wilkin—35.

The nays were:

Senators Chubb and Hendrie—2.

Absent or not voting:

Senators Abraham, Barrett, Bills, Brown, Eastman, Glass, Hunt, Johnson, Larrabee, Logan, Russell, Ryder, and Whaley—13.

So the bill passed and the title was agreed to.

Senate File No. 299, a bill for an act to appropriate funds to aid the Farmers' Protective Association of Iowa in defending against suits relating to barbed wire, and to test the validity of said patents, with report of committee recommending it do pass, was taken up and considered.

Senator Cassatt moved to amend by inserting "five thousand" in place of "ten thousand."

Lost.

Senator McCoy filed the following motion:

I move a reconsideration of the vote by which the substitute for Senate File No. 130 was lost. Also to reconsider the vote by which it was engrossed.

Senator Rothert moved to amend by inserting after the word "Iowa," in third line, the following:

"Or any other corporation or firm, or any citizen of the State."

Upon this the yeas and nays were demanded.

The roll was called.

The yeas were:

Senator Rothert—1.

The nays were:

Senators Abraham, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—39.

Absent or not voting:

Senators Baker, Barrett, Bayless, Bills, Bloom, Hall, Hemenway, Henderson, Larrabee, and Russell—10.

So the amendment was lost.

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

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Bayless, Caldwell, Carr, Chambers, Chubb, Clark, Donnan, Duncan, Glass, Hendrie, Hunt, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Smith, Sudlow, Sutton, Whaley, Whiting, and Wilkin—25.

The nays were:

Senators Bills, Brown, Carson, Eastman, Gault, Hall, Hemenway, Hutchison, Kamrar, Robinson, Rothert, Stephens, and Sweney—13.

Absent or not voting:

Senators Baker, Barrett, Bloom, Cassatt, Cotton, Gillett, Graves, Henderson, Johnson, Larrabee, Russell, and Ryder—12.

So the bill was lost.

Senator McCoy called up the motion for reconsideration of the vote by which Senate File No. 155 was lost.

The vote was reconsidered.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Bloom, Brown, Caldwell, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Gillett, Glass, Graves, Hemenway, Hendrie, Hunt, Hutchison, Johnson, Kamrar, McCoy, McDonough, Marshall, Miles, Nichols, Rothert, Stephens, Sweney, Whaley, Whiting, and Wilkin—32.

The nays were:

Senators Baker, Barrett, Bayless, Bills, Carr, Eastman, Gault, Logan, Poyneer, Robinson, Ryder, Smith, and Sudlow—13.

Absent or not voting:

Senators Hall, Henderson, Larrabee, Russell, and Sutton—5.

So the bill passed and the title was agreed to.

Senator Sweney filed a motion to reconsider the vote by which Senate File No. 299 was lost; and also the vote by which the rule was suspended.

Senator Hutchison moved that Senate File No. 80 be taken up.

Carried.

Substitute for Senate File No. 80, a bill for an act authorizing actions against railroad companies to be brought in the name of the State upon recommendation of the Board of Railroad Commissioners, with report of committee reporting a substitute and recommending it be adopted, and when adopted it do pass, was taken up for consideration.

Senator Sweney moved that consideration of the bill be postponed until House File No. 47 be taken up, and when disposed of Senate File No. 80 be taken up

Lost.

The question being upon the adoption of the substitute, Senator Brown moved to amend by inserting the word "order," after the word "mandatory," in seventeenth line.

Lost.

Senator Hall moved that the publication clause be added to the substitute.

Carried.

The substitute as amended was adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—43.

The nays were none.

Absent or not voting:

Senators Barrett, Clark, Cotton, Eastman, Johnson, Larrabee, and Russell—7.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Senator Rothert, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 349, a bill for an act to secure the manufacturers and owners of railroad equipment and rolling stock on making conditional sales and certain contracts for the lease 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.

HENRY W. ROTHERT, *Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By Senator Miles, Senate File No. 393, a bill for an act to legalize the levies of taxes for ordinary county revenue made by the board of supervisors of Lucas county, Iowa, for the years 1881, 1882 and 1883, and to legalize all acts done and collection of taxes made under such levies.

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

By Senator Donnan, a bill for an act to provide for the burial of any honorably discharged soldier, sailor or marine, who may hereafter die without leaving means sufficient to defray funeral expenses, and to provide headstones to mark their graves.

Read a first and second time.

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

The question being shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hem-

enway, Henderson, Hendrie, Hunt, Johnson, Kamrar, Logan, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Ryder, Smith, Sutton, Sweney, Whaley, Whiting, and Wilkin—43.

The nays were none:

Absent or not voting:

Senators Hutchison, Larrabee, Marshall, Rothert, Russell, Stephens, and Sudlow—7.

So the bill passed and the title was agreed to.

The President signed in the presence of the Senate Senate joint resolution No. 17, Senate joint resolution No. 6, Senate File No. 4, Senate File No. 90, House File No. 519, House File No. 63, House File No. 172, House File No. 23, and House File No. 56.

Senate File No. 56, a bill for an act to repeal section 4013, chapter 9, title 24, of the Code, relating to houses of ill-fame, and to enact a substitute therefor, with report of committee reporting substitute and recommending it do pass, was taken up, and on motion of Senator Bills was made a special order for to-morrow, the substitute to be printed in the meantime.

Senator Duncan moved to take up House File No. 123 out of its order.

Carried.

At 6 o'clock the Senate adjourned.

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## EVENING SESSION.

7:45 O'CLOCK.

Senate reconvened, President *pro tem* in the chair.

### RESOLUTION.

Senator Kamrar offered the following resolution, which was adopted:

*Resolved*, That the sergeant-at-arms shall have the custody and control of the keys to each of the various Senate committee rooms, and it shall be the duty of persons using the same to return them to said sergeant-at-arms without delay.

### REPORT OF COMMITTEE.

Senator Chambers, 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. 7, an act to provide a fund from which to pay for sheep or other domestic animals killed or injured by dogs.

Joint resolution No. 6, in regard to grants of public lands to railroads.

Joint resolution No. 17, in regard to the Governor procuring portraits in oil of the deceased Governors.

Senate File 90, an act to relinquish and reconvey to "the United States all lands and rights to lands granted to the State of Iowa by the acts of congress entitled an act for a grant of land to the State of Iowa in alternate sections, to aid in the construction of a railroad in the State of Iowa," approved May 12, A. D. 1864, which have not been earned pursuant to the provisions of said act.

J. C. CHAMBERS, *Chairman.*

House File No. 123, a bill for an act to amend section 2578 of the Code of 1873, relating to the foreclosure of mortgages and other liens on real estate, was taken up for consideration.

Senator Bills offered the following amendment:

"This act shall not prevent the plaintiff from bringing an action upon any contract at the place provided for in such contract."

Lost.

Senator Eastman offered the following amendment to the amendment:

"But the judgment shall not be a lien on the land mortgaged unless the suit is brought in the county where some of the land lies."

Lost.

Senator Bills offered the following amendment: "This acts shall not effect existing contracts."

Upon this the yeas and nays were demanded, and the roll was called.

The yeas were:

Senators Baker, Bills, Bloom, Carr, Carson, Chambers, Chubb, Cotton, Gault, Gillett, Glass, Graves, Hall, Henderson, Hunt, Johnson, Kamrar, McCoy, McDonough, Miles, Poyneer, Robinson, Rothert, Ryder, Sudlow, Sutton, Sweney, and Whiting—28.

The nays were:

Senators Abraham, Brown, Caldwell, Clark, Donnan, Duncan, Eastman, Hemenway, Hendrie, Marshall, Nichols, Stephens, Whaley, and Wilkin—14.

Absent or not voting:

Senators Barrett, Bayless, Cassatt, Hutchison, Larrabee, Logan, Russell, and Smith—8.

So the amendment was adopted.

Senator Hall offered the following amendment:

Provided that this act shall not prevent such suits being brought in the county in which the mortgagors resides.

Lost.

Senator Duncan moved that the rule be suspended, 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 Abraham, Bayless, Brown, Caldwell, Carr, Carson, Chubb, Clark, Duncan, Eastman, Gault, Glass, Hemenway, Hendrie, Hunt, Kamrar, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Stephens, Sudlow, Sutton, Sweney, Whaley and Wilkin—29.

The nays were:

Senators Bills, Bloom, Donnan, Graves, Hall, Johnson, Rothert, and Whiting—8.

Absent or not voting:

Senators Baker, Barrett, Cassatt, Chambers, Cotton, Gillett, Henderson, Hutchison, Larrabee, Logan, Russell, Ryder, and Smith—13.

So the bill passed and the title was agreed to.

On motion of Senator Duncan Senate File No. 58, a bill for an act to amend section 2581 of the Code, relating to the plan of bringing suits in civil cases was indefinitely postponed.

Senator Robinson moved to reconsider vote by which House File No. 123 passed the Senate and by which the rule was suspended.

Carried.

Senator Robinson moved to amend House File No. 123 by inserting the words "of the Code" after section 2578.

Adopted.

Senator Robinson moved that the 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 Abraham, Bayless, Brown, Caldwell, Carr, Carson, Chubb, Clark, Donnan, Duncan, Eastman, Glass, Hemenway, Hendrie, Hunt, Kamrar, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin—29.

The nays were:

Senators Bills, Bloom, Gault, Graves, Hall, Johnson, Rothert, Ryder, and Whiting—9.

Absent or not voting:

Senators Baker, Barrett, Cassatt, Chambers, Cotton, Gillett, Henderson, Hutchison, Larrabee, Logan, Russell and Smith—12.

So the bill passed and the title was agreed to.

Senator Sutton moved that House File No. 146 be taken up.

Senator Hemenway moved to amend by making it a special order for 10:30 o'clock to-morrow morning.

Accepted.

Motion prevailed.

Senator Stephens moved the Senate adjourn until to-morrow morning at 9 o'clock.

Carried.

Senate adjourned.

SENATE CHAMBER,  
DES MOINES, IOWA, March 27, 1884. }

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

Prayer by Rev. W. J. Young.

Journal of yesterday read and approved.

PETITIONS, MEMORIALS, ETC.

Senator Marshall offered a petition from citizens of Iowa, relative to line fences.

Referred to Committee on Agriculture.

Senator Miles offered a petition from citizens of Iowa, relative to Soldiers' Home.

Referred to Committee on Appropriations.

INTRODUCTION OF BILLS.

By Senator McCoy, Senate File No. 395, a bill for an act relating to sidewalks on highways.

Read a first and second time.

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

On the question shall the bill pass?

The nays were:

Senators Abraham, Brown, Caldwell, Carr, Clark, Donnan, Duncan, Eastman, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Rotherbert, Stephens, Sudlow, Sweney, Whaley, Whiting, and Wilkin—31.

The nays were none.

Absent or not voting:

Senators Baker, Barrett, Bayless, Bills, Bloom, Carson, Cassatt, Chambers, Chubb, Cotton, Gault, Hall, Johnson, Logan, Poyneer, Russell, Ryder, Smith, and Sutton—19.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Chambers, 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. 303, a bill for an act to legalize the levy of certain taxes in Van Buren county.

J. C. CHAMBERS, *Chairman*.



## INTRODUCTION OF BILLS.

By Judiciary Committee, Senate File 396, a bill for an act to legalize the acts of the Board of Supervisors of Jackson county, Iowa.

Read a first and second time.

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

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Brown, Caldwell, Carr, Carson, Clark, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hutchison, Kamrar, Logan, McDonough, Marshall, Miles, Nichols, Poyneer, Rothert, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—32.

The nays were none.

Absent or not voting:

Senators Baker, Barrett, Bayless, Bills, Bloom, Cassatt, Chambers, Chubb, Eastman, Hall, Hunt, Johnson, Larrabee, McCoy, Ryder, Smith, Robinson, and Russell—18.

So the bill passed and the title was agreed to.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 272, a bill for an act to legalize the incorporation of the town of Nashua, Chickasaw county, Iowa, the election of its officers, and the 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.

H. C. HEMENWAY, *Chairman.*

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

On the question shall the bill pass?

The yeas were:

Senators Abraham, Bayless, Bloom, Brown, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Rothert, Stephens, Sudlow, Sweney, Whaley, Whiting, and Wilkin—35.

The nays were none.

Absent or not voting:

Senators Baker, Barrett, Bills, Caldwell, Cassatt, Chambers, Eastman, Hemenway, Johnson, Larrabee, Poyneer, Russell, Ryder, Smith, and Sutton—15.

So the bill passed and the title was agreed to.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 393, a bill for an act to legalize the levies of taxes for ordinary county revenue, made by the board of supervisors of Lucas county, Iowa, for the years 1881, 1882 and 1883, beg leave

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

H. C. HEMENWAY, *Chairman.*

On motion of Senator Hemenway the rule was suspended and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Bayless, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hutchison, Kamrar, Logan, McCoy, McDonough, Marshall, Miles, Poyneer, Robinson, Rothert, Smith, Stephens, Sudlow, Sutton, Whaley, Whiting, and Wilkin—37.

The nays were none.

Absent or not voting:

Senators Baker, Barrett, Bills, Cassatt, Chambers, Eastman, Hunt, Johnson, Larrabee, Nichols, Russell, Ryder, and Sweney—13.

So the bill passed and the title was agreed to.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 384, a bill for an act to legalize the levy of certain taxes in Davis county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. HEMENWAY, *Chairman.*

On motion of Senator Hemenway the rule was suspended and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb Clark, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Kamrar, McDonough, Marshall, Miles, Poyneer, Robinson, Rothert, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—36.

The nays were none.

Absent or not voting:

Senators Baker, Barrett, Bayless, Bills, Cassatt, Eastman, Johnson, Larrabee, Logan, McCoy, Nichols, Russell, Ryder, and Smith—14.

So the bill passed and the title was agreed to.

#### BILLS ON SECOND READING.

Senate File No. 243, a bill for an act to repeal section 1214, chapter 2, title 10, of the Code, in relation to drains and ditches, and to enact a substitute therefor, with report of committee recommending amendment and it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Hendrie moved the rule be suspended, 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 Abraham, Baker, Barrett, Bloom, Brown, Carr, Carson, Clark, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Henderson, Hendrie, Hutchison, Kamrar, McCoy, McDonough, Marshall, Miles, Nichols, Poynear, Rothert, Smith, Stephens, Whaley, Whiting, and Wilkin—31.

The nays were:

Senators Caldwell, Eastman, and Sudlow—3.

Absent or not voting:

Senators Bayless, Bills, Cassatt, Chambers, Chubb, Hall, Hemenway, Hunt, Johnson, Larrabee, Logan, Robinson, Russell, Ryder, Sutton, and Sweney—16.

So the bill passed and the title was agreed to.

Senator Graves introduced the following resolution.

*Resolved*, The President cordially extends to Hon. John H. Gear, one of our most distinguished citizens and late chief executive, the courtesies of the Senate, and that he be invited to occupy the post of honor beside our presiding officer.

Adopted.

The chair appointed Senators Graves and Eastman to escort the ex-Governor to the President's desk.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 327, a bill for an act making appropriations to the Girls' Department of the Iowa Reform School.

House File No. 239, a bill for an act making an appropriation for the Hospital for the Insane at Independence.

House File No. 203, a bill for an act to appropriate funds to furnish buildings buy lands, and to make improvements for the Soldiers' Orphans' Home and Home for Indigent Children, at Davenport, Iowa.

House File No. 323, a bill for an act making appropriation for the Penitentiary at Ft. Madison.

House File No. 507, a bill for an act making appropriation for the support of the State Normal School at Cedar Falls, and conferring certain authority upon its board of directors.

House File No. 119, a bill for an act making appropriation for erecting two additional wings to the Iowa Hospital for the Insane at Mt. Pleasant.

House File No. 411, a bill for an act to appropriate funds to carry on the work of the Additional Penitentiary at Anamosa.

House File No. 412, a bill for an act to amend section 1121 of the Code of 1873, relative to the amount of the annual appropriation to the State Horticultural Society.

House File No. 223, a bill for an act to legalize the incorporation of the town of Riverside, Washington county, Iowa.

House File No. 487, a bill for an act to legalize the locating and establishing of roads and highways in the county of O'Brien.

House File No. 346, a bill for an act to legalize certain acts of the board of supervisors of Osceola county, in regard to highways.

House File No. 473, a bill for an act to legalize certain roads established in Otho and Elkhorn townships, Webster county.

House File No. 529, a bill for an act to legalize the incorporation and the official proceedings of the town of Kellerton, in the county of Ringgold.

House File No. 532, a bill for an act authorizing the Secretary of State to issue a patent for the southwest quarter ( $\frac{1}{4}$ ) of the southwest quarter ( $\frac{1}{4}$ ), section 31, township 79, and range 19.

I am also directed to inform you that the House has passed without amendment the following bills:

Substitute for Senate File No. 221, a bill for an act to provide for the education of J. W. Hallock at the Iowa State University at the expense of the State.

Senate File No. 78, a bill for an act to prevent gambling by means fictitious contracts for the buying or selling of grain or other produce on margins, and to provide a punishment therefor.

Senate File No. 276, a bill for an act to legalize the acts of Thos. W. Darling, a notary public.

Senate File No. 287, a bill for an act to legalize the incorporation of the town of St. Ansgar, in Mitchell county, Iowa, the election of its officers and all acts done and ordinances passed by the council of said town.

Senate File No. 40, a bill for an act to legalize certain proceedings of the council of the town of Milton, in Van Buren county.

Senate File No. 232, a bill for an act to legalize certain ordinances of the town of Eddyville.

Senate File No. 236, a bill for an act to legalize the incorporation and certain acts of the town of West Liberty, Muscatine county.

Senate File No. 370, a bill for an act to legalize the ordinances and acts of the incorporated town of Hepburn, Iowa.

Senate File No. 72, a bill for an act to legalize the incorporating acts of the town of Baldwin, Jackson county.

Also, that the House has indefinitely postponed the following Senate joint resolution:

Joint resolution No. 8, agreeing to an amendment to the Constitution of the State of Iowa, to strike out the word male from section one (1), of article two (2) thereof.

Also, that the House has passed without amendment the following Senate bill:

Substitute for Senate File No. 236 a bill for an act to legalize the incorporation of the town of Garrison, Benton county.

SIDNEY A. FOSTER, *Clerk.*

On motion of Senator Poynser Senate File No. 300, a bill for an act to amend section 120, of chapter 8, title 2 of the Code of 1873, in reference to the executive council, relating to the providing of supplies for State officers, with report of committee recommending it do pass, was taken up.

Senator Poyneer moved that the 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 Abraham, Baker, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Smith, Stephens, Sudlow, Sweney, and Whiting—38.

The nays were none.

Absent or not voting:

Senators Barrett, Carson, Cassatt, Hall, Hendrie, Johnson, Logan, Russell, Ryder, Sutton, Whaley, and Wilkin—12.

So the bill passed and the title was agreed to.

Senate File No. 378, a bill for an act to change the name of the Reform School to Industrial School, with report of committee recommending that it do pass, was taken up and considered.

Senator Eastman moved to amend by inserting after "1873" in the first line the following, "and wherever the word occurs."

Senator Larrabee offered a substitute, which was adopted.

Senator Eastman moved that the rule be suspended, 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 Baker, Barrett, Bayless, Bloom, Brown, Caldwell, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Graves, Hemenway, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Rothert, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin—35.

The nays were:

Senators Glass, Smith, and Whiting—3.

Absent or not voting:

Senators Abraham, Bills, Carr, Cassatt, Hall, Henderson, Hendrie, Hunt, Johnson, Poyneer, Russell, and Ryder—12.

So the bill passed and the title was agreed to.

Senator Johnson offered a petition from citizens of Iowa relative to Soldiers' Home.

Referred to the Committee on Military.

Senator Rothert offered a petition of same character.

Referred to same committee.

#### HOUSE MESSAGES.

House File No. 211, a bill for the support of the Institution of Deaf and Dumb. An act to amend section one, chapter one hundred and five, laws of the Nineteenth General Assembly, relating to the Institution for the Deaf and Dumb.

Read a first and second time and referred to the Committee on Appropriations.

House File No. 181, a bill for an act making appropriations for the Iowa Agricultural College.

Read a first and second time and referred to the Committee on Appropriations.

House File No. 214, a bill for an act making appropriations for the Hospital for the Insane at Mt. Pleasant.

Read a first and second time and referred to the Committee on Appropriations.

House File No. 493, a bill for an act to provide for the publication of the present address of ex-officers of Iowa regiments during the war of the rebellion.

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

House File No. 505, a bill for an act making appropriations for the Boys' Reform School at Eldora.

Read a first and second time and referred to the Committee on Appropriations.

House File No. 334, a bill for an act making appropriations for the Iowa Institution for Feeble-Minded Children at Glenwood, Iowa.

Read a first and second time and referred to the Committee on Appropriations.

House File No. 327, a bill for an act making appropriations to the girls' department of the Iowa Reform School.

Read a first and second time and referred to the Committee on Appropriations.

House File No. 239, a bill for an act making an appropriation for the Hospital for the Insane at Independence.

Read a first and second time and referred to the Committee on Appropriations.

House File No. 203, a bill for an act to appropriate funds to furnish buildings, buy lands, and to make improvements for the Soldiers' Orphans' Home, and Home for Indigent Children at Davenport, Iowa.

Read a first and second time and referred to the Committee on Appropriations.

House File No. 323, a bill for an act making appropriations for the Penitentiary at Ft. Madison.

Read a first and second time and referred to the Committee on Appropriations.

House File No. 507, a bill for an act making appropriations for the support of the State Normal School at Cedar Falls, and conferring certain authority upon its board of directors.

Read a first and second time and referred to the Committee on Appropriations.

House File No. 119, a bill for an act making appropriation for erecting two additional wings to the Iowa Hospital for the Insane at Mt. Pleasant.

Read a first and second time and referred to the Committee on Appropriations.

House File No. 411, a bill for an act to appropriate funds to carry on the work at the Additional Penitentiary at Anamosa.

Read a first and second time and referred to the Committee on Appropriations.

House File No. 412, a bill for an act to amend section 1121, of the Code of 1873, relative to the amount of the annual appropriation to the State Horticultural Society.

Read a first and second time and referred to the Committee on Appropriations.

House File No. 223, a bill for an act to legalize the incorporation of the town of Riverside, Washington county, Iowa.

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

House File No. 487, a bill for an act to legalize the locating and establishing of roads and highways in the county of O'Brien.

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

House File No. 346, a bill for an act to legalize certain acts of the board of supervisors of Osceola county in regard to highways.

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

House File No. 473, a bill for an act to legalize certain roads established in Otho and Elkhorn townships, Webster county.

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

House File No. 529, a bill for an act to legalize the incorporation and the official proceedings of the town of Kellerton, in the county of Ringgold.

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

House File No. 532, a bill for an act authorizing the Secretary of State to issue a patent for the southwest quarter ( $\frac{1}{4}$ ) of the southwest quarter ( $\frac{1}{4}$ ) section 31, township 79, and range 19.

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

#### BILLS ON SECOND READING.

House File No. 146, a bill for an act to amend sections 1604, 1606 and 1608, and to repeal and provide a substitute for section 1605 of chapter 3, title 12, of the Code, in relation to the trustees of the State Agricultural College, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Bayless offered the following, which was adopted:

Amend section one (1), by striking out all of the section after "continue," in the seventh line, and insert the following: "as members of the board of trustees from their several congressional districts until their terms of office expire."

Senator Sutton moved to amend, by striking out the word "four," in the fourth line, section 2, and insert "one."

Adopted.

Also, to strike out section 3.

Adopted.

Senator Hemenway moved to amend, by striking out the word "five," in the second line, section 3, and insert "three."

Lost.

Senator Hemenway moved to amend, by striking out after the first word "and," in third line of section 1608, and insert "and the actual traveling expenses incurred by each member of the board in attending to his business. The time which any trustee shall spend in going to and returning from meetings of the board shall be considered time actually employed in the discharge of his duties."

Upon this the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Abraham, Baker, Bloom, Carr, Chubb, Gillett, Glass, Hemenway, Hunt, Johnson, Larrabee, Marshall, Miles, Nichols, Sweeney, Whaley, and Whiting—17.

The nays were:

Senators Bayless, Bills, Brown, Caldwell, Carson, Chambers, Clark, Cotton, Donnan, Duncan, Eastman, Henderson, Hutchison, Kamrar, Logan, McCoy, McDonough, Poyneer, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sutton, and Wilkin—26.

Absent or not voting:

Senator Barrett, Cassatt, Gault, Graves, Hall, Hendrie, and Russell—7.

So the amendment was lost.

Senator Hemenway moved to amend as follows:

Section 1608 is repealed, and insert the following:

"The trustees shall receive no compensation for their services, but shall receive reimbursement of the actual expenses, and they may allow compensation for members of the executive committee at the rate of five dollars per day, for not more than thirty days in any one year. Such expenses shall be paid out of the treasury upon the sworn bill."

Lost.

Senator Donnan moved to amend, by striking out all after the word "hereby," in section 3, and insert "repealed."

Senator Chambers moved to amend, by striking out the entire section (3).

Accepted and adopted.

On motion of Senator Sutton the rule was suspended and the bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Duncan, Eastman, Gault, Gillett, Hall, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Rothert, Smith, Sudlow, Sutton, Sweeney, Whaley, and Wilkin—36.

The nays were:

Senators Abraham, Baker, Donnan, Glass, Graves, Hemenway, Robinson, Stephens, and Whiting—9.



Absent or not voting:

Senators Barrett, Cassatt, Hendrie, Russell, and Ryder—5.

So the bill passed.

Senator Sutton moved to amend the title, by striking out "1606 and 1608."

Adopted, and the bill as amended was agreed to.

Senator Graves called up his motion for reconsideration of vote by which Senate File No. 318 was lost, and the vote was reconsidered.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Brown, Caldwell, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Gillett, Glass, Graves, Hall, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larabee, Marshall, Miles, Nichols, Poyneer, Robinson, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—34.

The nays were:

Senators Bloom, Carr, Eastman, McCoy, McDonough, and Smith—6.

Absent or not voting:

Senators Bills, Carson, Cassatt, Gault, Hemenway, Hendrie, Logan, Rothert, Russell, and Ryder—10.

So the bill passed and the title was agreed to.

Senator Smith 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 on Tuesday, April 1st, at 10:30 A. M., to elect trustees of the various State institutions, and regents of the State University.

Adopted.

At 12 M. the Senate adjourned.

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## AFTERNOON SESSION.

2 O'CLOCK P. M.

Senate reconvened, the President in the chair.

### REPORTS OF COMMITTEES.

Senator Robinson, from the Committee on Normal Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Normal Schools, to whom was referred Senate File No. 342, a bill for an act to establish and maintain a school for the training of teachers of common schools, at Lyons, 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 not pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 353, a bill for an act to amend sections 2 and 3, of chapter 210 of the acts of the Eighteenth General Assembly, for the purpose of defining the terms upon which policies may be canceled, beg leave to report that they have had the same under consideration and agreed upon a substitute, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted, and when adopted it do pass.

HIRAM Y. SMITH, *Chairman.*

Ordered passed on file.

Senator Kamrar, 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 Senate File No. 535, a bill for an act to amend section 277 of the Code, giving additional duties and privileges to county surveyors, beg leave to report that they have had the same under consideration, and the majority have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. L. KAMRAR, *Chairman.*

Report of committee adopted.

Senator Chambers from the Committee on Penitentiary, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiary, to whom was referred the pardon of Stanley, from Story county, in penitentiary under life sentence, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that a pardon be not granted.

J. C. CHAMBERS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Penitentiary, to whom was referred application for pardon of Lewis W. Weirick, of Harrison county, beg leave to report that they have had the same under consideration, and because of lack of evidence before the committee, a majority have instructed me to report the same back to the Senate without recommendation, advising his excellency the Governor to act in premises as his judgment may dictate.

J. C. CHAMBERS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Penitentiary, to whom was referred application for pardon of Lewis W. Weirick, beg leave to report that they have had the same under consideration, and a minor-

ity of the committee have instructed me to report the same back to the Senate with the recommendation that the concurrent resolution contained in House message of March 25th, in reference to his pardon be adopted.

J. C. CHAMBERS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Penitentiary, to whom was referred application for pardon of Annie Taylor, beg leave to report that they have had the same under consideration, and because of the lack of evidence before the committee they have instructed me to report the same back to the Senate without recommendation, suggesting, however, to his excellency the Governor that he act in the premises as his judgment may dictate.

J. C. CHAMBERS, *Chairman*.

Ordered passed on file.

SPECIAL ORDER—BILLS ON SECOND READING.

Senate File No. 56, a bill for an act to repeal section 4013, chapter 9, title 24, of the Code, relating to houses of ill-fame, and to enact a substitute therefor, with report of committee reporting substitute, and recommending it do pass, was taken up, considered, and the report of the committee adopted.

Senator Marshall moved that the 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 Abraham, Baker, Barrett, Bayless, Bloom, Brown, Caldwell Carr, Chambers, Donnan, Duncan, Eastman, Gillett, Glass, Hem enway, Hunt, Kamrar, Larrabee, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Stephens, Sudlow, Sweney, and Whaley—29.

The nays were:

Senators Bills, Hutchison, Johnson, McCoy, Ryder, Whiting, and Wilkin—7.

Absent or not voting:

Senators Carson, Cassatt, Chubb, Clark, Cotton, Gault, Graves, Hall, Henderson, Hendrie, Logan, Russell, Smith, and Sutton—14.

So the bill passed and the title was agreed to.

Senators Cotton and Clark were granted leave of absence.

Senator Bloom moved a reconsideration of the vote by which the bill passed.

Carried.

Senator Bills moved a reconsideration of the vote by which the rule was suspended.

Carried.

Senator Robinson moved to amend section 1, line five, by striking out the words "three nor," and inserting "six months."

Adopted.

Senator Eastman moved to amend by striking out "he" in fourth line same section, and insert "such person."

Adopted.

Senator McCoy moved to amend third line of section by striking out the words "endeavor to."

Adopted.

Senator Bills moved to amend third line, section 3, by inserting the words "cigar store."

Adopted.

Senator Brown moved to amend eighth line, section 2, by striking out the words "not less than three nor."

Lost.

Senator Hall moved to amend section 4016 by striking out all down to and including the word "prostitution" in fourth line, and insert "if any person shall entice into a life of shame a virtuous woman."

Lost.

Senator Marshall moved the bill be recommitted.

Lost.

Senator Robinson moved to strike out the word "he" in fourth line, and insert the words "such persons."

Adopted.

Senator Bloom moved to amend by inserting "less than six months nor," after the word "not" in fourth line, section 4.

Lost.

Senator McCoy moved to amend section 4016, fifth line, by striking out the word "reputed."

Lost.

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

On the question shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, McCoy, Marshall, Miles, Nichols, Robinson, Rothert, Smith, Stephens, Sudlow, Sweney, Whaley, Whiting, and Wilkin—89.

The nays were:

Senator McDonough—1.

Absent or not voting:

Senators Baker, Bayless, Cassatt, Cotton, Henderson, Logan, Poyneer, Russell, Ryder, and Sutton—11.

So the bill passed and the title was agreed to.

Senate File No. 73, a bill for an act to amend chapter 54, of the acts of the Sixteenth General Assembly, relating to the construction of sewers, with report of committee reporting back without recommendation, was taken up.

Senator Rothert moved that the 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 Abraham, Baker, Bayless, Bills, Bloom, Caldwell, Carr, Carson, Chubb, Clark, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hall, Henderson, Hunt, Hutchison, Johnson, Kamrar, McCoy, McDonough, Marshall, Miles, Robinson, Rothert, Smith, Stephens, Sudlow, Sweney, Whaley, Whiting, and Wilkin—35.

The nays were:

Senators Brown and Hemenway—2.

Absent or not voting:

Senators Barrett, Cassatt, Chambers, Cotton, Eastman, Hendrie, Larrabee, Logan, Nichols, Poyneer, Russell, Ryder, and Sutton—13.

So the bill passed and the title was agreed to.

Senate File No. 74, a bill for an act to provide for the publication of names and residences of Iowa soldiers, etc., with report of committee reporting substitute and recommending it do pass, was taken up and considered.

Senator Rothert offered the following amendment:

Sec. 3. There is hereby appropriated the sum of two thousand dollars, or so much thereof as may be necessary for the purposes named in this act, and all warrants against said appropriation shall be drawn by the Auditor of State upon the State Treasurer upon the certificate of Adjutant-General.

Adopted.

Substitute as amended adopted.

Senator Chubb moved to amend as follows: Add after word "service" in sixth line, "and if drawing a pension, the amount per month, and cause of disability."

Lost.

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

The question being shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carson, Chubb, Clark, Duncan, Eastman, Gault, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Smith, Stephens, Sweney, Whaley, Whiting, and Wilkin—39.

The nays were:

Senator Donnan—1.

Absent or not voting:

Senators Carr, Cassatt, Chambers, Cotton, Glass, Johnson, Russell, Ryder, Sudlow, and Sutton—10.

So the bill passed and the title was agreed to.

Senate File No. 89, a bill for an act providing that cities and towns may submit to the qualified electors the question of levying a special tax for the purpose of purchasing and improving public parks, with report of committee recommending it do pass, was taken up and considered.

Senator Carson offered a substitute.

Substitute adopted.

Senator Carson moved that the 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 Abraham, Baker, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Donnan, Duncan, Gillett, Glass, Graves, Hemenway, Henderson, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Smith, Sweney, Whaley, Whiting, and Wilkin—34.

The nays were:

Senators Eastman, Gault, Hall Johnson, Kamrar, Ryder, Stephens, and Sudlow—8.

Absent or not voting:

Senators Barrett, Cassatt, Cotton, Hendrie, Marshall, Rothert, Russell, and Sutton—8.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 194, a bill for an act to amend section 4039 of the Code of 1873, relating to the spread of small-pox.

Senate File No. 303, a bill for an act to legalize the levy of certain taxes in Van Buren county, Iowa.

Joint resolution No. 8, relating to free homes for all surviving soldiers and sailors of the Union army.

SIDNEY A. FOSTER, *Clerk.*

The President signed the following in the presence of the Senate.

House File No. 194, House joint resolution No 8, Senate File No. 303.

Senator Wilkin called up his motion to reconsider the vote by which Senate File No. 305 was lost.

Upon this the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Abraham, Bayless, Brown, Caldwell, Carson, Cassatt, Chambers, Clark, Donnan, Duncan, Eastman, Gault, Glass, Graves, Hemenway, Henderson, Hunt, Hutchison, Larrabee, Logan, McDonough, Miles, Nichols, Poyneer, Robinson, Ryder, Smith, Sudlow, Sweney, Whaley, Whiting, and Wilkin—32.

The nays were:

Senators Baker, Barrett, Carr, Chubb, Gillett, Hall, Johnson, Kamrar, and Sutton - 9.

Absent or not voting:

Senators Bills, Bloom, Cotton, Hendrie, McCoy, Marshall, Rothert, Russell, and Stephens—9.

So the motion prevailed.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bloom, Brown, Caldwell, Carson, Chambers, Clark, Donnan, Duncan, Eastman, Gault, Glass, Graves, Hemenway, Hunt, Hutchison, Larrabee, Logan, McDonough, Miles, Nichols, Poyneer, Robinson, Ryder, Smith, Stephens, Sudlow, Sweney, Whaley, and Wilkin—32.

The nays were:

Senators Bayless, Bills, Chubb, Henderson, Johnson, Kamrar, Rotherth, and Whiting—8.

Absent or not voting:

Senators Carr, Cassatt, Cotton, Gillett, Hall, Hendrie, McCoy, Marshall, Russell, and Sutton—10.

So the bill passed and the title was agreed to.

Senator McCoy called up his motion to reconsider vote by which Senate File No. 130 was lost.

Vote reconsidered.

Senator McCoy called up his motion to reconsider vote by which that bill was considered engrossed.

Vote not reconsidered.

The question being shall the bill pass?

The yeas were:

Senators Bills, Brown, Caldwell, Carson, Chambers, Gillett, Graves, Hemenway, Henderson, Hunt, Hutchison, Kamrar, McCoy, McDonough, Miles, Robinson, Smith, Stephens, Sutton, Whaley, and Wilkin—21.

The nays were:

Senators Abraham, Bloom, Chubb, Clark, Donnan, Duncan, Gault, Hall, Johnson, Nichols, Ryder, Sudlow, and Whiting—13.

Absent or not voting:

Senators Baker, Barrett, Bayless, Carr, Cassatt, Cotton, Eastman, Glass, Hendrie, Larrabee, Logan, Marshall, Poyneer, Rotherth, Russell, and Sweney—16.

So the bill was lost.

#### MESSAGE FROM THE HOUSE

The following message was received from the House:

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

House File No. 104, a bill for an act to prohibit the selling or giving of fire arms to minors and irresponsible persons.

Also, that the House has passed, without amendment, the following Senate bills:

Senate File 381, a bill for an act to authorize township trustees to employ attorneys in certain cases.

Senate File No. 334, an act to repeal section 1, chapter 60, acts of the Eighteenth General Assembly.

Senate File No. 207, a bill for an act to donate certain arms to the Grand Army of the Republic, department of Iowa.

Senate File No. 294, a bill for an act to amend section 3948 of the

Code, to prevent the acceptance of bribes by marshals, deputy marshals, policemen, and other police officers of cities and towns.

Also, that the House has indefinitely postponed Senate joint resolution No. 18, relating to matters of pardons.

Also indefinitely postponed Senate substitute for Senate File No. 71, a bill for an act to amend chapter 165, of the acts of the Seventeenth General Assembly, relating to the execution of the sentence of death.

SIDNEY A. FOSTER, *Clerk.*

Senator Sweney called up his motion to reconsider the vote by which Senate File 299 was lost, and the vote was reconsidered.

Senator Sweney called up his motion to reconsider the vote by which the rule was suspended, and the vote was reconsidered.

Senator Gault moved to amend, by substituting "5,000" for "10,000."

Adopted.

Senator Rothert moved to amend as follows:

After the word "Iowa," in third line, section 1, insert the following: "any corporation, firm, or citizens of the State."

Upon this the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Brown, Eastman, Rothert, and Stephens—4.

The nays were:

Senators Abraham, Bayless, Cassatt, Chambers, Chubb, Donnan, Duncan, Gault, Glass, Hall, Hemenway, Hendrie, Hunt, Hutchison, Logan, McCoy, Marshall, Miles, Nichols, Poyneer, Ryder, Sudlow, Sutton, Sweney, Whaley, and Whiting—26.

Absent or not voting:

Senators Baker, Barrett, Bills, Bloom, Caldwell, Carr, Carson, Clark, Cotton, Gillett, Graves, Henderson, Johnson, Kamrar, Larrabee, McDonough, Robinson, Russell, Smith, and Wilkin—20.

So the amendment was lost.

On motion of Senator Sweney the rule was suspended and the bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bayless, Bloom, Brown, Caldwell, Carr, Cassatt, Chambers, Chubb, Clark, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Hendrie, Hunt, Kamrar, Logan, McCoy, Marshall, Miles, Nichols, Poyneer, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—35.

The nays were:

Senators Carson, Graves, Hall, Hutchison, McDonough, Robinson, and Rothert—7.

Absent or not voting:

Senators Baker, Bills, Cotton, Hemenway, Henderson, Johnson, Larrabee, and Russell—8.

So the bill passed and the title was agreed to.



## RESOLUTION.

Senator Marshall offered the following resolution:

*Resolved by the Senate,* That in view of the fact that the General Assembly has fixed the day of its final adjournment on the second day of April; the President of the Senate shall appoint a committee to consist of nine members to act as a sifting committee, whose duty it shall be to examine all bills on the files of the Senate and arrange them in such order as shall be deemed most advisable for the dispatch of the business of the Senate.

Senator Graves moved to amend as follows:

*Resolved,* That a sifting committee of seven Senators be appointed, to whom all pending bills, except those on third reading and on special order, or appropriation bills shall be referred for classification, said committee to be named by the President March 28, 1884.

Senator Larrabee moved that the date be stricken out in the resolution.

Adopted.

Resolution as amended adopted.

Senator Hemenway moved that when the Senate adjourn it adjourn till 8 o'clock this evening, and that appropriation bills be then taken up in the order named on schedule.

Adopted.

## REPORTS OF COMMITTEES.

Senator Chambers, 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. 388, an act to legalize certain errors and omissions of the board of supervisors of Appanoose county, Iowa.

Senate File No. 176, an act concerning bells and steam whistles on locomotives.

Senate File No. 49, an act making appropriation to the Iowa Prisoners' Aid Association.

Senate File No. 28, an act to amend chapter 147 of the acts of the Nineteenth General Assembly, relating to the bonding of county indebtedness.

Senate File No. 121, an act appropriating the sum of \$645.24 in payment of claims held by John H. Gear and the Burlington Gas Light Company.

Senate File No. 11, an act to protect all citizens in their civil and legal rights.

Senate File No. 362, an act to pay to the Hon. John Shane, late district judge of the eighth judicial district of Iowa, the salary for his unexpired term as such judge.

Senate File No. 366, a bill for an act to amend section 2609, chapter 6, title 17 of the Code of 1873, in relation to the truth of return of notices served on patients in Hospitals for the Insane.

Senate File No. 348, an act to legalize the organization of the in-

dependent school district of Rock Valley in Sioux county, Iowa, and the acts of the officers thereof.

Senate File No. 380, an act to amend chapter ninety-five (95) of laws of Sixteenth General Assembly.

Senate File No. 359, an act to prohibit the use of barbed wire in enclosing public school grounds.

Senate File No. 341, an act to legalize certain ordinances of the town of Sanborn, in O'Brien county, Iowa, and the acts of its officers thereunder.

Senate File No. 347, an act to legalize the official acts of J. B. Mead, a justice of the peace in and for Lyon county, Iowa.

Senate File No. 152, an act to legalize certain acts of the First Universalist Society of Dubuque, and to relinquish an escheat.

And find the same correctly enrolled.

J. C. CHAMBERS, *Chairman.*

Senator Wilkin, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred House File No. 544, a bill for an act providing for the care and management of the new capitol, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

ELI WILKIN, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 209, a bill for an act to repeal sections 1 and 2, chapter 210, of the acts of the Eighteenth 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 not pass.

HIRAM Y. SMITH, *Chairman.*

Report of committee adopted.

At 5:50 o'clock, on motion of Senator Poyneer, the Senate adjourned.

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## EVENING SESSION.

8:00 O'CLOCK P. M.

Senate reconvened, the President in the chair.

Senators Clark and Hall were excused for this evening.

### BILLS ON SECOND READING.

On motion of Senator Brown House File No. 233, a bill for an act

to amend section 382, chapter 9, title 4, Code of Iowa, relating to division of townships, was taken up and considered.

Senator Brown moved that the 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 Abraham, Baker, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Sudlow, Sutton, Whaley, Whiting, and Wilkin—36.

The nays were none:

Absent or not voting:

Senators Barrett, Clark, Gault, Glass, Hall, Hemenway, Logan, McCoy, Rothert, Russell, Ryder, Smith, Stephens, and Sweney—14.

So the bill passed and the title was agreed to.

On motion of Senator Kamrar House joint resolution No. 7½, relative to Des Moines River lands, was taken up.

Senator Kamrar moved the rule be suspended, 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 Abraham, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Graves, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, McDonough, Marshall, Miles, Poyneer, Robinson, Stephens, Sudlow, Sutton, Whaley, Whiting, and Wilkin—35.

The nays were none.

Absent or not voting:

Senators Baker, Barrett, Cassatt, Clark, Glass, Hall, Johnson, Logan, McCoy, Nichols, Rothert, Russell, Ryder, Smith, and Sweney—15.

So the bill passed and the title was agreed to.

#### REPORTS OF COMMITTEES.

Senator Brown, 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 House File No. 233, a bill for an act to amend section 382, chapter 9, title 4, Code of Iowa, relating to division of townships, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

BROWN, *Chairman.*

Ordered passed on file.

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

**MR. PRESIDENT**—Your Committee on Appropriations, to whom was referred substitute for House File No. 334, a bill for an act making appropriations for Iowa Institution for feeble-minded children, beg leave to report that they have 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. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT**—Your Committee on Appropriations, to whom was referred House File No. 327, a bill for an act making appropriation to the girls' department of the Iowa Reform School, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT**—Your Committee on Appropriations, to whom was referred House File No. 181, a bill for an act making appropriations for 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.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT**—Your Committee on Appropriations, to whom was referred House File No. 507, a bill for an act making an appropriation for the support of the State Normal School at Cedar Falls, and conferring certain authority upon the board of directors 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.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT**—Your Committee on Appropriations, to whom was referred House File No. 545, a bill for an act making appropriations for the better 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.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

**MR. PRESIDENT**—You Committee on Appropriations, to whom was referred House File No. 467, a bill for an act making appropriation in aid and support of the State University of Iowa, beg leave to report that they have had the same under consideration, and have

instructed me to report the same back to the Senate with the recommendation that it do pass.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 323, a bill for an act making appropriations for the Penitentiary at Ft. Madison, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 203, a bill for an act to appropriate funds to furnish buildings, buy land and make improvements for the Soldiers' Orphans' Home and Home for Indigent Children, at Davenport, 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.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred substitute for House File No. 505, a bill for an act making appropriations for the Boys' Reform School, at Eldora, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred substitute for House File No. 337, a bill for an act making appropriation for the Institution for the Deaf and Dumb at Council Bluffs, 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.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 411, a bill for an act to appropriate funds to carry on the work at 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.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was

referred House File No. 239, a bill for an act making an appropriation 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 do pass.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 461, a bill for an act making an appropriation to employ an expert oculist for the benefit of the inmates of the College for the Blind, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 460, a bill for an act making an appropriation for the College of the Blind, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

House File No. 398 was make a special order immediately after disposal of appropriations.

#### BILLS ON SECOND READING.

House File No. 214, a bill for an act making an appropriation for the Hospital for the Insane at Mt. Pleasant, was taken up.

Senator Sutton moved that the 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carson, Chambers, Chubb, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—42.

The nays were none.

Absent or not voting:

Senators Carr, Cassatt, Clark, Eastman, Hall, Johnson, Poyneer, and Russell—8.

So the bill passed and the title was agreed to.

On motion of Senator Sutton Senate File No. 192 was indefinitely postponed.

House File No. 181, a bill for an act making appropriations for the Iowa Agricultural College, was taken up and considered.

Senator Sutton moved to amend by adding: "Provided that not more than one half of this appropriation shall be drawn from the treasury during the year 1884."

Adopted.

On motion of Senator Sutton the rule was suspended and the bill read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carson, Cassatt, Chambers, Chubb, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—43.

The nays were none.

Absent or not voting:

Senators Carr, Clark, Hall Hemenway, Johnson, Marshall, and Russell—7.

So the bill passed and the title was agreed to.

On motion of Senator Sutton Senate File No. 185 was indefinitely postponed.

House File No. 334, a bill for an act making appropriations for the Iowa Institution for Feeble-Minded Children, was taken up and considered.

Senator Sutton moved to amend by adding to section 1: "Provided that not more than one half of this appropriation shall be drawn during the year 1884."

Adopted.

On motion of Senator Sutton the rule was suspended and the bill read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—45.

The nays were none.

Absent or not voting:

Senators Cassatt, Clark, Hall, Hemenway, and Russell—5.

So the bill passed and the title was agreed to.

On motion of Senator Sutton Senate File No. 208 was indefinitely postponed.

House File No. 327, a bill for an act making appropriations to the Girls' Reform School, was taken up and considered.

Senator Sutton moved to amend by adding to section 1:

Provided that not more than one half of this appropriation shall be drawn during the year 1884.

Adopted.

Senator Sutton moved that the 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—43.

The nays were none.

Absent or not voting:

Senators Cassatt, Chubb, Clark, Cotton, Hall, Hemenway, and Russell—7.

So the bill passed and the title was agreed to.

On motion of Senator Sutton Senate File No. 200 was indefinitely postponed.

House File No. 337, a bill for an act making appropriations for the Institution for the Deaf and Dumb at Council Bluffs, was taken up and considered.

Senator Sutton moved that the 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Carr, Carson, Cassatt, Chambers, Chubb, Donnan, Eastman, Gault, Glass, Graves, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—43.

The yeas were none.

Absent or not voting:

Senators Caldwell, Clark, Cotton, Duncan, Gillett, Hall, and Russell—7.

So the bill passed and the title was agreed to.

On motion of Senator Sutton Senate File No. 229 was indefinitely postponed.

House File No. 505, a bill for an act making an appropriation for the Boys' Reform School at Eldora, was taken up and considered.

Senator Sutton moved to amend by adding to section 2:

Provided not more than half this appropriation shall be drawn during the year 1884.

Adopted.

Senator Eastman moved to amend by adding "two hundred and fifty dollars for a chaplain per annum."

Senator Gault moved to lay motion on the table.

Lost.

Senator Marshall moved to amend by appropriating one thousand dollars for a resident chaplain.



## MESSAGE FROM THE HOUSE.

The following message was received from the House:

**MR. PRESIDENT**—I am directed to inform you that the House has adopted the following joint resolution in which the concurrence of the Senate is asked:

Joint resolution No. 21, requesting Senators and Representatives in Congress to use their influence to secure passage of a bill equalizing bounties.

Also, the House has concurred in the following Senate concurrent resolution, relating to joint convention of the two houses to meet Tuesday, April 1st, at 10:30 A. M., to elect trustees of the various State institutions and regents of the State University.

Also, concurrent resolution requiring the Capitol Commissioners to furnish a report of the estimate of the expense required in improving the capitol grounds.

Also, that the House has concurred in the passage of Senate amendments to House File No. 146, a bill for an act to amend sections 1604, 1606, 1608, and to repeal section 1605 and provide a substitute there for, of the Code, in relation to the trustees of the State Agricultural College.

Also:

**MR. PRESIDENT**—I am directed to inform you that the House has passed the without amendment the following Senate bill:

Senate File No. 23, a bill providing for the election of assessors for State and county purposes in cities organized and existing under special charters.

Also:

**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. 146, a bill for an act to amend sections 1604, 1606, 1608, and to repeal section 1605 and provide a substitute therefor, of the Code, in relation to the trustees of the State Agricultural College.

SIDNEY A. FOSTER, *Clerk.*

The President signed in the presence of the Senate House File No. 146.

Senator Whaley moved the previous question, which was carried, and the Senate ordered the main question.

On the adoption of the amendment to the amendment the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Chambers, Chubb, Graves, Hemenway, Marshall, and Ryder—6.

The nays were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Brown, Caldwell, Carr, Carson, Cotton, Donnan, Duncan, Eastman, Gault, Henderson, Hendrie, Hunt, Hutchison, Johnson, Larrabee, McDonough, Miles, Poyneer, Robinson, Rothert, Smith, Stephens, Sutton, Sweney, Whaley, Whiting and Wilkin—32.

Absent or not voting:

Senators Bloom, Cassatt, Clark, Gillett, Glass, Hall, Kamrar, Logan, McCoy, Nichols, Russell, and Sudlow—12.

So the amendment was lost.

The question being upon the amendment of Senator Eastman, the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Abraham, Barrett, Caldwell, Chambers, Chubb, Duncan, Eastman, Glass, Graves, Hall, Hemenway, Johnson, McCoy, Marshall, Nichols, Stephens, Sweney, and Wilkin—18.

The nays were:

Senators Baker, Bayless, Bills, Brown, Carr, Carson, Cassatt, Cotton, Donnan, Gault, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, Logan, McDonough, Miles, Poyneer, Robinson, Ryder, Smith, Sudlow, Sutton, Whaley, and Whiting—27.

Absent or not voting:

Senators Bloom, Clark, Gillett, Rothert, and Russell—5.

So the amendment was lost.

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

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Larrabee, Logan, McCoy, McDonough, Marshall, Nichols, Poyneer, Robinson, Ryder, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—39.

The nays were none.

Absent or not voting:

Senators Barrett, Bayless, Cassatt, Chambers, Cotton, Hall, Kamrar, Miles, Rothert, Russell, and Smith—11.

So the bill passed and the title was agreed to.

On motion of Senator Sutton, Senate File No. 177, was indefinitely postponed.

House File No. 323, a bill for an act making appropriations for the Penitentiary at Fort Madison, was taken up and considered.

Senator Sutton moved to amend by adding to section 1: "Provided, that not more than one half this appropriation shall be drawn during the year 1884.

Adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bills, Bloom, Brown, Carr, Carson, Cassatt, Chambers, Chubb, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hutchison, Johnson, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—40.

The nays were none.

Absent or not voting:

Senators Bayless, Caldwell, Clark, Cotton, Hall, Hunt, Logan, Rother, Russell, and Ryder—10.

So the bill passed and the title was agreed to.

On motion of Senator Sutton, Senate File No. 254 was indefinitely postponed.

House File No. 203, a bill for an act to appropriate funds to furnish buildings, buy land and make improvements for the Soldiers' Orphans' Home and Home for Indigent Children, at Davenport, Iowa, was taken up and considered.

Senator Sutton moved to amend by adding to section 2: Provided that not more than one-half this appropriation shall be drawn during the year 1884.

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

On the question shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rother, Ryder, Smith, Stephens, Sudlow, Sutton, Sweny, Whaley, and Whiting—42.

The nays were none.

Absent or not voting:

Senators Baker, Bayless, Chubb, Clark, Cotton, Hall, Russell, and Wilkin—8.

So the bill passed and the title was agreed to.

On motion of Senator Sutton Senate File No. 125 was indefinitely postponed.

House File No. 411, a bill for an act to appropriate funds to carry on the work at the Additional Penitentiary at Anamosa, was taken up and considered.

Senator Sutton moved to amend by adding section 2: Provided that not more than one half this appropriation shall be drawn during the year 1884.

Adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Donnan, Duncan, Gault, Gillett, Glass, Graves, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Ryder, Smith, Stephens, Sudlow, Sutton, Sweny, Whaley, Whiting, and Wilkin—40.

The nays were none.

Absent or not voting:

Senators Baker, Bayless, Chubb, Clark, Cotton, Eastman, Hall, Hemenway, Rothert, and Russell—10.

So the bill passed and the title was agreed to.

On motion of Senator Sutton Senate File 257, was indefinitely postponed.

House File No. 467, a bill for an act for an appropriation in aid and support of the State University, was taken up and considered.

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

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Donnan, Duncan, Eastman, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—39.

The nays were none.

Absent or not voting:

Senators Baker, Barrett, Bayless, Chubb, Clark, Cotton, Gault, Hall, Kamrar, Poyneer, and Russell—11.

So the bill passed and the title was agreed to.

On motion of Senator Sutton, Senate File No. 264, was indefinitely postponed.

House File No. 545, a bill for an act making an appropriation for the better support of the State University, was taken up.

On motion of Senator Sutton the rule was suspended and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bills, Bloom, Brown, Caldwell, Carr, Carson, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—41.

The nays were none.

Absent or not voting:

Senators Baker, Bayless, Cassatt, Chambers, Chubb, Clark, Cotton, Hall, and Russell—9.

So the bill passed and the title was agreed to.

On motion of Senator Sutton Senate File No. 264, was indefinitely postponed.

House File No. 507, a bill for an act making an appropriation for the support of State Normal School at Cedar Falls, and conferring certain authority upon its board of directors, was taken up and considered.

Senator Sutton moved to amend by inserting "\$800" after "\$27,000."

Adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Abraham, Bills, Bloom, Brown, Caldwell, Carson, Donnan, Eastman, Gault, Glass, Graves, Hemenway, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabée, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—35.

The nays were none.

Absent or not voting:

Senators Baker, Barrett, Bayless, Carr, Cassatt, Chambers, Chubb, Clark, Cotton, Duncan, Gillett, Hall, Hendrie, Logan, and Marshall—15.

So the bill passed and the title was agreed to.

On motion of Senator Sutton Senate File No. 352 was indefinitely postponed.

House File No. 460, a bill for an act making appropriations for the College for the Blind, was taken up.

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

The question being shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—43.

The nays were none.

Absent or not voting:

Senators Bayless, Chubb, Clark, Cotton, Eastman, Hall, and Russell—7.

So the bill passed and the title was agreed to.

On motion of Senator Sutton Senate File No. 311 was indefinitely postponed.

House File 461, a bill for an act making an appropriation to employ an expert oculist for the benefit of the inmates of the College for the Blind, was taken up.

On motion of Senator Sutton the rule was suspended and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—43.

The nays were none.

Absent or not voting:

Senators Bayless, Chubb, Clark, Cotton, Hall, Marshall, and Russell—7.

So the bill passed and the title was agreed to.

On motion of Senator Sutton House File No. 239, a bill for an act making an appropriation for the Hospital for the Insane at Independence, was taken up.

On motion of Senator Sutton the rule was suspended and the bill was read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—43.

The nays were none.

Absent or not voting:

Senators Bayless, Chubb, Clark, Cotton, Hall, Marshall, and Russell—7.

So the bill passed and the title was agreed to.

On motion of Senator Donnan Senate File No. 379 was indefinitely postponed.

On motion of Senator Stephens House File No. 398 was made a special order immediately after disposal of appropriation bills.

At 10:40 o'clock, on motion of Senator Sudlow, the Senate adjourned.

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SENATE CHAMBER, }  
DES MOINES, IOWA, March 28, 1884. }

Senate met pursuant to adjournment and was called to order by Senator Graves.

Prayer by Rev. Mr. Johnston.

Pending reading of journal Senator Brown moved further reading be dispensed with.

Carried.

PETITIONS, MEMORIALS, ETC.

Senator Larrabee offered a petition relative to soldiers' home.  
Referred to Committee on Appropriations.

## BILLS ON SECOND READING.

House File No. 211, a bill for an act to amend section 1, chapter 105, laws of the Nineteenth General Assembly, relating to the Institution for the Deaf and Dumb, was taken up.

On motion of Senator Sutton the rule was suspended and the bill read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bayless, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Graves, Hall, Hendrie, Hunt, Larrabee, Logan, McCoy, McDonough, Marshall, Nichols, Rothert, Ryder, Smith, Stephens, Sutton, Sweney, Whaley, Whiting, and Wilkin—35.

The nays were none.

Absent or not voting:

Senators Baker, Bills, Cassatt, Chambers, Glass, Hemenway, Henderson, Hutchison, Johnson, Kamrar, Miles, Poyneer, Robinson, Russell, and Sudlow—15.

So the bill passed and the title was agreed to.

Senator Smith moved further consideration of appropriation bills be postponed until the committee report on appropriation for the new Capitol.

Senator Larrabee moved to amend by excepting the appropriation for the new hospital for the insane, fish and game, horticulture and forestry, and land at Independence.

Senator Johnson moved the previous question, which was seconded by the Senate, which voted that the main question shall now be put.

The amendment of Senator Larrabee was lost.

The motion of Senator Smith was lost.

Senate File No. 286, a bill for an act making appropriation for the State Fish Commission, with the accompanying report of the committee on Fish and Game, was taken up.

On motion of Senator Sutton the rule was suspended and the bill read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hutchison, Larrabee, Logan, McDonough, Miles, Poyneer, Robinson, Rothert, Ryder, Stephens, Sudlow, Sutton, and Whaley—38.

The nays were:

Senators Caldwell, Johnson, Kamrar, Nichols, Sweney, Whiting, and Wilkin—7.

Absent or not voting:

Senators Hunt, McCoy, Marshall, Russell, and Smith—5.

So the bill passed and the title was agreed to.

Senator Chubb moved that Senate File No. 301 be indefinitely postponed.

Carried.

Senator Sweney moved that further appropriation bills be postponed until the Committee on Appropriations make report on new Capitol.

Senator Sutton moved to lay the motion on the table.

Carried.

House File No. 412, a bill for an act to amend section 1121 of the Code of 1873, relative to the annual appropriation to the State Horticultural Society, was taken up.

On motion of Senator Sutton the rule was suspended and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hutchison, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Poyneer, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—43.

The nays were:

Senators Gault, Johnson, and Kamrar—3.

Absent or not voting:

Senators Cassatt, Hunt, Nichols, and Russell—4.

So the bill passed and the title was agreed to.

Senator Sutton moved that Senate File No. 361 be indefinitely postponed.

Carried.

Senator Sweney moved that further consideration of appropriation bills be postponed until after Committee on Appropriations report on new Capitol.

Upon this the yeas and nays were demanded.

The roll was called.

The yeas were:

Senators Baker, Barrett, Duncan, Glass, Hemenway, Henderson, Johnson, Kamrar, Smith, Sweney, Whiting, and Wilkin—12.

The nays were:

Senators Abraham, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chubb, Clark, Donnan, Gault, Graves, Hendrie, Hutchison, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Stephens, Sudlow, Sutton, and Whaley—30.

Absent or not voting:

Senators Chambers, Cotton, Eastman, Gillett, Hall, Hunt, Logan, and Russell—8.

So the motion was lost.

House File No. 199, a bill for an act to authorize the trustees of the Iowa Hospital for the Insane at Independence, Iowa, to purchase land, was taken up.

On motion of Senator Sutton the rule was suspended and the bill read a third time.

On the question shall the bill pass?



The yeas were:

Senators Abraham, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carson, Chambers, Clark, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Stephens, Sudlow, Sutton, Sweeney, Whaley, Whiting, and Wilkin—40.

The nays were none.

Absent or not voting:

Senators Baker, Carr, Cassatt, Chubb, Cotton, Hall, Johnson, Logan, Russell, and Smith—10.

So the bill passed and the title was agreed to.

House File No. 492, a bill for an act to make further provision for the care of insane persons, was taken up and considered.

Senator Gillett offered the following amendment: amend section 3 by striking out all of line 4, to and including the word "State," and insert the following: Within four miles of the corporate limits of the city of Boone, in this State, if found to be practicable, otherwise at some other place in the central or western portion of the State.

Pending consideration the Senate adjourned.

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### AFTERNOON SESSION.

2 O'CLOCK P. M

Senate reconvened, with the President in the chair.

Consideration of the adoption of the amendment of Senator Gillett resumed.

### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 318, a bill for an act making an appropriation to pay certain ascertained claims for supplies furnished the Iowa State Penitentiary at Fort Madison.

House File No. 415, a bill for an act to change the name of the Additional Penitentiary at Anamosa, and to provide for a matron for the female convicts thereof, to authorize the purchase of certain lands, to provide for the house rent of the deputy warden.

Also, that the House has passed without amendment the following Senate bills:

Senate File No. 13, an act to repeal sections 857, 865 and 866 of the Code, and to enact substitutes therefor, providing for semi-annual

collection of taxes; also, to amend sections 871, 873 and 914 of the Code, and section 1, of chapter 79, of the acts of the Sixteenth General Assembly.

Senate File No. 139, a bill for an act to provide for the distribution of the funds by the assignee of insolvents.

Senate File No. 300, a bill for an act to amend section 120, of chapter 8, title 2, Code of 1873, in reference to the Executive Council, relating to the providing of supplies for State officers.

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

Senate File No. 49, a bill for an act making appropriation to the Iowa Prisoners' Aid Association.

Senate File No. 176, a bill for an act concerning bells and steam whistles on locomotives.

Senate File No. 11, a bill for an act to protect all citizens in their civil and legal rights.

Senate File No. 152, a bill for an act to legalize certain acts of the First Universalist Society of Dubuque.

Senate File No. 359, a bill for an act to prohibit the use of barb wire in enclosing public school grounds.

Senate File No. 121, a bill for an act appropriating the sum of \$645.24 in payment of claims held by John H. Gear and the Burlington Gas Light Company.

Senate File No. 28, a bill for an act to amend chapter 147 of the acts of the Nineteenth General Assembly, relating to the bonding of county indebtedness.

Senate File No. 388, a bill for an act to legalize certain errors and omissions of the board of supervisors of Appanoose county, Iowa.

House File No. 414, a bill for an act to legalize the acts of the board of supervisors of Ida county in the establishment of roads.

House File No. 528, a bill for an act authorizing the Auditor of State to issue certificates of purchase to the owners of certain school lands in Decatur county.

House File No. 104, a bill for an act to prohibit the selling or giving of fire-arms to minors and irresponsible persons.

A memorial, asking Congress to pension prisoners of war.

House File No. 272, a bill for an act to legalize the incorporation of the town of Nashua, Chickasaw county, etc.

House File No. 211, a bill for the support of the Institution of Deaf and Dumb. An act to amend section one, chapter one hundred and five, laws of the Nineteenth General Assembly, relating to the Institution for the Deaf and Dumb.

Senate File No. 341, a bill for an act to legalize the incorporation of the town of Sanborn, in the county of O'Brien, State of Iowa, and to legalize the acts of the town council and the officers of said town.

Senate File No. 347, a bill for an act to legalize the official acts of J. B. Mead, a justice of the peace in and for Lyon county, Iowa.

Senate File No. 348, a bill for an act to legalize the acts of and to establish the independent school district of Rock Valley.

Senate File No. 362, a bill for an act to pay to the Hon. John

Shane, late district judge of the Eighth judicial district of Iowa, the salary for his unexpired term as such judge.

Senate File No. 366, a bill for an act to amend section 2609, chapter 6, title 17, of the Code of 1873, in relation to the truth of return of notices served on patients in hospitals for the insane.

Senate File No. 380, a bill for an act to amend section 1, of chapter 95, of the laws of the Sixteenth General Assembly, in relation to the negotiation of loans by municipal corporations in anticipation of the revenues thereof.

Senate File No. 23, relating to special assessors.

Substitute for Senate File No. 40, a bill for an act to legalize certain proceedings of the council of the town of Milton, in Van Buren county.

Senate File No. 72, an act to legalize the incorporating acts of the town of Baldwin, Jackson county.

Senate File No. 78, a bill for an act to prevent gambling by means of fictitious contracts for the buying or selling of grain or other produce on margins, and to provide a punishment therefor.

Substitute for Senate File No. 221, a bill for an act to provide for the education of J. W. Hallock, at the Iowa State University, at the expense of the State.

Senate File No. 232, a bill for an act to legalize certain ordinances of the town of Eddyville.

Senate File No. 236, a bill for an act to legalize the incorporation and certain acts of the town of West Liberty, Muscatine county.

Senate File No. 276, a bill for an act to legalize the acts of Thomas W. Darling, a notary public.

Substitute for Senate File No. 326, a bill for an act to legalize the incorporation of the town of Garrison, Benton county.

Senate File No. 370, a bill for an act to legalize the ordinances and acts of the incorporated town of Hepburn, Iowa.

Senate joint resolution No. 12, agreeing to certain amendments to the Constitution of the State of Iowa, proposed by the Nineteenth General Assembly.

SIDNEY A. FOSTER, *Clerk.*

The President signed the following bills in the presence of the Senate:

Senate Files Nos. 49, 276, 11, 152, 359, 121, 28, 388, 341.

House Files Nos. 414, 528, 104.

A memorial asking Congress to pension prisoners of war.

House Files Nos. 272, 211.

Senate Files Nos. 347, 348, 362, 366, 380, 23.

Substitutes for Senate Files Nos. 40, 72, 78, 221, 232, 236, 276, 326, 370.

Senate joint resolution No. 12.

Senator Russell moved to amend the amendment of Senator Gault by striking out all of the amendment, excepting "the western portion of the State."

Lost.

The question being upon the adoption of the amendment the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Barrett, Bayless, Bills, Bloom, Brown, Cassatt, Chambers, Chubb, Cotton, Eastman, Gillett, Glass, Hemenway, Henderson, Johnson, Kamrar, McCoy, Marshall, Nichols, Poyneer, Ryder, Sudlow, Sutton, Sweney, and Whiting—25.

The nays were:

Senators Abraham, Caldwell, Carr, Carson, Clark, Donnan, Duncan, Gault, Hendrie, Hunt, Hutchison, Larrabee, Logan, McDonough, Miles, Robinson, Rothert, Russell, Smith, Stephens, and Wilkin—21.

Absent or not voting:

Senators Baker, Graves, Hall, and Whaley—4.

So the amendment prevailed.

Senator Larrabee moved to amend by striking out the figures "160" in the bill.

Adopted.

Senator Larrabee moved to amend by striking out section 5 and inserting the following:

Said board shall at the earliest day practicable procure and adopt plans, drawings and specifications for the buildings necessary for said hospital, the exterior of which buildings shall be of stone or brick, and shall be substantially fire proof, and the plans determined upon shall be such as when completed that it will equal in capacity the Hospital at Independence, and the board may in their discretion adopt the plan known as the cottage plan.

Adopted.

Senator Donnan moved to strike out the provision in section 12 and insert the following:

*Provided*, That not more than \$40,000 shall be expended in 1884, \$80,000 in 1885, and \$30,000 in 1886.

Senator Larrabee moved to amend by making it "\$50,000 in 1884 and \$100,000 in 1885."

Amendment of Senator Larrabee adopted.

Senator Chubb moved to add to section 5:

*Provided*, That no plan shall be adopted by said board of commissioners that will contemplate the expenditure of more than \$150,000 to complete all the buildings to be connected with the hospital.

Lost.

Senator Donnan moved to amend by adding the following as two sections just before the publication clause, and numbered as sections 15 and 16:

Sec. 15. The board of commissioners of said hospital may procure all or part of the limestone necessary for the work authorized by this act from the State quarry near Annamosa, and if said board deem it for the interest of the State all or part of the necessary stone cutting shall be done at the additional penitentiary, and the labor of quarrying and cutting such stone shall be performed by the convicts in said penitentiary.

Sec. 16. Whenever the board of commissioners of said hospital make a requisition for stone on the warden of the additional penitentiary he shall as soon as possible furnish the stone required on board of cars at said quarry or penitentiary, free of expense to the State,

except that the warden shall be paid any sum he may have paid for labor in quarrying such stone or for freight thereon.

Senator Glass moved to amend by adding the word "State" before "quarry."

Accepted.

Amendment adopted.

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

The question being shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—45.

The nays were none.

Absent or not voting:

Senators Baker, Eastman, Hunt, McDonough, and Rothert—5.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Senator Chambers, 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. 23, an act providing for the election of assessors for State and county purposes in cities organized and existing under special charter.

Senate File No. 370, an act to legalize the ordinances and acts of the incorporated town of Hepburn in the county of Page, in the State of Iowa.

Senate File No. 376, an act to legalize the acts of Thos. W. Darling, of Jackson county, Iowa, while acting in the capacity of a notary public in and for said county of Jackson.

Senate File No. 236, an act to legalize the incorporation of the town of West Liberty, in the county of Muscatine, State of Iowa.

Senate File No. 232, an act to legalize certain ordinances of the town of Eddyville.

Joint resolution No. 12, agreeing to certain amendments to the Constitution of the State of Iowa, proposed by the Nineteenth General Assembly.

Senate File No. 221, an act to provide for the education of J. W. Hallock at the Iowa State University at the expense of the State.

Senate File No. 326, an act to legalize the incorporation of the town of Garrison in Benton county, Iowa, and the acts of the officers thereof.

Senate File No. 78, an act to prevent gambling by means of ficti-

tious contracts for the buying or selling of grain or other produce on margins, and to provide a punishment therefor.

Senate File No. 40, an act to legalize certain proceedings of the council of the town of Milton in Van Buren county, Iowa.

Senate File No. 72, an act to legalize and correct errors in the proceedings and acts incorporating the town of Baldwin, in Jackson county, Iowa.

Senate File No. 303, an act to legalize the levy of certain taxes in Van Buren county.

Senate File No. 29, an act relating to a change of the place of trial of civil actions, amending section 2590 of the Code of Iowa.

Senate File No. 388, an act to legalize certain errors and omissions of the board of supervisors of Appanoose county, Iowa.

Senate File No. 176, an act concerning bells and steam whistles on locomotives.

Senate File No. 49, an act making an appropriation to the Iowa Prisoners' Aid Association.

Senate File No. 28, an act to amend chapter 147 of the acts of the Nineteenth General Assembly, relating to the bonding of county indebtedness.

Senate File No. 121, an act appropriating the sum of \$645.24 in payment of claims held by John H. Gear and the Burlington Gas Light Company.

Senate File No. 11, an act to protect all citizens in their civil and legal rights.

Senate File No. 362, an act to pay to the Hon. Jno. Shane, late district judge of the Eighth judicial district of Iowa, the salary for his unexpired term as such judge.

Senate File No. 366, an act to amend section 2609 (chapter 6, title 17,) of the Code, in relation to the truth of return of notices served on patients in hospitals for the insane.

Senate File No. 348, an act to legalize the organization of the independent school district of Rock Valley, in Sioux county, Iowa, and the acts of the officers thereof.

Senate File No. 380, an act to amend chapter 95 of laws of Sixteenth General Assembly.

Senate File No. 359, an act to prohibit the use of barbed wire in enclosing public school grounds.

Senate File No. 341, an act to legalize certain ordinances of the town of Sanborn, in O'Brien county, Iowa, and the acts of its officers thereunder.

Senate File No. 347, an act to legalize the official acts of J. B. Mead, a justice of the peace in and for Lyon county, Iowa.

Senate File No. 152, an act to legalize certain acts of the First Universalist Society, of Dubuque, and to relinquish an escheat.

J. C. CHAMBERS, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 23, an act providing for the election of assessors for State and county purposes in cities organized and existing under special charters.

Senate File No. 370, an act to legalize the ordinances and acts of the incorporated town of Hepburn, in the county of Page, in the State of Iowa.

Senate File no 276, an act to legalize the acts of Thos. W. Darling, of Jackson county, Iowa, while acting in the capacity of a notary public in and for said county of Jackson.

Senate File No. 236, an act to legalize the incorporation of the town of West Liberty, in county of Muscatine, State of Iowa.

Senate File No. 232, an act to legalize certain ordinances of the town of Eddyville.

Joint resolution No. 12, agreeing to certain amendments to the Constitution of the State of Iowa, proposed by the Nineteenth General Assembly.

Senate File No. 221, an act to provide for the education of J. W. Hallock at the Iowa State University at the expense of the State.

Senate File No. 326, an act to legalize the incorporation of the town of Garrison, in Benton county, Iowa, and the acts of the officers thereof.

Senate File No. 78, an act to prevent gambling by means of fictitious contracts for the buying or selling of grain or other produce on margins, and to provide a punishment therefor.

Senate File No. 40, an act to legalize certain proceedings of the council of the town of Milton, in Van Buren county, Iowa.

Senate File No. 72, an act to legalize and correct errors in the proceedings and acts incorporating the town of Baldwin, in Jackson county, Iowa.

And find the same correctly enrolled.

J. C. CHAMBERS, *Chairman*.

House File No. 119, a bill for an act making an appropriation for erecting additional wings to the Iowa Hospital for the Insane at Mt. Pleasant, was taken up.

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

On the question shall the bill pass?

The yeas were:

Senators Abraham, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Rothert, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin—39.

The nays were:

Senators Larrabee, and Whiting—2.

Absent or not voting:

Senators Baker, Barrett, Chambers, Chubb, Hemenway, Robinson, Russell, Ryder, and Smith—9.

So the bill passed and the title was agreed to.

On motion of Senator Sutton Senate File No. 67 was indefinitely postponed.

The President announced the following as the Sifting Committee: Senators Graves, Marshall, Clark, Logan, Caldwell, Hall, and Henderson.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Substitute for House File No. 516½, a bill for an act to amend chapter 6, title 11 of the Code, relating to intoxicating liquors, and to provide additional penalties for the violations of said chapter and the amendments thereto.

Also, I am directed to inform you that the House has passed without amendment the following Senate bills:

Senate File No. 76, a bill for an act to suppress the circulation and vending of obscene literature and articles of indecent and immoral use, and to confiscate such property used, or designed to be, in the manufacture of such articles.

Substitute for Senate File No. 80, a bill for an act authorizing actions against railroad companies to be brought in the name of the State, upon recommendation of the Board of Railroad Commissioners.

SIDNEY A. FOSTER, *Clerk.*

Senate File No. 288, a bill for an act for an appropriation for the Benedict Home, was taken up.

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

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Brown, Caldwell, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Gillett, Glass, Graves, Hemenway, Hunt, Logan, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin—34.

The nays were:

Senators Gault, Hall, Hendrie, Hutchison, and Larrabee—5.

Absent or not voting:

Senators Bayless, Bills, Bloom, Carr, Cassatt, Eastman, Henderson, Johnson, Kamrar, McCoy, and Whiting—11.

So the bill passed and the title was agreed to.

INTRODUCTION OF BILLS.

By Senator Eastman, Senate File No. 397, a bill for an act to authorize the Governor to convey eighty acres of land belonging to the Reform School at Eldora.

Read a first and second time.

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



The question being shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bills, Bloom, Brown, Caldwell, Carson, Cassatt, Chambers, Chubb, Donnan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Hendrie, Hunt, Hutchison, Larrabee, Logan, McCoy, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—40.

The nays were none.

Absent or not voting:

Senators Bayless, Carr, Clark, Cotton, Duncan, Henderson, Johnson, Kamrar, McDonough, and Ryder—10.

So the bill passed and the title was agreed to.

By Senator Logan, Senate File No. 398, a bill for an act to compel railroad companies to fence their right of way.

Read a first and second time and referred to the Committee on Railways.

Substitute for Senate Files Nos. 38, 39, 99, 110, 112, 147, 198, 273, 281, 297, and 324, a bill for an act to establish and maintain the Northwestern Normal School for the instruction and training of teachers, and to provide for the selection of sites for other normal schools, was taken up and considered.

Senator Logan moved to amend section 1 by striking out the words "north," and "quarter," and inserting "part."

Senator Gault moved that when the Senate adjourn it adjourn to meet at 8 o'clock this evening.

Senator Sutton moved to amend by adjourning at 6:30 o'clock, and meet to-morrow morning at 9 o'clock.

Lost.

Senator Donnan moved to take up House messages.

Carried.

Senator Robinson moved pending bill be special order on reconvening of Senate, and it continue so till disposed of.

Carried.

#### HOUSE MESSAGES.

Substitute for House File No. 516 $\frac{1}{2}$ , a bill for an act to amend chapter 6, title 11 of the Code, relating to intoxicating liquors, and to provide additional penalties for violations of the provisions of said chapter and the amendments thereto.

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

Senator Rothert moved time for adjournment be extended ten minutes.

Carried.

Substitute for House File No. 318, a bill for an act making an appropriation to pay certain ascertained claims for supplies furnished the Iowa State Penitentiary at Fort Madison, Iowa, was read a first and second time.

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

The question being shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Clark, Cotton, Donnan, Duncan, Gault, Gillett, Graves, Hall, Henderson, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Stephens, Sudlow, Sweney, Whaley, and Wilkin—36.

The nays were none:

Absent or not voting:

Senators Abraham, Baker, Cassatt, Chambers, Chubb, Eastman, Glass, Hemenway, Hendrie, Johnson, Ryder, Smith, Sutton, and Whiting—14.

So the bill passed and the title was agreed to.

House File No. 415, a bill for an act to change the name of the additional penitentiary at Anamosa, provide for a matron for the female convicts thereof, to authorize the purchase of certain lands, to provide for the house rent of the deputy warden.

Read a first and second time and referred to the Committee on Penitentiary.

At 6:15 o'clock the Senate adjourned.

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### EVENING SESSION.

8:00 O'CLOCK P. M.

The Senate reconvened, the President in the chair.

Senator Brown moved that joint resolution and memorial No. 9, in regard to jurisdiction of United States Circuit Courts, be taken up.

Carried.

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

The question being shall the joint resolution pass?

The yeas were:

Senators Baker, Barrett, Bloom, Brown, Chubb, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Ryder, Stephens, Sudlow, Whiting, and Wilkin—28.

The nays were:

Senators Bills, Carson, and Johnson—3.

Absent or not voting:

Senators Abraham, Bayless, Caldwell, Carr, Cassatt, Chambers,

Clark, Cotton, Donnan, Duncan, Eastman, Kamrar, Marshall, Rother, Russell, Smith, Sutton, Sweney, and Whaley—19.

Senator Brown moved to amend the preamble by striking out the words "more than" before an hundred, and insert "almost."

Adopted.

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

#### RESOLUTION.

Senator Hall offered the following joint resolution:

*Be it resolved by the General Assembly of the State of Iowa, That the board of Capitol Commissioners be and are hereby authorized to employ the services of Mrs. Harriet Ketchum to prepare such pieces of statuary as in their judgment may be appropriate for such portions of the capitol as they may direct, said statuary to be models only and the cost thereof to consist in the compensation paid her for her services, which shall be determined by the commissioners and paid out of the fund appropriated for the construction and furnishing the capitol.*

Senator Hall moved that the rule be suspended, and the joint resolution be considered engrossed, and 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Carr, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Rother, Russell, Ryder, Smith, Stephens, Sudlow, Sweney, Whaley, Whiting, and Wilkin—43.

The nays were none.

Absent or not voting:

Senators Brown, Caldwell, Carson, Cassatt, Chambers, Marshall, and Sutton—7.

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

On motion of Senator Wilkin, House File No. 544, a bill for an act providing for the care and management of the new capitol, was taken up and considered.

Senator Eastman moved to amend section 2 by adding:

Provided that the Senate Chamber and the Hall of the House of Representatives shall not be used for caucuses, conventions, lectures, or for any other purpose whatever except for legislative purposes.

Adopted.

Senator Wilkin moved that the 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 Abraham, Baker, Barrett, Bayless, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Hen-

derson, Hendrie, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sweney, Whaley, Whiting, and Wilkin—45.

The nays were:

Senators Hunt, and Johnson—2.

Absent or not voting:

Senators Bills, Cassatt, and Sutton—3.

So the bill passed and the title was agreed to.

Senator Cassatt moved that Senate File No. 218, a bill for an act to regulate the weighing of coal in mines, and to establish a uniform system of weights and measures, be made a special order for 10:30 o'clock to-morrow morning, and that it be referred to the sifting committee.

Senator Abraham moved the previous question and the Senate seconded it.

The question being upon the motion of Senator Cassatt the yeas and nays were demanded and the roll was called.

On the question shall the bill pass?

The yeas were:

Senators Bayless, Bills, Bloom, Caldwell, Carr, Cassatt, Chubb, Clark, Duncan, Eastman, Gault, Gillett, Hall, Henderson, Hendrie, Johnson, Logan, McCoy, McDonough, Miles, Poyneer, Ryder, Stephens, and Whiting—24.

The nays were:

Senators Abraham, Brown, Carson, Chambers, Cotton, Donnan, Hemenway, Hunt, Hutchison, Kamrar, Larrabee, Marshall, Robinson, Rothert, Russell, Sudlow, Sweney, Whaley, and Wilkin—19.

Absent or not voting:

Senators Baker, Barrett, Glass, Graves, Nichols, Smith, and Sutton—7.

So the motion was lost.

Senator Larrabee moved that the vote by which joint resolution No. 12 was lost be reconsidered.

Carried, and it was reconsidered.

On motion of Senator Larrabee the joint resolution was referred to Committee on Ways and Means.

Senator Sudlow moved to amend amendment under consideration when the Senate adjourned, by striking out "western" and inserting "central."

Lost.

Senator Stephens moved to amend by striking out the word "western" and inserting the words "southwestern Iowa."

Lost.

On motion of Senator Logan the yeas and nays were called, and the roll was called.

The yeas were:

Senators Carson, Duncan, Eastman, Hendrie, Hunt, Johnson, Logan, Miles, Nichols, Poyneer, and Sudlow—11.

The nays were:

Senators Barrett, Bayless, Brown, Caldwell, Chubb, Donnan, Graves,

Hall, Henderson, Hutchison, Kamrar, Larrabee, McDonough, Robinson, Russell, Stephens, Sutton, Sweney, Whaley, Whiting, and Wilkin—21.

Absent or not voting:

Senators Abraham, Baker, Bills, Bloom, Carr, Cassatt, Chambers, Clark, Cotton, Gault, Gillett, Glass, Hemenway, McCoy, Marshall, Rotherth, Ryder, and Smith—18.

So the amendment was lost.

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

The question being, shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bloom, Brown, Carson, Cassatt, Chubb, Clark, Cotton, Donnan, Eastman, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Larrabee, Robinson, Rotherth, Russell, Stephens, Sutton, Whaley, Whiting, and Wilkin—28.

The nays were:

Senators Abraham, Baker, Bills, Caldwell, Carr, Duncan, Gault, Hall, Johnson, Kamrar, McDonough, Marshall, Miles, Nichols, Poyneer, Ryder, and Sweney—17.

Absent or not voting:

Senators Chambers, Logan, McCoy, Smith, and Sudlow—5.

So the bill passed and the title was agreed to.

#### RESOLUTIONS.

Senator Rotherth offered the following resolution, which was adopted:

*Resolved*, That the Sergeant-at-Arms present the door-keeper, Theodore Schreiner at the bar of the Senate.

The Sergeant-at-Arms having obeyed the resolution, Senator Rotherth, on behalf of the Senators, in a few eloquent words, presented Mr. Schreiner with an elegant silver tea service, each piece marked "Theodore Schreiner," the larger one bearing the inscription, "Theodore Schreiner, from the Iowa Senate, 1884."

Mr. Schreiner responded briefly and feelingly.

Senator Sutton spoke the following words in the German language:

MR. PRESIDENT—I am glad of this occasion to pay my respects to a pure German patriot; a true American-hearted German; a steadfast Republican, and an earnest and honest prohibitionist, Father Schreiner.

Senator Larrabee offered the following resolution, which was adopted:

*Resolved*, That the Secretary of the Senate is hereby ordered to deliver all bills now in his possession or that may hereafter come into his possession to the sifting committee.

Senator Barrett called up the motion to reconsider the vote by which the Senate concurred in resolution relative to adjournment.

Senator Donnan moved to postpone further consideration of the motion till Monday next at 2 o'clock P. M.

Upon which the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Baker, Caldwell, Chambers, Chubb, Donnan, Duncan, Eastman, Hemenway, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Smith, Sutton, and Whaley—19.

The nays were:

Senators Abraham, Bayless, Bills, Bloom, Brown, Carr, Carson, Cassatt, Clark, Gault, Gillett, Glass, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, Johnson, Poyneer, Rotherth, Russell, Ryder, Stephens, Sudlow, Whiting, and Wilkin—27.

Absent or not voting:

Senators Barrett, Cotton, Logan, and Sweney—4.

So the motion was lost.

Senator Hall moved the motion to reconsider be laid on the table.

Upon this the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Abraham, Barrett, Bayless, Bills, Bloom, Carr, Carson, Cassatt, Clark, Gault, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, Johnson, Poyneer, Rotherth, Russell, Ryder, Stephens, Sudlow, Sutton, Whiting, and Wilkin—26.

The nays were:

Senators Baker, Brown, Caldwell, Chambers, Chubb, Donnan, Duncan, Eastman, Gillett, Glass, Hemenway, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Sweney, and Whaley—22.

Absent or not voting.

Senators Cotton and Smith—2.

So the motion prevailed.

#### REPORTS OF COMMITTEES.

Senator Chambers from the Committee on Penitentiary, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiary, to whom was referred House File No. 415, a bill for an act to change the name of the Additional Penitentiary at Anamosa; provide for a matron for the female convicts thereof; to authorize the purchase of certain lands, and to provide for the house rent of the deputy warden, beg leave to report that they have 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. C. CHAMBERS, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 205, a bill for an act making an appropriation to complete and furnish the new Capitol, and for paving the streets, and for grading and putting down the curbing and sidewalks around the Capitol square, beg leave to report that they have

had the same under consideration, and have adopted amendments thereto, 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 4, and by adding to section 3 the following: "*Provided*, That not more than one hundred and thirty thousand dollars shall be drawn from the treasury during the year 1884; not more than one hundred thousand dollars during the year 1885; and as much of the balance as shall be necessary for the purposes of this act during the year 1886." And when so amended that the bill do pass.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No 473, a bill for an act to legalize the roads established in Otho and Elkhorn townships, Webster county, under the order of the board of supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 532, a bill for an act authorizing the Secretary of State to issue a patent for the southwest  $\frac{1}{4}$  of the southwest  $\frac{1}{4}$  of section 31, township 79, range 19, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 346, a bill for an act to legalize certain acts of the board of supervisors of Osceola county, Iowa, relating to the establishment of certain highways in 1872 and 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.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 216, a bill for an act in relation to chattel 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 do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was re-

ferred Senate File No. 357, a bill for an act to repeal section 3327 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 accompanying substitute be adopted, and when adopted that it do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

BILLS ON SECOND READING.

Senate File No. 235, a bill for an act making an appropriation to complete and furnish the new Capitol, and for paving the streets and for grading and putting down the curbing and sidewalks around the Capitol square, with report of committee recommending amendments, was taken up, considered, and the report of the committee was adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hunt, Hutchison, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—42.

The nays were none.

Absent or not voting:

Senators Cotton, Hall, Hendrie, Johnson, Kamrar, Logan, Rothert, and Ryder—8.

So the bill passed and the title was agreed to.

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

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 176, a bill for an act to enable the State of Iowa to be represented at the National Educational Exposition, at Madison, Wis., beg leave to report that they have 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. M. SUTTON, *Chairman*.

Ordered passed on file.

House File No. 176, a bill for an act to enable the State of Iowa to be represented at the National Educational Exposition at Madison, Wis., was taken up.

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

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Brown, Caldwell, Carson, Chambers, Chubb, Donnan, Glass, Graves, Hemenway, Hunt, Hutchison,



Larrabee, McCoy, McDonough, Marshall, Nichols, Poyneer, Robinson, Rothert, Russell, Smith, Stephens, Sudlow, Sutton, and Wilkin—28.

The nays were:

Senators Bills, Carr, Cassatt, Clark, Duncan, Gault, Miles, Sweney, and Whiting—9.

Absent or not voting:

Senators Bayless, Bloom, Cotton, Eastman, Gillett, Hall, Henderson, Hendrie, Johnson, Kamrar, Logan, Ryder, and Whaley—13.

So the bill passed and the title was agreed to.

At 10:45, on motion of Senator Bills, the Senate adjourned.

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SENATE CHAMBER,  
DES MOINES, IOWA, March 29, 1884. }

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

Prayer by Rev. Mr. Stratton.

Pending reading of journal Senator Larrabee moved further reading be dispensed with.

Carried.

#### REPORT OF SIFTING COMMITTEE.

MR. PRESIDENT—I am directed to inform you that your Sifting Committee has unanimously instructed me to report the following bills as being of the utmost importance for your consideration:

##### *Appropriations—*

House File No. 398, House File substitute No. 516½, Senate File No. 83, substitute Senate Files Nos. 95, 109, 215, 302, Senate Files Nos. 293, 172, House Files Nos. 53, 422, Senate Files Nos. 337, 313, 285, 242, House File No. 228, Senate Files Nos. 247, 262, 253, 289, House Files Nos. 60, 61, Senate Files Nos. 328, 336, 365, 280, 382, 321.

Senator Bills moved the report of the committee be printed.

Lost.

Senator Gillett moved the report of committee be adopted.

Carried.

#### REPORTS OF COMMITTEES.

Senator Baker, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate File No. —, a bill for an act to appropriate money to pay Calvin Ballard, surviving partner of the firm of Ballard & Smith, for furnishing clothing to certain Iowa soldiers, beg leave to report

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

H. A. BAKER, *Chairman.*

Ordered passed on file.

Senator Clark, 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. 516<sup>7</sup>, a bill for an act to amend chapter 8, title 11 of the Code, relating to intoxicating liquors, and to provide additional penalties for violations of the provisions of said chapter, and the amendment 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.

T E. CLARK, *Chairman.*

Ordered passed on file.

Senator Baker, from Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Memorial of Tuttle & Robertson, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that they find that Messrs. Tuttle & Robertson, the memorialists, lost quite a sum on their contract to furnish stone for the foundation of the Capitol as shown in the memorial. That the loss was occasioned by their own neglect to not sufficiently examine the quarry from which the stone were to be furnished, and part by an error in judgment of the value of such work. That the State treated them with great fairness in relieving them from the contract, and increasing their pay to furnish stone from another quarry. That the State derived no benefit from the loss sustained by them, but on the contrary, the loss sustained by the State, was largely in excess of the loss sustained by the memorialists by reason of the stone being afterward condemned and removed from the foundation and sold for a very small sum. That the claim is not a legal one, and the committee cannot recommend its payment because of memorialists want of judgment and foresight, though the loss is to be deplored both on the part of the memorialists and the State.

H. A. BAKER, *Chairman.*

Ordered passed on file.

#### BILLS ON SECOND READING.

House File No. 511, a bill for an act to relieve Mrs. J. W. Maddy, of Marne, Cass county, Iowa, whose husband was killed July 14, 1883, by the murderers of Postmaster Clingan, of Polk City, Iowa, was taken up, considered, and read a first and second time.

On motion of Senator Sutton, the rule was suspended, and read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Donnan, Duncan, Eastman, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Smith, Stephens, Sudlow, Sutton, and Whiting—37.

The nays were:

Senators Gault, Kamrar, Ryder, and Sweney—4.

Absent or not voting:

Senators Baker, Cotton, Gillett, Glass, Hutchison, Johnson, Rothert, Whaley, and Wilkin—9.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

**MR. PRESIDENT**—I am directed to inform you that the House has adopted a substitute for substitute for Senate File No. 282, a bill for an act to provide for the appointment of a State Veterinarian and defining his duties, and asks the concurrence of the Senate in the passage of the same.

Also, has passed without amendment Senate File No. 81, a bill for an act to provide for the publication of the annual proceedings of the Iowa Improved Stock Breeders' Association.

Also, has passed the following bill in which the concurrence of the Senate is asked.

House File No. 550, a bill for an act to provide for the payment of the expense of the committees appointed to visit the State institutions.

House File No. 537, a bill for an act to apportion the State into representative districts, and declaring the ratio of representation.

SIDNEY A. FOSTER, *Clerk.*

House File No. 550, a bill for an act to provide for the payment of the expenses of the committees appointed to visit the State institutions, was taken up, considered, and read a first and second time.

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

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Donnan, Duncan, Eastman, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Logan, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Ryder, Smith, Stephens, Sutton, Sweney, Whiting, and Wilkin—39.

The nays were none.

Absent or not voting:

Senators Cassatt, Cotton, Gault, Gillett, Johnson, Kamrar, Larrabee, McCoy, Rothert, Sudlow, and Whaley—11.

So the bill passed and the title was agreed to.

House File No. 398, a bill for an act to repeal chapter 123 of the laws of the Sixteenth General Assembly, and chapters 87 and 173 of the laws of the Seventeenth General Assembly, and chapter 192 of the laws of Eighteenth General Assembly, and chapter 102 of the laws of the Nineteenth General Assembly, in relation to taxes in aid of railroads, and to enact a substitute therefor, was taken up, considered, and read a second time.

Senator Robinson moved to amend by adding the following:

Add the words "or township" after the word "city," in the 23d line of section 3.

Adopted.

Also, after the word "manner," in the 41st line, same section, insert "and subject to the same laws."

Adopted.

Also, in line 28, section 8, strike out the words "have been heretofore voted or may."

Adopted.

Also, insert after the word "any," in the 29th line, the words "duly authorized." And strike out the words "servant or employe" in the 30th line, same section.

Adopted.

Senator Robinson moved to renumber the sections to correspond with additions.

Senator McCoy moved to amend section 2 by adding:

"*And provided further,* That where such taxes have been voted under prior laws the aggregations shall not exceed five per centum on the assessed valuation of any such township."

Senator Marshall moved the previous question, which was seconded by the Senate.

The question being shall the main question now be put, in was so ordered.

On the adoption of the amendment offered by Senator McCoy the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Abraham, Bills, Bloom, Carr, Carson, Clark, Cotton, Donnan, Eastman, Gault, Hendrie, McCoy, Marshall, Miles, Nichols, Poyneer, Ryder, Smith, Sudlow, and Whiting—20.

The nays were:

Senators Baker, Barrett, Brown, Caldwell, Chubb, Duncan, Glass, Graves, Hall, Hemenway, Henderson, Hunt, Hutchison, Kamrar, McDonough, Robinson, Rotherth, Russell, Stephens, Sutton, Sweney, and Wilkin—22.

Absent or not voting:

Senators Bayless, Cassatt, Chambers, Gillett, Johnson, Larrabee, Logan, and Whaley—8.

So the amendment was lost.

The bill was ordered to a third reading.

Substitute for House File No. 516½, a bill for an act to amend chapter 6, title 11, of the Code, relating to intoxicating liquors, and to provide additional penalties for violations of the provisions of said chapter and the amendments thereto.

Senator Bills moved it be taken up by sections.

Lost.

Senator Bills moved consideration of the bill be postponed until Monday at 10 o'clock A. M.

Lost.

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

Senator Rothert moved to amend by taking up the bill by sections.

Carried.

Pending discussion, at 11:55 o'clock, Senator Clark moved the Senate adjourn till 2 o'clock, and that this bill be continued a special order until disposed of.

Carried.

Senate adjourned.

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#### AFTERNOON SESSION.

2:00 O'CLOCK.

Senate reconvened, President in the chair.

Consideration of substitute for House File No. 516½ resumed.

Senator Bill moved to amend by adding after word "subsequent" the words "indictment and."

Lost.

Senator Bayless moved to amend by striking out all after "1538" to and including "injured."

Lost.

Senator Larrabee moved to strike out section 9.

Lost.

Senator Hall moved to strike out last sentence of section 10.

Lost.

Senator Bills moved to strike out the following words in section 10: "The second and subsequent convictions mentioned in this section shall be construed to mean convictions on separate indictments or information."

Lost.

Senator Hall moved to amend same clause by adding after word "mentioned" "as liable to higher penalties," and strike out the word "separate" and insert "distinct."

Lost.

Senator Bills moved to amend section 10 by striking out "and costs of prosecution" in ninth line; also strike out the word "are" and insert "is."

Lost.

Senator McCoy moved to amend section 1542 by striking out the words "and shall stand committed to the county jail until such fine

and costs are paid," and insert "and shall stand committed for thirty days."

Upon this the yeas and nays were demanded and the roll was called:

The yeas were:

Senators Bayless, Bills, Bloom, Carr, Carson, Gault, Graves, Hall, Henderson, Johnson, McCoy, Russell, Ryder, and Whiting—14.

The nays were:

Senators Abraham, Barrett, Brown, Caldwell, Chambers, Chubb, Clark, Donnan, Duncan, Eastman, Hemenway, Hunt, Hutchison, Kamrar, Logan, McDonough, Miles, Nichols, Stephens, Sudlow, Sutton, and Sweney—22.

Absent or not voting:

Senators Baker, Cassatt, Cotton, Gillett, Glass, Hendrie, Larrabee, Marshall, Poyneer, Robinson, Rothert, Smith, Whaley, and Wilkin—14.

So the amendment was lost.

Senator McCoy moved to amend section 1540 in same way.

Lost.

Senator Hall moved to amend section 12, line eight, by striking out the word "is" and insert "are."

Lost.

Senator Hall moved to strike out all of section 12, commencing with the words "any citizen of the county where such nuisance exists."

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 bills in which the concurrence of the Senate is asked:

House File No. 551, a bill for an act to authorize the Auditor of State to issue certificates of purchase to certain owners of certain tracts of school lands in Decatur county, Iowa.

House File No. 543, a bill for an act to promote the improvement of highways.

Also, that the House has refused to concur in the following concurrent resolution:

Concurrent resolution in relation to the pardon of Finis Allen.

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

House File No. 467, a bill for an act for an appropriation in aid and support of the State University of Iowa.

House File No. 460, a bill for an act making an appropriation for the College for the Blind.

House File No. 507, a bill for an act making appropriation for the State Normal School at Cedar Falls, and conferring certain authority upon its board of directors.

House File No. 214, a bill for an act making appropriation for the Hospital for the Insane at Mt. Pleasant.

House File No. 334, a bill for an act to making appropriations for the Iowa Institution for Feeble-Minded Children at Glenwood, Iowa.

House File No. 119, a bill for an act making an appropriation for erecting two additional wings to the Iowa Hospital for the Insane at Mt. Pleasant.

House File No. 412, a bill for an act to amend section 1121 of the Code of 1873, relative to the amount of the annual appropriation to State Horticultural Society.

House File No. 461, a bill for an act making an appropriation to employ an expert oculist for the benefit of the inmates of the College for the Blind.

House File No. 505, a bill for an act making appropriations for the Boys' Reform School at Eldora.

House File No. 233, a bill for an act to amend section 382, chapter 9, title 4, of the Code of Iowa, in relation to divisions of townships.

House File No. 123, a bill for an act to amend section 2578, title 17, chapter 4 of the Code.

House File No. 337, a bill for an act making appropriations for the Institution for the Deaf and Dumb at Council Bluffs, Iowa.

House File No. 203, a bill for an act to appropriate funds to furnish buildings, buy lands, and to make improvements for the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa.

House File No. 239, a bill for an act making an appropriation for the Hospital for the Insane at Independence.

House File No. 318, a bill for an act making an appropriation for certain ascertained claims for supplies furnished the Iowa State Penitentiary at Ft. Madison.

House File No. 199, a bill for an act to authorize the trustees of the Iowa Hospital for the Insane at Independence, Iowa, to purchase land.

House File No. 545, a bill for an act making appropriation for the better support of the State University.

Joint resolution No. 7 (H. R.) in relation to a claim of Benjamin J. Everet, for damage caused by Cheyenne Indians.

Senate File No. 139, a bill for an act to provide for the distribution of the funds by the assignee of insolvents.

Senate File No. 207, a bill for an act to donate certain arms to the Grand Army of the Republic, Department of Iowa.

Senate File No. 294, a bill for an act to amend section 3948 of the Code, to prevent the acceptance of bribes by marshals, deputy marshals, polecemen, and other police officers of cities and towns.

Senate File No. 334, a bill for an act to repeal section 1, chapter 60 of the acts of the Eighteenth General Assembly.

Senate File No. 381, a bill for an act to authorize township trustees to employ attorneys in certain cases.

Senate File No. 287, a bill for an act to legalize the incorporation of the town of St. Angar, in Mitchell county, Iowa, the election of officers, and all acts done and ordinances passed by the council of said town.

Senator Bills moved to amend section 9 by adding the following: In case of death of such informer, after information filed, and before conviction, the share of such informer shall go to his wife and children.

Lost.

Senator Bloom moved to amend section 1553 by inserting after the word "liquors" in eighth line, "except for use in their private dwellings."

Lost.

The President signed the following bills in the presence of the Senate.

House Files Nos. 507, 214, 233, 119, 239, 412, substitutes for House Files Nos. 57, 467, 337, 461, 123, 203, 545, 199, 505, 460, Senate Files Nos. 334, 294, 139, 300, 381, 207, 287, joint resolution No. 7.

Senator Russell offered the following amendment:

Sec. 4½. That section 1530 of the Code be and the same is hereby amended by adding thereto the following: Provided, That such board shall grant one or more permits for each town or city having a population exceeding one thousand inhabitants, where the applicants for such permits have fully complied with the requirements of law.

On which amendment the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Bayless, Bills, Bloom, Carr, Carson, Graves, Hall, Henderson, Hendrie, Johnson, Rothert, Russell, Ryder, and Whiting—14.

The nays were:

Senators Abraham, Brown, Caldwell, Chambers, Clark, Donnan, Duncan, Eastman, Gillett, Glass, Hemenway, Hutchison, Kamrar, Logan, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Smith, Stephens, Sudlow, Sutton, and Wilkin—25.

Absent or not voting:

Senators Baker, Barrett, Cassatt, Chubb, Cotton, Gault, Hunt, Larrabee, Marshall, Sweney, and Whaley—11.

So the amendment was lost.

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

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Brown, Caldwell, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Hemenway, Hunt, Hutchison, Kamrar, Logan, McDonough, Miles, Nichols, Poyneer, Robinson, Smith, Stephens, Sudlow, Sutton, Sweney, and Wilkin—29.

The nays were:

Senators Bayless, Bills, Bloom, Carr, Carson, Graves, Hall, Henderson, Hendrie, Johnson, Rothert, Ryder, and Whiting—13.

Absent or not voting:

Senators Baker, Cassatt, Gault, Larrabee, McCoy, Marshall, Russell, and Whaley—8.

So the bill passed and the title was agreed to.



Senator Robinson moved to reconsider the vote by which House File No. 398 was ordered to third reading.

Carried.

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

On the question shall the bill pass?

The yeas were:

Senators Baker, Barrett, Chubb, Clark, Eastman, Gillett, Glass, Graves, Hemenway, Hunt, Kamrar, Robinson, Rothert, Russell, Ryder, Stephens, Sutton, and Sweney—18.

The nays were:

Senators Abraham, Bayless, Billa, Bloom, Caldwell, Carr, Cassatt, Donnan, Duncan, Gault, Hall, Hendrie, Hutchison, Larrabee, Logan, McCoy, McDonough, Miles, Nichols, Poyneer, Sudlow, Whaley, Whiting, and Wilkin—24.

Absent or not voting:

Senators Brown, Carson, Chambers, Cotton, Henderson, Johnson, Marshall and Smith—8.

So the bill was lost.

Senator Chambers was granted leave of absence until Monday.

Senator Wilkin gave notice that he should file a notice to reconsider the vote by which Senate File No. 398 was lost.

#### REPORT OF COMMITTEE.

Senator Chambers, 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. 294, an act to amend section 3948 of the Code, to prevent the acceptance of bribes by marshals, deputy marshals, policemen and other public officers of cities.

Senate File No. 334, an act to repeal section 1, of chapter 60, of the acts of the Eighteenth General Assembly, in relation to the publication of the Supreme Court reports, and to enact a substitute therefor.

Senate File No. 139, an act to provide for the distribution of funds by the assignees of insolvents.

Senate File No. 300, an act to amend section 20, of chapter 8, title 2, Code of 1873, in reference to the executive council, relating to the providing of supplies for State officers.

Senate File No. 381, an act to authorize township trustees to employ attorneys in certain cases.

Senate File No. 207, an act to donate certain arms to the Grand Army of the Republic, department of Iowa.

Senate File No. 287, an act to legalize the incorporation of the town of St. Ansgar, in Mitchell county, Iowa, the election of officers, and all acts done and ordinances passed by the council of said town.

J. C. CHAMBERS, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 294, a bill for an act to amend section 3948, of Code, to prevent the acceptance of bribes by marshals, deputy marshals, policemen, and other public officers of cities and towns.

Senate File No. 334, a bill for an act to repeal section 1, of chapter 60, of the acts of the Eighteenth General Assembly, in relation to the publication of the Supreme Court reports and to enact a substitute therefor.

Senate File No. 139, a bill for an act to provide for the distribution of funds by the assignees of insolvents.

Senate File No. 300, a bill for an act to amend section 120, of chapter 8, title 2, Code of 1873, in relation to the executive council relating to the providing of supplies for State officers.

Senate File No. 381, a bill for an act to authorize township trustees to employ attorneys in certain cases.

Senate File No. 207, a bill for an act to donate certain arms to the Grand Army of the Republic, department of Iowa.

Senate File No. 287, a bill for an act to legalize the incorporation of the town of St. Ansgar, in Mitchell county, Iowa, the election of officers, and all acts done and ordinances passed by the council of said town.

And find the same correctly enrolled.

J. C. CHAMBERS, *Chairman.*

Senate File No. 83, a bill for an act to establish the Iowa State Board of Labor, with report of committee recommending a substitute, was taken up and considered.

Senator Clark moved that the blank in first line section 3 be filled with the figures \$2,000.

Adopted.

Senator Brown moved to amend section 5 by striking out the words "if the report shall be approved by the Governor and executive council."

Adopted.

Also, to insert the word "five" in the blank before "thousand."

Adopted.

Senator Robinson moved to amend section 2, fourth line, by striking out the words "Monday of May," and insert "day of April."

Adopted.

Senator Carson moved to insert after the word "mechanics" in line twenty-five, section 5, the following:

"And he shall include in such report what progress has been made with schools now in operation for the instruction of students in the mechanic arts and what systems have been found most practical with details thereof."

Adopted.

Senator Gault moved to strike out "\$2,000 salary" and insert \$1,500."

Adopted.

The substitute as amended was adopted.

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

On the question shall the bill pass?

The nays were:

Senators Baker, Barrett, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Gault, Gillett, Graves, Henderson, Hunt, Hutchison, Johnson, Larrabee, Logan, McCoy, Miles, Poyneer, Rothert, Smith, Sudlow, and Sutton—26.

The nays were:

Senators Duncan, Hendrie, McDonough, Nichols, Robinson, Stephens, and Whiting—7.

Absent or not voting:

Senators Abraham, Bayless, Bills, Bloom, Cassatt, Chambers, Eastman, Glass, Hall, Hemenway, Kamrar, Marshall, Russell, Ryder, Sweney, Whaley, and Wilkin—17.

So the bill passed and the title was agreed to.

Senator McCoy moved that when the Senate adjourn it be till 8 o'clock this evening.

Senator Stephens was granted leave of absence until Tuesday morning.

Senator Bloom moved to amend motion so that when Senate adjourns it be till 9 o'clock Monday morning.

Carried.

Motion as amended carried.

Senator McCoy moved that the hour of adjournment be prolonged until 7 o'clock.

Lost.

Senator Larrabee moved that the hour for adjournment be prolonged until 6:30 o'clock.

Carried.

Senator Logan moved Senate File No. 95, 107, etc., be indefinitely postponed.

Carried.

House File No. 543, a bill for an act to promote the improvement of highways, was taken up for consideration.

Senator Chubb moved to strike out the word "shall" in first line section 1, and insert "may."

Upon this the yeas and nays were demanded, and the roll was called.

The yeas were:

Senators Abraham, Bayless, Bills, Bloom, Carr, Chubb, Cotton, Donnan, Duncan, Gault, Hall, Hendrie, Hunt, Hutchison, Larrabee, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, and Sweney—29.

The nays were:

Senators Brown, Caldwell, Carson, Henderson, Johnson, Kamrar, Logan, and Wilkin—8.

Absent or not voting:

Senators Baker, Barrett, Cassatt, Chambers, Clark, Eastman, Gillett, Glass, Graves, Hemenway, Marshall, Whaley, and Whiting.—13.

So the amendment was adopted.

Senator Poyneer moved to add to end of 6th line "in the townships where such tax is collected."

Upon this the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Bayless, Bills, Bloom, Brown, Caldwell, Carr, Cotton, Duncan, Gault, Glass, Graves, Hutchison, Larrabee, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Stephens, Sudlow, and Sweney—22.

The nays were:

Senators Barrett, Carson, Clark, Henderson, Hendrie, Hunt, Johnson, Kamrar, Logan, Rothert, Russell, Whiting, and Wilkin—13.

Absent or not voting:

Senators Abraham, Baker, Cassatt, Chambers, Chubb, Donnan, Eastman, Gillett, Hall, Hemenway, Marshall, Ryder, Smith, Sutton, and Whaley—15.

So the amendment was adopted.

Senator Whiting moved the bill be indefinitely postponed.

Upon this the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Bills, Cotton, Eastman, Gault, Glass, Hendrie, Larrabee, Logan, McCoy, McDonough, Rothert, Sweney, Whiting, and Wilkin—14.

The nays were:

Senators Bayless, Bloom, Brown, Carr, Carson, Chubb, Clark, Donnan, Duncan, Gillett, Graves, Henderson, Hunt, Hutchison, Johnson, Kamrar, Miles, Nichols, Poyneer, Robinson, Stephens, and Sudlow—22.

Absent or not voting:

Senators Abraham, Baker, Barrett, Caldwell, Cassatt, Chambers, Hall, Hemenway, Marshall, Russell, Ryder, Smith, Sutton and Whaley—14.

So the motion was lost.

#### MESSAGE FROM THE HOUSE

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House refuses to concur in the Senate amendments to House File No. 492, a bill for an act to make further provision for the care of insane persons.

Also, I am directed to inform you that the House has concurred in the Senate amendments to:

House File No. 181, a bill for an act making appropriations for the Iowa Agricultural College.

House File No. 327, a bill for an act making appropriations to the girls' department of the Iowa Reform School.

House File No. 334, a bill for an act making appropriations for the Iowa Institution for Feeble-Minded Children at Glenwood, Iowa.

House File No. 411, a bill for an act to appropriate funds to carry on the work of the Additional Penitentiary at Anamosa.

House File No. 323, a bill for an act making appropriations for the Penitentiary at Ft. Madison.

House File No. 544, a bill for an act providing for the care of the new Capitol.

SIDNEY A. FOSTER, *Clerk.*

Senator McCoy moved the time for adjournment be extended twenty minutes.

Lost.

Senator McCoy moved to amend section 6, line 1, by inserting the words, "or like petition" after "trustees."

Carried.

Senator Rothert moved the time for adjournment be extended fifteen minutes.

Carried.

Senator McCoy moved to add the following:

Section 4. That section 986 be and the same is hereby repealed, and the following enacted in lieu thereof:

Section 986. The supervisors shall be allowed the sum of two dollars per day for each day's labor, including the time necessarily spent in notifying the hands and making out his return, which sum shall be paid out of the highway fund, after deducting his two days work. When there is no money in the hands of the clerk with which to pay the said supervisor, he shall be entitled to receive a certificate for the amount of labor performed, which certificate shall be received in payment of his own highway tax for any succeeding year.

Adopted.

Senator Logan moved to indefinitely postpone the bill.

Lost.

Senator Abraham moved the Senate adjourn.

Carried.

Senate adjourned.

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SENATE CHAMBER, }  
DES MOINES, IOWA, March 31, 1884. }

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

Prayer by Rev. S. S. Grinnell.

Pending reading of Journal Senator Rothert moved further reading be dispensed with.

Carried.

Consideration of House File No. 543 resumed.

Senator Poyneer withdrew his motion to strike out section 6.

Senator McCoy moved the vote by which the amendment of Senator Poyneer was adopted be reconsidered.

Carried.

Senator Poyneer withdrew his amendment.

Senator Robinson moved the vote by which the words, "or like petition" were inserted in section 6 be reconsidered.

Carried.

Senator McCoy withdrew the amendment and moved to amend section 1, by adding:

"Provided that the amount levied by the board of township trustees under section 969 of Code, together with amount thus levied shall not be in excess of five mills."

Adopted.

Senator McCoy moved to strike out section 3.

Carried.

On motion of Senator Nichols the rule was suspended and the bill was read a third time.

Senator Abraham moved to reconsider the vote by which the rule was suspended.

Carried.

Senator Chubb moved to amend section 9, by adding the following:

"Destroying such weeds on the highway abutting his lands and have him credited for the same on his road tax for that year."

Adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Donnan, Duncan, Gillett, Glass, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, Johnson, Karrar, Logan, McDonough, Miles, Nichols, Robinson, Rothert, Russell, Ryder, Stephens, Sudlow, Sutton, Sweney, Whiting, and Wilkin—37.

The nays were:

Senators Cotton, Eastman, Gault, and Larrabee—4.

Absent or not voting:

Senators Bills, Cassatt, Chambers, Hemenway, McCoy, Marshall, Poyneer, Smith, and Whaley—9.

So the bill passed and the title was agreed to.

#### INTRODUCTION OF BILLS.

By leave,

By Senator McCoy, Senate File No. 400, a bill for an act to protect sub-contractors for labor performed and material furnished for public buildings and improvements.

Read a first and second time.

Senator Eastman moved to strike out the word "may" and insert the word "shall."

Lost.

Senator Hall moved to amend section 1, 8th line, by inserting the word "principal" before the word "contract."

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House.

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

House File No. 443, a bill for an act to provide for union railroad depots.

House File No. 533, a bill for an act to legalize the incorporation of the town of Dallas Center, and to legalize the acts of the town council and other officers thereof.

Substitute for substitute for House File No. 273, a bill for an act to amend section 1 of chapter 28 of the laws of the Fifteenth General Assembly, relating to the levy of taxes.

Substitute for House File No. 55, a bill for an act limiting attorney fees in cases of partition.

House File No. 345, a bill for an act to legalize the incorporation of the town of Springville, Linn county, Iowa.

House File No. 379, a bill for an act to compel owners and lessees in charge of railroads, in this State, to pay for the damages caused by the operations of trains and cars of other companies or corporations over their line of road.

House File No. 333, a bill for an act to amend section 1 of chapter 20, of the laws of the Eighteenth General Assembly.

House File No. 496, a bill for an act to legalize the incorporation of the town of Lettsville, in Louisa county, Iowa, the election of officers, and all acts done and ordinances passed by the council of said town.

Also, has passed without amendment:

Senate File No. 372, a bill for an act to legalize the incorporation of the town of Essex and the corporate acts and ordinances thereof.

Senate File No. 395, a bill for an act relating to sidewalks on highways.

Senate File No. 396, a bill for an act to legalize the acts of the board of supervisors of Jackson county, Iowa.

Senate File No. 393, a bill for an act to legalize the levies of taxes for ordinary county revenue made by the board of supervisors of Lucas county, Iowa, for the years 1881, 1882 and 1883, and to legalize all acts done and collection of taxes made under said levies.

Senate File No. 296, a bill for an act to amend section 4, chapter 47, of the acts of the Sixteenth General Assembly, relating to the extension of city limits.

Senate File No. 387, a bill for an act to legalize the ordinances, records and official acts of the council of the city of Osage, Mitchell county, Iowa.

Senate File No. 384, a bill for an act to legalize the levy of certain taxes in Davis county.

Senate File No. 378, a bill for an act to change the name of the Reform School to Industrial School.

Also, that the House has indefinitely postponed Senate File No. 155.

SIDNEY A. FOSTER, *Clerk.*

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

The question being shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Smith, Stephens, Sudlow, Sutton, Sweney, Whiting, and Wilkin—44.

The nays were none.

Absent or not voting:

Senators Carr, Cassatt, Logan, Marshall, Ryder, and Whaley—6.

So the bill passed and the title was agreed to.

#### PETITIONS.

Senator Duncan presented two petitions from citizens of Iowa relative to Soldiers' Home.

Referred to the Committee on Appropriations.

On motion of Senator Rothert House File No. 443, a bill for an act to provide for union railway depots was taken up and considered.

Senator Robinson moved to strike out section 3.

Senator Bills moved to amend section 3 by inserting after the word "city," in the 4th line, the following: "said corporation to compensate adjacent owners as now provided by law." Also, to add the same words to end the section.

Lost.

Upon the amendment offered by Senator Robinson the yeas and nays were demanded, and the roll was called.

The yeas were:

Senators Abraham, Bills, Brown, Caldwell, Chubb, Duncan, Eastman, Gault, Glass, Hemenway, McCoy, McDonough, Miles, Poyneer, Robinson, Sudlow, Sweney, and Wilkin—18.

The nays were:

Senators Baker, Barrett, Bayless, Carr, Carson, Clark, Cotton, Donnan, Gillett, Graves, Hall, Henderson, Hunt, Kamrar, Larrabee, Logan, Nichols, Rothert, Ryder, Smith, and Stephens—21.

Absent or not voting:

Senators Bloom, Cassatt, Chambers, Hendrie, Hutchison, Johnson, Marshall, Russell, Sutton, Whaley, and Whiting—11.

So the amendment was lost.

Senator Bills moved to strike out of section 2, fourth line, the following: "Or by condemnation as provided by chapter 4, title 10, Code of 1873, and when condemned."



Upon this the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Bills, Brown, Gault, Hemenway, Hendrie, and McDonough—6.

The nays were:

Senators Barrett, Caldwell, Carson, Donnan, Duncan, Gillett, Graves, Hall, Henderson, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whiting, and Wilkin—29.

Absent or not voting:

Senators Abraham, Baker, Bayless, Bloom, Carr, Cassatt, Chambers, Chubb, Clark, Cotton, Eastman, Glass, McCoy, Marshall, and Whaley—15.

So the amendment was lost.

Senator Robinsin moved to amend section 3 by adding the following: "But no railway track can thus be located, nor can such depot be so erected until after the injury to property abutting upon the streets or alleys upon which such railway track is proposed to be located or such depot is proposed to be erected has been ascertained and compensation made in the manner provided for taking private property for works of internal improvement in chapter 4, title 10 of the Code."

Senator Brown moved that the bill be referred to the Committee on Judiciary.

Upon the amendment the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Cotton, Donnan, Gault, Glass, Hemenway, Hendrie, Kamrar, Larrabee, McCoy, McDonough, Marshall, Nichols, Poyneer, Robinson, Russell, Smith, Sudlow, Sutton, Sweney, and Wilkin—28.

The nays were:

Senators Baker, Clark, Eastman, Graves, Hall, Henderson, Hunt, Hutchison, Johnson, Logan, Miles, Rothert, Ryder, Stephens, and Whiting—15.

Absent or not voting:

Senators Abraham, Barrett, Cassatt, Chambers, Duncan, Gillett, and Whaley—7.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has adopted the following resolution:

Joint resolution No. 22, authorizing the warden of the Additional Penitentiary at Anamosa to furnish stone as may be required in the construction of any public buildings in this State.

Also, I herewith present for your signature the following bills:

House File No. 550, a bill for an act to provide for the payment of the expense of committees appointed to visit the State institutions.

Senate File No. 56, a bill for an act to repeal section 4013, chapter 9, title 24, of the Code, relating to houses of ill-fame, and to enact a substitute therefor.

Senate File No. 81, a bill for an act to provide for the publication of the annual proceedings of the Iowa Improved Stock Breeders' Association.

Substitute for House File No. 516½, a bill for an act to amend chapter 6, title 11 of the Code, relating to intoxicating liquors, and to provide additional penalties for violations of the provisions of said chapter and the amendments thereto.

House File No. 511, a bill for an act to relieve Mrs. J. W. Maddy, of Marne, Cass county, Iowa, whose husband was killed July 14, 1883, by the murderers of Postmaster Clingan, of Polk City, Iowa.

House File No. 176, a bill for an act to enable the State of Iowa to be represented at the National Educational Exposition at Madison, Wis.

House File No. 323, a bill for an act making appropriation for the Penitentiary at Ft. Madison.

Substitute for Senate File No. 80, a bill for an act authorizing actions against railroad companies, to be brought in the name of the State, upon recommendation of the Board of Railroad Commissioners, which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House.

SIDNEY A. FOSTER, *Clerk.*

Senator Donnan moved to amend section 2 by striking out the following words: "it shall deem necessary," and insert "may be deemed necessary by the railroad commission."

Adopted.

Senator Glass moved to add the following as section 4:

"Nothing in this act contained, or in the articles of incorporation, or by-laws of the corporation herein provided for, shall in any manner release the railroad companies using such union depots, tracks or appurtenances, from the same liability for all damages by injuries to persons, stock, baggage, or freight, or for the loss of baggage or freight, in or about said union depot grounds, as if said depot tracks and appurtenances wholly belonged to and were operated by said railroad companies using the same."

Adopted.

The President signed the following bills in the presence of the Senate:

House Files Nos. 516½, 323, 550, 176, 511; Senate Files Nos. 80, 56, 81.

On motion of Senator Rothert the rule was suspended and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Baker, Barrett, Bloom, Caldwell, Carr, Carson, Chambers, Chubb Clark, Cotton, Donnan, Eastman, Gault Gillett, Glass, Graves,

Hall, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyner, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sweney, Whiting, and Wilkin—41.

The nays were:

Senators Abraham, Bills, Brown, and Duncan—4.

Absent or not voting:

Senators Bayless, Cassatt, Hemenway, Sutton, and Whaley—5.

So the bill passed and the title was agreed to.

At 12 o'clock the Senate adjourned.

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### AFTERNOON SESSION.

2 O'CLOCK P. M.

Senate reconvened, President in the chair.

#### CONCURRENT RESOLUTION.

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

*Be it resolved by the Senate, the House concurring,* That the Post-mistresses and mail-carrier be and are hereby required to remain three days after the adjournment for the purpose of forwarding the mail of the members.

#### REPORT OF COMMITTEE.

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 joint resolution No. 12, to authorize the Governor to appoint an agent for the collection of any amount that may be due the State from the Federal government as a refund of the direct war tax, and on interest due on money advanced by the State during 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 with the recommendation that it be amended by inserting after the word "himself," in first line on second page, the following: "but shall not in any event exceed three per cent of the amount collected"; and as amended that it do pass.

LARRABEE, *Chairman.*

Report of committee adopted.

House File No. 551, a bill for an act to authorize the Auditor of State to issue certificates of purchase to certain owners of certain tracts of school lands in Decatur county, Iowa, was taken up.

On motion of Senator McDonough the rule was suspended and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Donnan, Eastman, Glass, Graves, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Nichols, Robinson, Rothert, Sutton, Sweney, Whiting, and Wilkin—32.

The nays were none.

Absent or not voting:

Senators Bills, Cassatt, Cotton, Duncan, Gault, Gillett, Hall, Hemenway, Henderson, Marshall, Miles, Poyneer, Russell, Ryder, Smith, Stephens, Sudlow, and Whaley—18.

So the bill passed and the title was agreed to.

Senate File No. 293, a bill for an act to prevent accidents at railway crossings, was taken up.

Senator Russell moved that the 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Clark, Cotton, Donnan, Glass, Graves, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Rothert, Russell, Sudlow, Sutton, Sweney, Whiting, and Wilkin—37.

The nays were none.

Absent or not voting:

Senators Chubb, Duncan, Eastman, Gault, Gillett, Hall, Hemenway, Henderson, Poyneer, Ryder, Smith, Stephens, and Whaley—13.

So the bill passed and the title was agreed to.

Substitute for Senate File No. 172, a bill for an act to repeal section 1923, etc., was taken up.

Senator Johnson moved that the 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 Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Carr, Carson, Chambers, Clark, Donnan, Duncan, Eastman, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Ryder, Smith, Stephens, Sutton, Sweney, Whiting, and Wilkin—37.

The nays were.

Senators Cotton, Kamrar, Robinson, Russell, and Sudlow—5.

Absent or not voting:

Senators Caldwell, Cassatt, Chubb, Gault, Hall, Logan, Rothert, and Whaley—8.

So the bill passed and the title was agreed to.

House File No. 492, a bill for an act in relation to the care for the insane, was taken up.

Senator Gillett moved that the Senate recede from its amendment.

On the question shall the Senate recede from its amendments and agree to the bill?

The yeas were:

Senators Abraham, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Graves, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—42.

The nays were none.

Absent or not voting:

Senators Baker, Cassatt, Chambers, Gault, Hall, Rotherth, and Russell—8.

So the Senate receded from its amendments and agreed to the bill.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has passed without amendment the following bills:

Senate File No. 74, a bill for an act to provide for the publication of names and residences of Iowa soldiers, etc.

Senate File No. 89, a bill for an act providing that cities and towns may submit to the qualified electors the question of levying a special tax for the purpose of purchasing and improving public parks.

Senate File No. 818, a bill for an act for the protection and preservation of quail.

Senate File No. 394, a bill for an act to provide for the burial of honorably discharged soldiers, sailors or marines who may hereafter die without leaving means sufficient to defray funeral expenses, and to provide headstones to mark their graves.

Senate File No. 299, a bill for an act to appropriate funds to aid the Farmers' Protective Association of Iowa in defending against suits relating to barbed wire, and to test the validity of said patents.

Senate File No. 73, a bill for an act to amend chapter 54, of the acts of the Sixteenth General Assembly, relating to the construction of sewers.

SIDNEY A. FOSTER, *Clerk.*

Senator Miles offered a petition from citizens of Iowa for a soldiers' home.

Referred to Committee on Appropriations.

#### REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred memorial and joint resolution in reference to applications for pensions, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred joint resolution and memorial No. 7 of the General Assembly of the State of Iowa, relating to the claim of Benjamin I. Everett for damages on account of depredations by Cheyenne Indians, August 27, 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 indefinitely postponed.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Senator Whaley, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred House File No. 493, a bill for an act to provide for the publication of the present address of ex officers of Iowa regiments during the war of the rebellion, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

WHALEY, *Chairman.*

Ordered passed on file.

Senator Cotton, from Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiary, to whom was referred Senate File No. 385, a bill for an act to punish bribery and intimidation of voters and preserve the purity and freedom of elections, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out of the first line of section 1 the words "bribery to procure office;" also, by inserting after the word "other" in the fifth line of section 1, the words "fraudulently or unlawfully;" also, by inserting the word "unlawfully" after the word "behalf" in the first line of section 2; also, by inserting the words "fraudulently and unlawfully" after the word "shall" in the second line of section 3; also, by inserting "or" after the word "commanding" in the seventh line of section 5, and by striking out of said seventh line of section 5 the word "or advising", that when so amended it do pass.

W. A. COTTON, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 391, a bill for an act to punish public officers

for the illegal levy and collection of 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.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was re-referred Senate File No. 259, a bill for an act to legalize the incorporation of the Knoxville Junction Coal Company, beg leave to report that they have had the same under consideration, and a majority of the committee present have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was re-referred House File No. 349, a bill for an act to legalize the incorporation of the Broomhall Coal Company, in Keokuk county, Iowa, beg leave to report that they have had the same under consideration, and a majority of said committee present 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*, That this legalization of said acts of incorporation shall not impair or effect any right, obligation, or duty, or the right or title to any property or office arising, existing or created by reason of the failure or omission to have the said articles of incorporation filed as required." And as amended that it do pass.

H. C. HEMENWAY, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 376, a bill for an act empowering cities and towns to pass ordinances 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.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 529, a bill for an act to legalize the incorporation and the official proceedings of the town of Kellerton, Ringgold county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. HEMENWAY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 223, a bill for an act to legalize the incorporation

of the town of Riverside, Washington county, Iowa, beg leave to report that they have had the same under consideration, and instructed me to report the same back to the Senate with the recommendation that it do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 487, a bill for an act to legalize the locating and establishing of roads in the county of O'Brien in the years 1875, 1876, 1877, 1878, 1879, 1880, and 1881, and the acts of auditors, road commissioners, and board of supervisors of O'Brien county, Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also.

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 390, a bill for an act to legalize the acts of the Lynnville Building Association, of Lynnville, Jasper county, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 363, a bill for an act to protect sub-contractors for labor performed and material furnished for public buildings and improvements, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when adopted that it do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate Files Nos. 25 and 327, bills for an act concerning short hand commissioners, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when adopted that it do pass.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 237, a bill for an act to legalize the incorporation of the town of Cincinnati, Appanoose county, Iowa, beg leave to report that they have had the same under consideration and have



instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate Files Nos. 27, 51, 54, 123, 141, 165, 332, 333, 338; also, House File No. 134, and concurrent resolution No. 8, relating to mistake in count for Governor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

H. C. HEMENWAY, *Chairman*.

Ordered passed on file.

Senator Graves, from the Sifting Committee, submitted the following report:

MR. PRESIDENT—Your Sifting Committee report the following bills for favorable action: House File No. 551, Senate File No. 242, and House File No. 76.

J. K. GRAVES, *Chairman*.

Senator Robinson moved that House File No. 53, a bill for an act to amend sections 1495 and 1508 of the Code, relating to line fences, be indefinitely postponed.

Upon this the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Abraham, Barrett, Bills, Bloom, Caldwell, Chubb, Cotton, Eastman, Hall, Hemenway, Hutchison, Kamrar, Larrabee, Logan, Robinson, Rothert, Russell, Smith, Stephens, Whiting, and Wilkin—21.

Senators Baker, Brown, Carr, Chambers, Clark, Donnan, Duncan, Gillett, Glass, Hendrie, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Ryder, Sudlow, Sweney, and Whaley—20.

Absent or not voting:

Senators Bayless, Carson, Cassatt, Gault, Graves, Henderson, Hunt, Johnson, and Sutton—9.

So the bill was indefinitely postponed.

Senator Nichols moved to taken up Senate File No. 13, a bill for an act to repeal sections 857, 865 and 868 of the Code, and enact substitutes therefor, providing for semi-annual collection of taxes; also, to amend sections 871, 873, 883 and 914 of the Code, and section 1 of chapter 79 of the acts of the Sixteenth General Assembly, be taken up and considered.

Upon this the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Abraham, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Duncan, Gillett, Graves, Hemenway, Hunt, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Smith, Stephens, Sudlow, Sutton, Sweney, Whiting, and Wilkin—30.

The nays were:

Senators Baker, Barrett, Bills, Cotton, Donnan, Glass, Hendrie, Hutchison, Johnson, Kamrar, Larrabee, Russell, and Whaley—13.

Absent or not voting:

Senators Bayless, Cassatt, Eastman, Gault, Hall, Henderson, and Ryder 7.

So the motion prevailed.

On the question shall the House amendments, which were read a first, second and third time, be concurred in and the bill pass as thus amended?

The yeas were:

Senators Abraham, Bloom, Caldwell, Carr, Carson, Chambers, Chubb, Duncan, Gillett, Hemenway, Hunt, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Sweney, and Wilkin—26.

The nays were:

Senators Baker, Barrett, Bills, Cotton, Donnan, Eastman, Glass, Graves, Hendrie, Hutchison, Johnson, Kamrar, Larrabee, Russell, Whaley, and Whiting—16.

Absent or not voting:

Senators Bayless, Brown, Cassatt, Clark, Gault, Hall, Henderson, and Sutton—8.

So the bill passed and the title was agreed to.

Senator Hutchison moved a reconsideration of the vote by which House File No. 53 was indefinitely postponed, stating that he had voted for its postponement under misapprehension as to the nature of the bill.

Senator Robinson moved to lay the motion on the table.

Upon this the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Barrett, Bills, Caldwell, Carson, Cotton, Eastman, Graves, Hall, Hemenway, Hendrie, Hunt, Johnson, Kamrar, Logan, Robinson, Rothert, Russell, Ryder, Stephens, and Sutton—20.

The nays were:

Senators Abraham, Baker, Brown, Carr, Chambers, Duncan, Gillett, Hutchison, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Sudlow, Sweney, and Whaley—17.

Absent or not voting:

Senators Bayless, Bloom, Cassatt, Chubb, Clark, Donnan, Gault, Glass, Henderson, Larrabee, Smith, Whiting, and Wilkin—13.

So the motion prevailed.

House File No. 422, a bill for an act to provide for the erection of monuments to deceased soldiers of the late war, was taken up.

On motion of Senator Whaley the rule was suspended and the bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bloom, Brown, Caldwell, Carson, Cassatt, Chambers, Clark, Cotton, Donnan, Duncan, Gillett, Glass, Graves, Hall, Hunt, Hutchison, Kamrar, Larrabee, Logan, Mc-

Coy, McDonough, Marshall, Miles, Rothert, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—35.

The nays were none.

Absent or not voting:

Senators Bayless, Bills, Carr, Chubb, Eastman, Gault, Hemenway, Henderson, Hendrie, Johnson, Nichols, Poyneef, Robinson, Russell, and Ryder—15.

So the bill passed and the title was agreed to.

Senator Wilkin called up his motion to reconsider the vote by which House File No. 398 was lost, and the vote was reconsidered.

The question being shall the bill pass?

The yeas were:

Senators Baker, Barrett, Bayless, Bloom, Caldwell, Carson, Chambers, Clark, Cotton, Duncan, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hunt, Johnson, Kamrar, Logan, Nichols, Robinson, Rothert, Russell, Ryder, Stephens, Sutton, Sweney, Whaley, Whiting, and Wilkin—31.

The nays were:

Senators Abraham, Bills, Brown, Carr, Chubb, Donnan, Larrabee, McCoy, McDonough, Marshall, Miles, Poyneer, and Sudlow—13.

Absent or not voting:

Senators Cassatt, Eastman, Gault, Hendrie, Hutchison, and Smith—7.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Senator Chambers, 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. 81, an act to provide for the publication of the annual proceedings of the Iowa Improved Stock Breeders' Association.

Substitute for Senate File No. 80, an act authorizing actions against railroad companies to be brought in the name of the State upon recommendation of the Board of Railroad Commissioners.

Substitute for Senate File No. 56, an act to repeal sections 4013 and 4016 of the Code, and to enact substitutes therefor, relating to houses of ill-fame and to prostitution, and to enact an additional provision relating to houses of ill-fame, prostitution and lewdness.

And find the same correctly enrolled.

J. C. CHAMBERS, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate File No. 81, an act to provide for the publication of the annual proceedings of the Iowa Improved Stock Breeders' Association.

Substitute for Senate File No. 80, an act authorizing actions against

railroad companies to be brought in the name of the State, upon recommendation of the Board of Railroad Commissioners.

Substitute for Senate File No. 56, an act to repeal sections 4013 and 4016 of the Code, and to enact substitutes therefor, relating to houses of ill-fame and to prostitution, and to enact an additional provision relating to houses of ill-fame and prostitution and lewdness.

J. C. CHAMBERS, *Chairman.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has concurred in the passage of the following bill:

Substitute for Senate File No. 83, a bill for an act to establish the Iowa State Board of Labor.

Also, the House has refused to concur in the passage of substitute for Senate Files Nos. 38, 39, and 99.

Also, that the House has concurred in the following resolution:

Joint resolution and memorial No. 9, in regard to jurisdiction of United States circuit courts.

SIDNEY A. FOSTER, *Clerk.*

Senator Henderson moved that the vote by which Senate File No. 181 was lost be reconsidered.

Carried.

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

The question being shall the bill pass?

The yeas were:

Senators Baker, Barrett, Bayless, Bloom, Caldwell, Carson, Chambers, Chubb, Clark, Donnan, Duncan, Eastman, Gillett, Glass, Graves, Hall, Henderson, Hendrie, Hunt, Johnson, Kamrar, Larrabee, Logan, Marshall, Miles, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sutton, Sweney, Whaley, and Wilkin—36.

The nays were:

Senators Abraham, Bills, Carr, McCoy, McDonough, Sudlow, and Whiting—7.

Absent or not voting:

Senators Brown, Cassatt, Cotton, Gault, Hemenway, Hutchison, and Nichols—7.

So the bill passed and the title was agreed to.

Senate File No. 337, a bill for an act to amend section 384 of the Code, was taken up.

On motion of Senator Larrabee the rule was suspended and the bill read a third time.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bayless, Bloom, Brown, Caldwell, Carson, Clark, Cotton, Gillett, Glass, Hendrie, Hunt, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Poyneer, Rothert, Sudlow, and Sweney—25.

The nays were:

Senators Duncan, Eastman, Hutchison, Smith, Whiting, and Wilkin—6.

Absent or not voting:

Senators Baker, Bills, Carr, Cassatt, Chambers, Chubb, Donnan, Gault, Graves, Hall, Hemenway, Henderson, Nichols, Robinson, Russell, Ryder, Stephens, Sutton, and Whaley—19.

So the bill was lost.

Senate File No. 313, a bill for an act to amend section 3902 of the Code was taken up.

On motion of Senator Larrabee the rule was suspended and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Baker, Barrett, Caldwell, Carr, Carson, Gillett, Glass, Hemenway, Kamrar, Larrabee, Marshall, Miles, Nichols, Smith, Sudlow, Sweney, Whaley, Whiting, and Wilkin—19.

The nays were:

Senators Bloom, Brown, Clark, Cotton, Eastman, Hall, Hendrie, Hutchison, Johnson, McCoy, McDonough, Poyneer, Ryder, Stephens, and Sutton—15.

Absent or not voting:

Senators Abraham, Bayless, Bills, Cassatt, Chambers, Chubb, Donnan, Duncan, Gault, Graves, Henderson, Hunt, Logan, Robinson, Rothert, and Russell—16.

So the bill was lost.

Senate File No. 285, a bill for an act to amend chapter 58, acts of the Seventeenth General Assembly, was taken up and considered.

On motion of Senator Larrabee the rule was suspended and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Eastman, Glass, Hall, Hemenway, Henderson, Hendrie, Hutchison, Johnson, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—37.

The nays were:

Senators Abraham and Baker—2.

Absent or not voting:

Senators Bayless, Bills, Cassatt, Duncan, Gault, Gillett, Graves, Hunt, Logan, Rothert, and Russell—11.

So the bill passed and the title was agreed to.

House joint resolution No. 12, to authorize the Governor to appoint an agent for the collection of any amount that may be due the State from the Federal government as a refund of the direct war tax, and any interest due on money advanced by the State during the war, was taken up.

On motion of Senator Larrabee the rule was suspended and the joint resolution read a third time.

On the question shall the joint resolution pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Eastman, Gillett, Glass, Hall, Hemenway, Henderson, Hendrie, Hutchison, Johnson, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—40.

The nays were none.

Absent or not voting:

Senators Bayless, Bills, Cassatt, Duncan, Gault, Graves, Hunt, Logan, Rothert, and Russell—10.

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

Senate File No. 242, a bill for an act to repeal section 4018, chapter 9, title 24 of the Code, and to enact a substitute therefor, was taken up, considered, and the report of the committee was adopted.

Senator Chubb moved to amend by inserting after the word "county" "for 6 months previous to time death took place."

Withdrawn.

Senator Poyneer moved to amend by striking out all after word "person" to "is so delivered."

Adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Eastman, Gault, Gillett, Glass, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Stephens, Sudlow, Sweney, Whaley, Whiting, and Wilkin—41.

The nays were none.

Absent or not voting:

Senators Barrett, Bayless, Cassatt, Donnan, Duncan, Hemenway, McCoy, Smith, and Sutton—9.

So the bill passed and the title was agreed to.

House File No. 228, a bill for an act to amend sections 10 and 12, chapter 151, laws of the Eighteenth General Assembly, was taken up.

On motion of Senator Bloom the rule was suspended and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Bills, Bloom, Brown, Caldwell, Carson, Chambers, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Russell, Ryder, Smith, Stephens, Sudlow, Sweney, Whaley, and Wilkin—33.

The nays were:

Senators Abraham, Bayless, Chubb, Hunt, Hutchison, Johnson, Poyneer, Rothert, and Whiting—9.

Absent or not voting:

Senators Baker, Barrett, Carr, Cassatt, Gault, Hendrie, Robinson, and Sutton—8.

So the bill passed and the title was agreed to.

Senate File No. 247, a bill for an act to amend section 1, chapter 162, acts of the Seventeenth General Assembly, providing for the construction of sewers by striking out a portion thereof, was taken up.

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

On the question, shall the bill pass?

The yeas were:

Senators Baker, Barrett, Bayless, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Rotherth, Russell, Stephens, Sudlow, Sutton, Whaley, Whiting, and Wilkin—42.

The nays were none.

Absent or not voting:

Senators Abraham, Bills, Glass, Hemenway, Robinson, Ryder, Smith, and Sweney—8.

So the bill passed and the title was agreed to.

Substitute for Senate File No. 262, a bill for an act fixing the term of office of mayors of cities of the second class, organized under the general incorporation laws of the State, with report of committee recommending a substitute, was taken up, and considered, and the report of the committee was adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Johnson, Kamrar, Logan, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Rotherth, Russell, Ryder, Stephens, Sudlow, Sutton, Whaley, Whiting, and Wilkin—43.

The nays were:

Senators Hutchison, Larrabee, and Marshall—3.

Absent or not voting:

Senators Cassatt, Gault, Smith, and Sweney—4.

So the bill passed and the title was agreed to.

Substitute for House Files Nos. 6 and 61, a bill for an act to amend section 1452 of the Code of 1873, in relation to trespassing of stock and damages, with report of committee recommending a substitute, was taken up, and on motion of Senator Chubb was indefinitely postponed.

On motion of Senator Rotherth, Senate File No. 253, was recommended to the Sifting Committee.

Senate File No. 289, a bill for an act repealing section 131 of the

Code, and enacting a substitute in lieu thereof, relating to distribution of public documents to public libraries, with report of committee recommending amendments, was taken up, considered, and the report of the committee was adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bloom, Brown, Caldwell, Carr, Chambers, Chubb, Clark, Cotton, Duncan, Eastman, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—41.

The nays were none.

Absent or not voting:

Senators Bills, Carson, Cassatt, Donnan, Gault, Glass, Logan, Marshall, and Smith—9.

So the bill passed and the title was agreed to.

Senate File No. 328, a bill for an act to amend section 1141, paragraph 15, chapter 4, of the Code, in relation to insurance, was taken up.

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

On the question, shall the bill pass?

The yeas were:

Senators Barrett, Bills, Bloom, Caldwell, Carson, Chubb, Clark, Cotton, Gillett, Graves, Hutchison, Kamrar, Larrabee, McCoy, Poyneer, Rothert, Russell, and Smith—18.

The nays were:

Senators Abraham, Brown, Carr, Duncan, Hall, Hendrie, Johnson, McDonough, Marshall, Miles, Nichols, Ryder, Stephens, Sudlow, Sweney, Whaley, and Wilkin—17.

Absent or not voting:

Senators Baker, Bayless, Cassatt, Chambers, Donnan, Eastman, Gault, Glass, Hemenway, Henderson, Hunt, Logan, Robinson, Sutton, and Whiting—15.

So the bill was lost.

Senator Larrabee moved that when the Senate adjourn it adjourn until 9 o'clock to-morrow morning.

Carried.

At 5:55 o'clock Senator Bills moved that the Senate adjourn.

Carried.

Senate adjourned.



SENATE CHAMBER, }  
DES MOINES, IOWA, April 1, 1884. }

The Senate met pursuant to adjournment, and was called to order by the President *pro tem*.

Prayer by Rev. Senator Marshall.

Pending reading of the journal Senator Carson moved further reading be dispensed with.

Carried.

Senator Caldwell moved that House File No. 533, an act to legalize the incorporation of the town of Dallas Center, and to legalize the acts of the town council and other officers thereof, be taken up.

Carried.

Read a first and second time.

On motion of Senator Caldwell the rule was suspended and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Barrett, Bayless, Bloom, Brown, Caldwell, Carr, Carson, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Henderson, Hunt, Johnson, Kamrar, Larrabee, Logan, McCoy, Marshall, Miles, Nichols, Poyneer, Ryder, Sutton, Sweney, Whaley, Whiting, and Wilkin—34.

The nays were none.

Absent or not voting:

Senators Abraham, Baker, Bills, Cassatt, Chambers, Chubb, Hemenway, Hendrie, Hutchison, McDonough, Robinson, Rothert, Russell, Smith, Stephens, and Sudlow—16.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 499; a bill for an act relative to the powers and duties of mayors of first and second class cities.

Also, I am directed to inform you that the House has concurred in the Senate amendments to the following bills:

House File No. 543, a bill for an act to promote the improvement of highways.

House File No. 443, a bill for an act to provide for union railroad depots.

House File No. 398, a bill for an act to repeal chapter 126, laws of the Sixteenth General Assembly, and chapters 87 and 173 of the

laws of the Seventeenth General Assembly, and chapter 192 of the Eighteenth General Assembly, and chapter 102 of the Nineteenth General Assembly, in relation to taxes in aid of railways and to enact a substitute therefor.

Also, that the House has concurred in Senate amendments to the following joint resolution:

Joint resolution No. 12, relative to the appointment of an agent for the collection of any amount that may be due the State of Iowa from the United States, as a refund of the direct war tax, and also as a refund of interest on money advanced by the State during the civil war.

I am also directed to inform you that the House has passed without amendment the following bills:

Senate File No. 293, a bill for an act to prevent accidents at railroad crossings.

Senate File No. 285, a bill for an act to amend chapter 58 of the acts of the Seventeenth General Assembly.

Senate File No. 400, a bill for an act to protect subcontractors for labor performed and material furnished for public buildings and improvements.

Also, the House has concurred in the following resolution:

Concurrent resolution relative to postmistress and mail carrier.

Amended and passed as amended:

Senate File No. 204, a bill for an act making an appropriation for the State Library, and providing assistants for the librarian and for their compensation.

Also, that the House has indefinitely postponed the following Senate bill:

Substitute for Senate File No. 358, a bill for an act to amend section 797 of the Code, and to exempt from taxation certain homesteads.

SIDNEY A. FOSTER, *Clerk.*

On motion of Senator Chambers House File No. 415, a bill for an act to change the name of the Additional Penitentiary at Anamosa, provide for a matron for the female convicts thereof, to authorize the purchase of certain lands, and to provide for the house rent of the deputy warden, was taken up and considered, and read a first and second time.

Senator Rothert moved to strike out the word "State."

Carried.

Senator Gault moved to strike out "\$75 a month" and insert "\$50 a month."

Senator Bayless moved to amend by making the salary sixty dollars a month.

Accepted.

Motion lost.

On motion of Senator Chambers the rule was suspended and the bill read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bills, Bloom, Brown, Carr, Ca-

son, Cotton, Eastman, Gault Gillett, Glass, Graves, Hall, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, McCoy, Marshall, Miles, Nichols, Poyneer, Rothert, Ryder, Smith, Stephens, Sweney, Whaley, Whiting, and Wilkin—34.

The nays were none.

Absent or not voting:

Senators Bayless, Caldwell, Cassatt, Chambers, Chubb, Clark, Donnan, Duncan, Hemenway, Henderson, Logan, McDonough, Robinson, Russell, Sudlow, and Sutton—16.

So the bill passed and the title was agreed to.

House File No. 20, a bill for an act in relation to the 4th judicial district of the State, dividing the same, providing for the election of circuit judges therein, and defining their powers and duties, was taken up and read a first and second time.

On motion of Senator Barrett the rule was suspended and the bill read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Bayless, Brown, Caldwell, Carr, Carson, Chambers, Clark, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Russell, Stephens, Sweney, Whaley, Whiting, and Wilkin—30.

The nays were:

Senators Bills, Duncan, Eastman, Johnson, Poyneer, and Ryder—6.

Absent or not voting:

Senators Baker, Barrett, Bloom, Cassatt, Chubb, Cotton, Donnan, Hall, Hendrie, Robinson, Rothert, Smith, Sudlow, and Sutton—14.

So the bill passed and the title was agreed to.

House File No. 76, a bill for an act to amend sections 304 and 307, chapter 2, title 4, of the Code, with report of committee recommending amendments, was taken up, considered, read a first and second time, and the report of the committee was adopted.

Senator Robinson moved to amend by adding after the word "supervisor," in thirteenth line, section 2, printed bill, the following: "the schedules of bills allowed and the reports of the city treasurer."

Adopted.

On motion of Senator Glass the rule was suspended and the bill read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bayless, Brown, Carr, Carson, Chambers, Clark, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Russell, Stephens, Sweney, Whaley, and Whiting—28.

The nays were:

Senators Bills, Duncan, Eastman, Johnson, Poyneer, and Ryder—6.

Absent or not voting:

Senators Baker, Bloom, Caldwell, Cassatt, Chubb, Cotton, Donnan,

Hall, Hendrie, Nichols, Robinson, Rotherth, Smith, Sudlow, Sutton, and Wilkin—16.

So the bill passed and the title was agreed to.

House File No. 379, a bill for an act to compel owners and lessees in charge of railroads in this State to pay for damages caused by the operation of trains and cars of other companies or corporations over their line of road, was, on motion of Senator Bills, referred to the Judiciary Committee.

Senate File No. 336, a bill for an act to facilitate the giving of bonds as required by law, was taken up and read a first and second time.

Senator Larrabee moved that the 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 Abraham, Barrett, Bayless, Bloom, Caldwell, Carr, Carson, Clark, Cotton, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, Nichols, Rotherth, Whaley, Whiting, and Wilkin—27.

The nays were none.

Absent or not voting:

Senators Baker, Bills, Brown, Cassatt, Chambers, Chubb, Donnan, Duncan, Eastman, Hendrie, Johnson, McDonough, Marshall, Miles, Poyneer, Robinson, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, and Sweney—23.

So the bill passed and the title was agreed to.

House File No. 345, a bill for an act to legalize the incorporation of the town of Springville, Linn county, Iowa, was taken up and read a first and second time.

Senator Henderson moved that the 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 Abraham, Barrett, Bayless, Bloom, Caldwell, Carr, Carson, Clark, Cotton, Donnan, Duncan, Gillett, Glass, Graves, Hall, Henderson, Hunt, Hutchison, Kamrar, Larrabee, Logan, McDonough, Nichols, Poyneer, Robinson, Sutton, Sweney, Whaley, Whiting, and Wilkin—30.

The yeas were none.

Absent or not voting:

Senators Baker, Bills, Brown, Cassatt, Chambers, Chubb, Eastman, Gault, Hemenway, Hendrie, Johnson, McCoy, Marshall, Miles, Rotherth, Russell, Ryder, Smith, Stephens, and Sudlow—20.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Senator Graves from the Sifting Committee submitted the following report: .

MR. PRESIDENT—Your Sifting Committee have instructed me to report the following bills without recommendation:

Senate Files Nos. 492, 399, 396, 353, 282, 354, 356, 218, House Files Nos. 36, 533, 345, 59, 20, 307, 415, 273, 55, 496, 276, 529, joint resolution No. 22.

J. K. GRAVES, *Chairman.*

House File No. 496, a bill for an act legalizing the incorporation of the town of Lettsville, in Louisa county, Iowa, the election of officers and all acts done and ordinances passed by the council of said town, was taken up.

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

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bills, Bloom, Brown, Caldwell, Carr, Chambers, Chubb, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hemenway, Hendrie, Hunt, Hutchison, Johnson, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Smith, Stephens, Sutton, Whaley, Whiting, and Wilkin—40.

The nays were none.

Absent or not voting:

Senators Bayless, Carson, Cassatt, Clark, Hall Henderson, Kamrar, Ryder, Sudlow, and Sweney—10.

So the bill passed and the title was agreed to.

#### COMMITTEE FROM THE HOUSE.

A committee from the House presented themselves and announced that the House was ready to receive the Senate in joint assembly for the purpose of electing officers to the various State institutions.

The President requested the Senate to accompany him to the Hall of the House of Representatives.

#### JOINT CONVENTION.

The joint convention was called to order by the President of the Senate.

The President announced that the joint convention was for the purpose of electing trustees and regents of the various State institutions.

Senator Hemenway was appointed teller on the part of the Senate and Mr. Storey on the part of the House.

Senator Robinson 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 to be duly elected regents of the State University and trustees and directors of the various State institutions, to-wit:

Regents of State University: John H. Thompson, H. C. Bulis, H. C. Huntzman, J. S. Dunning, John F. Duncombe.

Trustees of Iowa State Agricultural College and Farm: R. P. Speer, Joseph Dysart, John Morrison, J. S. Clarkson, Platt Wicks, D. W. Mott, A. D. Peck, W. T. Rigby.

Directors of the School for the Instruction and Training of Teachers at Cedar Falls: Lorenzo D. Lewelling, J. W. Satterthwaite, J. C. Milliman (to fill vacancy.)

Trustees of the Iowa College for the Blind: Clinton O. Farrington, J. H. Watson, G. M. Miller.

Trustees of the Iowa Institution for the Deaf and Dumb: J. Elder.

Trustees of the Iowa Soldiers' Orphans' Home: Seth P. Bayard, Clinton Orcutt, Hugh McConnell.

Trustees of the Iowa Hospital for the Insane at Mt. Pleasant: John H. Kulp, D. A. Hurst.

Trustees of the Iowa Hospital for the Insane at Independence: Jed. Lake, F. S. Thomas.

Trustees of the Asylum for Feeble-Minded Children: A. H. Lawrence.

Trustees of the Iowa Reform School: Thomas C. Corkhill Louise Hall (to fill vacancy.)

Senator Hall moved to substitute the following names in place of those offered by Senator Robinson:

Regents State University—Third District, M. M. Ham, Dubuque; Fourth District, J. F. Thompson, Clayton; Sixth District, W. R. Duncan, Monroe; Seventh District, John F. Duncombe, Webster; Eleventh District, B. D. Holbrook, Monona.

Agricultural College Trustees—Second District, C. M. Dunbar, Jackson; Third District, Chas. Bronson, Delaware; Fifth District, George Carter, Iowa; Sixth District, H. A. Wonn, Davis; Seventh District, \_\_\_\_\_; Ninth District, Justus Clark, Montgomery; Tenth District—D. E. Fenn, Story; Eleventh District, F. F. Roe, Monona.

State Normal School Trustees—Wm. G. Kent, Lee; George W. Ball, Johnson.

College for the Blind—Geo. McMorris and S. Rice.

Institution for Deaf and Dumb—John H. Stubenrauch, Marion.

Soldiers' Orphans' Home—D. M. Clark, Wayne; Geo. W. Nelson, Johnson; A. M. Winn, Muscatine.

Insane Hospital at Mt. Pleasant—Joseph R. Ratigan, Fremont; E. L. Lathrop, Wapello.

Insane Hospital at Independence—John F. Pyne, Benton; P. M. Guthrie, Carroll; W. H. Lewis, Fayette.

Asylum for Feeble-Minded Children—W. W. Merritt, Montgomery; Wm. Bertram, Lee; Fred O'Donnell, Dubuque.

Iowa Reform School—Mrs. Louise Hall, Des Moines; D. D. W. C. Throop, Henry.

Mr. Kerr offered the following resolution:

*Resolved*, That the roll be called and those voting for the persons named in the resolution vote aye, those voting for persons named in amendment vote no, and if a majority vote aye the persons named in resolution shall be declared elected, and the vote shall be recorded accordingly.

Mr. Babb moved to amend so that each member will rise on call

of his name and indicate his choice by naming the author of resolution or amendment.

Accepted and adopted.

Mr. Dabney placed the name of Wm. H. Lewis as candidate for Trustee of the Agricultural College from the Seventh District.

The clerk then call the roll.

Those voting for persons named in resolution offered by Senator Robinson were:

Messrs. Baker, Barrett, Benson, Bills, Boggs, Brown of Butler, Brown of Keokuk, Brown of Marshall, Butler, Caldwell, Calkins, Carpenter, Carson, Chambers, Clark, \*Clayton, Coie, Converse, Cotton, Curtis, Davis, Donnan, Duncan, Eastman, Fillmore, †Fordyce, Gillett, Glass, Graves, Green, Hall of Clark, Hamblin, Harrison, Hayzlett, Head, Hemenway, Hersey, Humphrey, Hunt, Hutchison, Jones, Kamrar, Kennedy, Kerr, Kuhn, Larrabee, Linn, Livingston, Logan, Lyons, McCall, McCoy, McCulloch, McDaid, McDonough, McVay, Miles, Mowry, Nichols, Nugent, Overholtzer, Pattee, Picken, Poyneer, Rice, Robinson, Rothert, Russell of Greene, Schee, Sherman, Smith, Smyth, Stephens, Story, Sutton, Sweney, Tuttle, Vanderpoel, Ward, Watrous, Wattson, Weaver, Whaley, †Wilbur, Wilkin, and Wolf—83.

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\*Except for Elder, voted for Stubenrauch.

†Except for Clarkson, voted for W. H. Lewis.

‡Except for Clarkson, voted for W. H. Lewis.

Those voting for the substitute offered by Senator Hall were:

Messrs. Culbertson, Johnson of Jackson, Linehan, Miller of Carroll, Ranck, and Schmidt—6.

Those voting for the substitute of Senator Hall as amended by Mr. Dabney were:

Messrs. Aaker, Baldwin, Ballingall, Banta, Bayless, Bloom, Bolter, Brothers, Bullock, Campbell, Canfield, Carr, Cassatt, Chamberlin, Cloud, Dabney, Derr, Doerr, Gault, Gilliland, Grant, Hardy, Haviland, Henderson of Fremont, Hendrie, Hogeland, Holbrook of Iowa, Jordan, Killen, Lucas, Lynch, \*McCarty, Manderschied, Mentzel, Merrell, Milten, Nachtwey, Ryder, Scrimgeour, Stewart, Upton, Wherry, Whiting, Widner and Wright—44.

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\*Except for Carter, voted for Morrison.

Absent or not voting:

Messrs. Abraham, Chubb, Densmore, Hall of Des Moines, Henderson of Linn, Huskins, Johnson of Montgomery, Marshall, Miller of Lee, Sudlow, and Wyland—11.

At 12 o'clock m., on motion of Senator Robinson, the joint convention took a recess until 2 o'clock p. m.

## AFTERNOON SESSION.

2:00 O'CLOCK P. M.

Joint convention re-assembled.

Senator Bloom and Mr. Chamberlain expressed a desire to change their votes.

Mr. Curtis moved that they be allowed so to do.

Carried.

Whereupon Senator Bloom voted for the substitute offered by Senator Hall.

Mr. Chamberlain voted for the same.

Mr. Baldwin voted for the same.

The President announced the result of the vote as follows:

## Trustees for Normal School:

Lorenzo D. Lewelling .....	86
J. W. Satterthwaite .....	86
J. C. Milliman (to fill vacancy) .....	86
Wm. G. Kent .....	53
George W. Ball .....	53

## Trustees for College for Blind:

Clinton O. Harrington .....	86
S. H. Watson .....	86
G. W. Miller .....	86
George McMorris .....	53
S. Rice .....	53

## Trustees for Deaf and Dumb Institution:

Dr. J. Elder .....	85
John H. Stubenrauch .....	54

## Trustees of Iowa Soldiers' Orphans' Home:

Seth P. Bryant .....	86
Clinton Orcutt .....	86
Hugh McConnell .....	86
D. M. Clark .....	53
George W. Nelson .....	53
A. W. Winn .....	53

## Trustees for Hospital at Mt. Pleasant:

John H. Kulp .....	86
D. A. Hurst .....	86
Joseph Rattigan .....	53
E. L. Lathrop .....	53

## Trustees of Hospital for Insane at Independence:

Jed Lake .....	86
J. L. Whitley .....	86
F. S. Thomas .....	86
John F. Payne .....	53
P. M. Guthrie .....	53
W. H. Lewis .....	53



## Trustees for Asylum for Feeble-Minded:

A. H. Lawrence.....	86
W. W. Merritt.....	53
Wm. Bertram.....	53
Fred O'Donnell.....	53

## Trustees for Reform School:

Thomas E. Corkhill.....	86
Louise Hall.....	186
W. C. Thrope.....	53

## Regents of State University:

John H. Thompson.....	86
H. C. Bulis.....	86
H. C. Huntsman.....	86
J. S. Dunning.....	66
John F. Duncombe.....	139
M. M. Ham.....	53
J. F. Thompson.....	53
W. R. Duncan.....	53
B. D. Holbrook.....	53

## Trustees of the Agricultural College:

3d District—R. P. Speer.....	86
5th District—Joseph Dysart.....	86
6th District—John Morrison.....	87
7th District—J. S. Clarkson.....	84
9th District—Platt Wicks.....	86
10th District—D. W. Mott.....	86
11th District—A. D. Peck.....	86
2d District—W. T. Rigby.....	86
2d District—C. M. Dunbar.....	53
3d District—Charles Bronson.....	53
5th District—George Carter.....	53
6th District—H. A. Wonn.....	52
7th District—W. H. Lewis.....	43
9th District—Justus Clark.....	53
10th District—D. E. Fenn.....	53
11th District—F. F. Roe.....	53

Senator Sutton moved that the Tellers determine by lot as to the length of term of office of the different Trustees of the Agricultural College.

Carried.

## RESOLUTION.

Senator Robinson offered the following resolution, which was adopted:

*Resolved by the General Assembly of the State of Iowa, in Joint Convention assembled,* That the terms of the following named Trustees of the Agricultural College and Farm shall be as follows:

- W. T. Rigby, two years.
- A. D. Peck, four years.
- D. W. Mott, four years.
- J. S. Clarkson, four years.
- Joseph Dysart, four years.
- Platt Wicks, six years.
- John Morrison, six years.
- R. P. Speer, six years.

The same being in accordance with the result of the drawing by the tellers.

The following certificates were then signed in duplicate in the presence of the joint assembly:

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Regents of the State University, John F. Duncombe having received a majority of all the votes cast for said office, was declared duly elected said Regent 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 first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Regents for the State University, John H. Thompson having received a majority of all the votes cast for said office, was declared duly elected said Regent 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 first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Regents of the State University, J. S. Dunning having received a majority of all the votes cast for said office, was declared duly elected said Regent for the term of six years from and after the expiration of the term of office of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STORRY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D., 1884, for the purpose of electing Regents of the State University, H. C. Bulis, having received a majority of all the votes cast for said office, was declared duly elected said Regent 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 first day of April, A. D., 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STORRY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Regents of the State University, H. C. Huntsman, having received a majority of all the votes cast for said office, was declared duly elected said Regent 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 first day of April, A. D., 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Trustees of Iowa State Agricultural College and Farm, R. P. Speer, having received a majority of all the votes cast for said office, was declared duly elected said Trustee, 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 first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Trustees of the Iowa State Agricultural College and Farm, Joseph Dysart, having received a majority of all the votes cast for said office, was declared duly elected Trustee 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 first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Trustees of the Iowa State Agricultural College and Farm, John Morrison, having received a majority of all the votes cast for said office, was declared duly elected said Trustee for the term of six years from and after the expiration of the term of the present incumbent, and until successor his is elected and qualified.

Signed in the presence of the joint convention, this first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Trustees of the Iowa State Agricultural College and Farm, J. S. Clarkson, having received a majority of all the votes cast for said office, was declared duly elected said Trustee 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 first day of April, 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Trustees Iowa State Agricultural College and Farm, D. W. Mott, having received a majority of all the votes cast for said office, was declared duly elected said Trustee 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 first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Trustees Iowa State Agricultural College and Farm, A. D. Peck, having received a majority of all the votes cast for said office, was declared duly elected said Trustee 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 first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Trustees Iowa State Agricultural College and Farm, W. T. Rigby, having received a majority of all the votes cast for said office, was declared duly elected said Trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. A. HEMENWAY,  
*Teller of the Senate.*

JNO. C. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

This is to certify, that at an elections by the two houses of the General Assembly of the State of Iowa, in joint convention, on Tuesday, the first day of April, A. D. 1884, for the purpose of electing Trustees Iowa State Agricultural College and Farm, Platt Wicks, having received a majority of all the votes cast for said office, was declared duly elected said Trustee 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 first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Directors State Normal School, J. C. Milliman, having received a majority of all the votes cast for said office, was declared duly elected said Director for the term of four years to fill vacancy 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 first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*



HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Directors Iowa State Normal School, J. W. Satterthwaite, having received a majority of all the votes cast for said office, was declared duly elected said Director 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 first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D., 1884, for the purpose of electing Directors for Iowa State Normal School, Lorenzo D. Lewelling, having received a majority of all the votes cast for said office, was declared duly elected said Director 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 first day of April, A. D., 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate,*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D., 1884, for the purpose of electing Trustees of the Iowa College for the Blind, G. M. Miller having received a majority of all the votes cast for said office, was declared duly elected said Trustee 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 first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Trustees of the Iowa College for the Blind, S. H. Watson having received a majority of all the votes cast for said office, was declared duly elected said Trustee 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 first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Trustees for the College for the Blind, Clinton O. Harrington having received a majority of all the votes cast for said office, was declared duly elected said Trustee 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 first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Trustees of the Iowa Soldiers' Orphans' Home, Hugh McConnell having received a majority of all the votes cast for said office, was declared duly elected said Trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Trustees of the Iowa Soldiers' Orphans' Home, Seth P. Bryant having received a majority of all the votes cast for said office, was declared duly elected said Trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Trustees of the Iowa Soldiers' Orphans' Home, Clinton Orcutt having received a majority of all the votes cast for said office, was declared duly elected, said Trustee for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Trustees of the Iowa Hospital for Insane at Mt. Pleasant, John H. Kulp having received a majority of all the votes cast for said office, was declared duly elected said Trustee, 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 first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April A. D. 1884, for the purpose of electing Trustees of the Iowa Hospital for the Insane at Mt. Pleasant, D. A. Hurst having received a majority of all the votes cast for said office, was declared duly elected said Trustee 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 first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Trustees of the Iowa Hospital for the Insane at Independence, J. L. Whitley having received a majority of all the votes cast for said office, was declared duly elected said Trustee 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 first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of the Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Trustees of the Iowa Hospital for the Insane at Independence, Jed Lake having received a majority of all the votes cast for said office, was declared duly elected said Trustee 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 first day of April, A. D. 1884:

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April A. D. 1884, for the purpose of electing Trustees of the Iowa Hospital for the Insane at Independence, F. S. Thomas having received a majority of all the votes cast for said office, was declared duly elected said Trustee 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 first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Trustees for Asylum for Feeble-Minded Children, A. H. Lawrence having received a majority of all the votes cast for said office, was declared duly elected said Trustee 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 first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

This is to certify, that at an election of the two houses of the General Assembly of the State of Iowa, in joint convention, on Tuesday, the first day of April, A. D. 1884, for the purpose of electing 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 said Trustee 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 first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JOHN A. STOREY,  
*Teller of the House of Representatives.*

HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Trustees of the Iowa Reform School, Louise Hall (to fill vacancy), having received a majority of all the votes cast for said office, was declared duly elected said Trustee to fill vacancy 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 first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*



HALL OF THE HOUSE OF REPRESENTATIVES, }  
 DES MOINES, IOWA, April 1, 1884. }

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 Tuesday, the first day of April, A. D. 1884, for the purpose of electing Trustees Iowa Institution for the Deaf and Dumb, Dr. J. Elder having received a majority of all the votes cast for said office, was declared duly elected said Trustee 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 first day of April, A. D. 1884.

O. H. MANNING,  
*President of the Senate.*

WM. P. WOLF,  
*Speaker of the House of Representatives.*

ATTEST:

H. C. HEMENWAY,  
*Teller of the Senate.*

JNO. A. STOREY,  
*Teller of the House of Representatives.*

The President appointed Mr. Johnson, of Montgomery, Mr. Davis, of Pottawattamie, and Mr. Hersey, of Delaware, as committee to wait upon the Governor and present him with the credentials of the newly elected officers of the State institutions.

Senator Robinson moved that the tellers be directed to determine by lot the terms of office of the newly elected Regents of the State University, one of whose terms shall extend for four years and four for six years.

Carried.

The tellers accordingly determined by lot that Mr. H. C. Huntzman fill the short term.

Mr. Clayton moved that the certificates of the newly elected Regents be made out according to the teller's decision.

Carried.

Senator Robinson offered the following resolution:

*Resolved by the Senate and House of Representatives of the General Assembly of the State of Iowa, in joint convention assembled, That the terms of office of the following named Regents of the State University are hereby declared to be as follows:*

H. C. Huntzman, for four years.

John H. Thompson, for six years.

H. C. Bulis, for six years.

John F. Duncombe, for six years.

J. S. Dunning, for six years.

Adopted.

At 3:10 o'clock the joint convention, on motion Mr. Kerr, dissolved.

SENATE CHAMBER, 3:15 O'CLOCK P. M.

Senate re-convened, President in the chair.

BILLS ON SECOND READING.

On motion of Senator Stephens House File No 529, a bill for an act to legalize the incorporation and official proceedings of the town of Kellerton, in the county of Ringgold, Iowa, was taken up and read a first and second time.

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

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Caldwell, Carr, Chambers, Cotton, Donnan, Gault, Gillett, Glass, Graves, Henderson, Hendrie, Hutchison, Johnson, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Ryder, Smith, Stephens, Sweney, Whaley, Whiting, and Wilkin—34.

The nays were none.

Absent or not voting:

Senators Bloom, Brown, Carson, Cassatt, Chubb, Clark, Duncan, Eastman, Hall, Hemenway, Hunt, Kamrar, Logan, Russell, Sudlow, and Sutton—16.

So the bill passed and the title was agreed to.

Senate File No. 401, a bill for an act making appropriations for the payment of State and judicial officers, and certain expenses of the General Assembly and other matters, was taken up and considered.

Senator Sutton moved to amend by adding to section 16 the following: "said account to be audited by Executive Council."

Adopted.

Senator Sutton moved to add same clause to end of section 17.

Adopted.

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

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Bloom, Brown, Caldwell, Carson, Chubb, Clark, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—43.

The nays were none.

Absent or not voting:

Senators Barrett, Bayless, Carr, Cassatt, Chambers, Cotton and Hemenway—7.

So the bill passed and the title was agreed to.

House File No. 273, a bill for an act to amend chapter 28 of the acts of the Fifteenth General Assembly, amending section 796 of the Code of 1873, was taken up and read a first and second time.

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

The question being shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Clark, Cotton, Donnan, Duncan, Gault, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hutchison, Johnson, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Russell, Ryder, Smith, Stephens, Sudlow, Sweney, Whaley, Whiting, and Wilkin—41.

The nays were none.

Absent or not voting:

Senators Cassatt, Chambers, Chubb, Eastman, Gillett, Hunt, Kamrar, Rothert, and Sutton—9.

So the bill passed and the title was agreed to.

Senate File No. 365, a bill for an act to amend section 4712 of the Code, relating to pardons, with report of committee recommending substitute, was taken up, considered, and the report of the committee was adopted.

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

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cotton, Donnan, Duncan, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Whaley, Whiting, and Wilkin—43.

The nays were:

Senator Sweney—1.

Absent or not voting:

Senators Cassatt, Chambers, Chubb, Clark, Eastman, and Logan—6.

So the bill passed and the title was agreed to.

Senate File No. 280, a bill for an act in relation to ditches, drains, levees, embankments and changes in water courses, and amendatory of chapter 2, title 10, of the Code, with report of committee recommending substitute, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Whiting the rule was suspended and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bayless, Bills, Brown, Carr, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Eastman, Gault, Gillett, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, Johnson, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson,

Rothert, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, and Wilkin—38.

The nays were none.

Absent or not voting:

Senators Baker, Bloom, Caldwell, Cassatt, Duncan, Glass, Hemenway, Kamrar, Poyneer, Russell, Whaley, and Whiting—12.

So the bill passed and the title was agreed to.

Senate File No. 382, a bill for an act to amend section 1827 of the Code, in relation to condemning real estate for school house sites, was taken up.

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

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Graves, Hall, Henderson, Hendrie, Hunt, Johnson, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Rothert, Ryder, Stephens, Sudlow, Sweney, Whaley, Whiting, and Wilkin—40.

The nays were none.

Absent or not voting:

Senators Bills, Chambers, Glass, Hemenway, Hutchison, Logan, Poyneer, Russell, Smith, and Sutton—10.

So the bill passed and the title was agreed to.

Senate File No. 321, a bill for an act to provide for the construction of fire escapes for certain buildings, with report of committee recommending substitute, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Wilkin the rule was suspended and the bill read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Gillett, Glass, Graves, Henderson, Hendrie, Hunt, Johnson, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Rothert, Smith, Stephens, Sudlow, Sutton, Sweney, and Wilkin—37.

The nays were none.

Absent or not voting:

Senators Carson, Cassatt, Eastman, Gault, Hall, Hemenway, Hutchison, Logan, Poyneer, Russell, Ryder, Whaley, and Whiting—13.

So the bill passed and the title was agreed to.

#### REPORTS OF COMMITTEES.

Senator Abraham, from the Committee on Hospitals for the Insane, submitted the following report:

MR. PRESIDENT—Your Committee on Hospitals for the Insane, to whom was referred Senate File No. 128, a bill for an act establishing a Board of State Charities, beg leave to report that they have had

the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the words "to serve without compensation," and inserting in lieu thereof "who shall receive a compensation of four dollars per day, each, when in the performance of their duties"; and when so amended that it do pass.

LOT ABRAHAM, *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. 432, a bill for an act to provide for a Board of Supervisors of State Institutions, and define their duties and powers; also to repeal certain sections and amend others of the statutes, to the end that said act may have due force and effect, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

LARRABEE, *Chairman*.

Ordered passed on file.

Senator Duncan, from the Committee on Representative Districts, submitted the following report:

MR. PRESIDENT—Your Committee on Representative Districts, to whom was referred House File No. 537, a bill for an act to apportion the State into Representative Districts, and declaring the rate of representation, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

F. A. DUNCAN, *Chairman*.

This bill was read a first and second time.

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

The question being shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Brown, Carr, Carson, Chubb, Cotton, Donnan, Duncan, Gault, Gillett, Graves, Hall, Hendrie, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Rother, Ryder, Smith, Stephens, Sutton, Sweney, Whaley, Whiting, and Wilkin—37.

The nays were none.

Absent or not voting:

Senators Bloom, Caldwell, Cassatt, Chambers, Clark, Eastman, Glass, Hemenway, Henderson, Hunt, Poyneer, Russell, and Sudlow—13.

So the bill passed and the title was agreed to.

Senate File No. 399, a bill for an act to appropriate money to pay Calvin Ballard, surviving partner of the firm of Ballard & Smith, for furnishing clothing to certain Iowa soldiers, was taken up.

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

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Bills, Bloom, Brown, Caldwell, Carson, Chubb, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hall, Henderson, Hendrie, Hunt, Hutchison, Johnson, Larrabee, Logan, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sweney, Whaley, Whiting, and Wilkin—37.

The nays were none.

Absent or not voting:

Senators Barrett, Bayless, Carr, Cassatt, Chambers, Clark, Gault, Glass, Hemenway, Kamrar, Marshall, Sudlow, and Sutton—13.

So the bill passed and the title was agreed to.

Senate File No. 349, a bill for an act to secure manufacturers and owners of railroad equipment and rolling stock in making conditional sales and certain contracts for the lease thereof, was taken up.

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

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bloom, Carr, Carson, Clark, Donnan, Duncan, Eastman, Gault, Graves, Hall, Henderson, Hendrie, Hutchison, Johnson, Kamrar, Larrabee, Logan, McDonough, Miles, Nichols, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Whiting, and Wilkin—33.

The nays were:

Senators Brown and Caldwell—2.

Absent or not voting:

Senators Bayless, Bills, Cassatt, Chambers, Chubb, Cotton, Gillett, Glass, Hemenway, Hunt, McCoy, Marshall, Poyneer, Sweney, and Whaley—15.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Senator Chambers, 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. 372, an act to legalize the incorporation of the town of Essex, and the corporate acts and ordinances thereof.

Senate File No. 89, an act relating to parks in cities and towns, and to authorize the election of commissioners and levy a special tax therefor.

Senate File No. 299, an act appropriating funds to aid the Farmers' Protective Association of Iowa in litigation relating to patents on barbed wire.

Senate File No. 394, an act to provide for the burial of honorably discharged soldiers, sailors and marines who may hereafter die without leaving means sufficient to defray funeral expenses, and to provide headstones to mark their graves.

Senate File No. 318, an act for the protection and preservation of quail.

Senate File No. 378, an act to change the name of the Reform Schools to Industrial Schools.

Senate File No. 384, an act to legalize the levy of certain taxes in Davis county.

Senate File No. 296, an act to amend section 4, chapter 47, or the acts of the acts of the Sixteenth General Assembly, relating to extensions of city limits.

Senate File No. 73, an act to amend chapter 54 of the Sixteenth General Assembly, relating to construction of sewers.

Senate File No. 387, an act legalizing the acts of the council of the city of Osage, in the county of Mitchell, and State of Iowa, and legalizing the ordinances passed and adopted for the government of said city.

Senate File No. 393, an act to legalize the levies of taxes for ordinary county revenue made by the board of supervisors of Lucas county, Iowa, for the years 1881, 1882 and 1883, and legalize all acts done and collection of taxes made under said levies.

Senate File No. 74, an act to provide for the publication of names of ex-soldiers, sailors and marines, residing in Iowa

Senate File No. 396, an act to legalize the action of the board of supervisors of Jackson county, Iowa, in relation to the erection of proper buildings for the care of their poor and incurable insane.

Senate File No. 395, an act relating to sidewalks on highways.  
And find the same correctly enrolled.

J. C. CHAMBERS, *Chairman.*

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 549, a bill for an act making appropriations for building a cottage of a capacity sufficient to accommodate one hundred patients, adjacent to the Iowa Hospital for the Insane at Independence.

Also, that the House has passed without amendment:

Senate File No. 379, a bill for an act to authorize the Governor to convey eighty acres of land now belonging to the Reform School at Eldora.

Also, that the House has amended and passed as amended:

Senate File No. 172, a bill for an act to repeal section 1923 of the Code and enact a substitute therefor, in relation to chattle mortgages.

SIDNEY A. FOSTER, *Clerk.*

I also herewith present for your signature the following bills and joint resolutions:

House File No. 181, a bill for an act making appropriations for the Iowa Agricultural College.

House File No. 327, a bill for an act making appropriations to the girls' department of the Iowa Reform School.

House File No. 334, a bill for an act making appropriations for the Iowa Institution for Feeble-Minded Children at Glenwood, Iowa.

House File No. 411, a bill for an act to appropriate funds to carry on the work at the additional penitentiary at Anamosa.

House File No. 443, a bill for an act to provide for union railroad depots.

House File No. 492, a bill for an act to make further provision for the care of insane persons.

House File No. 544, a bill for an act providing for the care of the new capitol.

House File No. 551, a bill for an act to authorize the Auditor of State to issue certificates of purchase to certain owners of certain tracts of school land in Decatur county, Iowa.

Senate File No. 396, a bill for an act to legalize the acts or the board of supervisors of Jackson county, Iowa.

Senate File No. 395, a bill for an act relating to sidewalk on high-ways.

Senate File No. 393, a bill for an act to legalize the levies of taxes for ordinary county revenue made by the board of supervisors of Lucas county, Iowa, for the years 1881, 1882 and 1883, and to legalize all acts done and collections of taxes made under said levies.

Senate File No. 394, a bill for an act to provide for the burial of honorably discharged soldiers, sailors, or marines, who may hereafter die without leaving means sufficient to defray funeral expenses and to provide headstones to mark their graves.

Senate File No. 372, a bill for an act to legalize the incorporation of the town of Essex and the corporate acts and ordinances thereof.

Joint Resolution No. 12, H. R. Joint resolution relative to the appointment of an agent for the collection of any amount that may be due the State of Iowa from the United States, as a refund of the direct war tax, and also as a refund of interest on money advanced by the State during the civil war.

Senate File No. 296, a bill for an act to amend section 4, chapter 47, of the acts of the Sixteenth General Assembly, relating to extension of city limits.

Senate File No. 387, a bill for an act to legalize the ordinances, records and official acts of the council of the city of Osage, Mitchell county, Iowa.

Senate File No. 74, a bill for an act to provide for the publication of names and residences of Iowa soldiers, etc.

Senate File No. 378, a bill for an act to change the name of the Reform School to Industrial School.

Senate File No. 73, a bill for an act to amend chapter 54, of the acts of the Sixteenth General Assembly, relating to the construction of sewers.

Senate File No. 89, a bill for an act providing that cities and towns may submit to the qualified electors the question of levying a special tax for the purpose of purchasing and improving public parks.

Senate File No. 318, a bill for an act for the protection and preservation of quail.



Senate File No. 299, a bill for an act to appropriate funds to aid the Farmers' Protective Association of Iowa, in defending against suits relating to barbed wire, and to test the validity of said patents.

Which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House.

SIDNEY A. FOSTER, *Clerk.*

#### BILLS ON SECOND READING.

House File No. 276, a bill for an act legalizing conveyances, with report of committee recommending substitute, was taken up and read a first and second time, and the report of the committee was lost.

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

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bills, Brown, Caldwell, Carr, Carson, Chambers, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Graves, Hemenway, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Robinson, Rothert, Russell, Ryder, Sudlow, Sutton, Sweney, Whaley, and Whiting—35.

The nays were none.

Absent or not voting:

Senators Baker, Bayless, Bloom, Cassatt, Chubb, Glass, Hall, Henderson, Hendrie, Hunt, Nichols, Poyneer, Smith, Stephens, and Wilkin—15.

So the bill passed and the title was agreed to.

Senator Eastman introduced a concurrent resolution relative to paying clerks of committees from the first of the session.

On motion of Senator Hemenway it was made a special order for 8 o'clock this evening.

The President signed the following bills in the presence of the Senate:

Senate Files Nos. 372, 89, 299, 394, 318, 378, 384, 73, 387, 393, 74, 396, and 395; House Files Nos. 181, 411, 443, 334, 544, 327, and 551, and joint House resolution No. 12.

#### REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom were referred Senate Files Nos. 60, 63, 127, and 129, 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. HEMENWAY, *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. 37, a bill for an act to prevent the use of free passes on the railroads by public officers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Railroads.

LARRABEE, *Chairman.*

Ordered passed on file.

Senator Rothert, from the Committee on Railways, submitted the following report:

MR. PRESIDENT—Your Committee on Railways, to whom were referred Senate Files Nos. 76, 374, 398, and 256, 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.

HENRY W. ROTHERT, *Chairman.*

Ordered passed on file.

#### BILLS ON SECOND READING.

House File No. 546, a bill for an act making appropriations for building a cottage of a capacity sufficient to accommodate one hundred patients adjacent to the Iowa Hospital for the Insane at Independence, was taken up, and read a first and second time.

Senator Hall moved to strike out "Independence" and insert "Mt. Pleasant."

Upon this the yeas and nays were demanded and the roll was called:

The yeas were:

Senators Abraham, Bloom, Carr, Cassatt, Duncan, Hall, Hendrie, Johnson, Rothert, and Stephens—10.

The nays were:

Senators Baker, Bayless, Bills, Brown, Carson, Chambers, Chubb, Cotton, Donnan, Eastman, Gillett, Graves, Hemenway, Henderson, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Poyneer, Robinson, Ryder, Sutton, Whaley, Whiting, and Wilkin—29.

Absent or not voting:

Senators Barrett, Caldwell, Clark, Gault, Glass, Hunt, Nichols, Russell, Smith, Sudlow, and Sweney—11.

So the amendment was lost.

#### REPORT OF COMMITTEE.

Senator Chambers, 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. 372, an act to legalize the incorporation of the town of Essex, and the corporate acts and ordinances thereof.

Senate File No. 89, an act relating to parks in cities and towns, and to authorize the election of commissioners and levy of a special tax therefor.

Senate File No. 297, an act to appropriate funds to aid the Farmers' Protective Association of Iowa in litigation relating to patents on barbed wire.

Senate File No. 394, an act to provide for the burial of honorably discharged soldiers, sailors or marines who may hereafter die without leaving means sufficient to defray funeral expenses, and to provide head-stones to mark their graves.

Senate File No. 318, an act for the protection and preservation of quail.

Senate File No. 378, an act to change the name of the Reform Schools to Industrial Schools.

Senate File No. 384, an act to legalize the levy of certain taxes in Davis county.

Senate File No. 296, an act to amend section 4, of chapter 47, of the acts of the Sixteenth General Assembly, relating to extensions of city limits.

Senate File No. 73, an act to amend chapter 54 of the acts of the Sixteenth General Assembly, relating to the construction of sewers.

Senate File No. 387, an act legalizing the acts of the council of the city of Osage, in the county of Mitchell and State of Iowa, and legalizing the ordinances passed and adopted for the government of said city.

Senate File No. 393, an act to legalize the levies of certain taxes for ordinary county revenue, made by the board of supervisors of Lucas county, Iowa, for the years 1881, 1882, and 1883, and to legalize all acts done and collections of taxes made under said levies.

Senate File No. 74, an act to provide for the publication of names of ex-soldiers, sailors and marines residing in Iowa.

Senate File No. 396, an act to legalize the action of the board of supervisors of Jackson county, Iowa, in relation to the erection of proper building for the care of their poor and incurable insane.

Senate File No. 395, an act relating to sidewalks on highways.

J. C. CHAMBERS, *Chairman*.

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

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Bloom, Brown, Carson, Chambers, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Graves, Hall, Hemenway, Henderson, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Nichols, Poyneer, Rother, Ryder, Stephens, Sudlow, Whaley, and Whiting—33.

The nays were:

Senators Caldwell, Carr, Cassatt, Glass, Kamrar, and Marshall—6.

Absent or not voting:

Senators Chubb, Gillett, Hunt, Larrabee, Logan, Robinson, Russell, Smith, Sutton, Sweney, and Wilkin—11.

So the bill passed and the title was agreed to.

Senate File No. 129, a bill for an act relating to the transmission and delivery of telegraph and telephone messages, repealing section

1329 of the Code of Iowa, and enacting a substitute therefor, with report of committee recommending amendments, was taken up and considered.

Senator Miles offered a substitute for section 1, which was adopted.

On motion of Senator Miles the rule was suspended and the bill read a third time.

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Hall, Henderson, Hendrie, Hutchison, Johnson, Kamrar, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poynear, Robinson, Stephens, Sutton, Whaley, Whiting, and Wilkin—38.

The nays were none:

Absent or not voting:

Senators Baker, Barrett, Graves, Hemenway, Hunt, Larrabee, Rother, Russell, Ryder, Smith, Sudlow, and Sweney—12.

So the bill passed and the title was agreed to.

At 5:45 o'clock, on motion of Senator Hemenway, the Senate went into

#### EXECUTIVE SESSION.

At 6 o'clock the doors were opened.

#### RESOLUTION.

Senator McCoy offered the following resolution:

*Resolved*, That the Sifting Committee be instructed to present House Files for consideration by the Senate, and that no further time shall be taken up in the consideration of Senate Files, unless it be to concur in amendments by the House.

Senator Nichols moved to amend by excepting Senate File No. 282. Accepted.

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

House File No. 542, a bill for an act to aid in establishing an additional Soldiers' Home in the State of Iowa, and making an appropriation therefor.

House File No. 230, a bill for the relief of S. B. Beder.

Also, has passed without amendment:

Senate File No. 277, a bill for an act to regulate admission to practice as attorney and counselor in the courts of this State.

At 6 o'clock the Senate adjourned.

## EVENING SESSION.

8:00 O'CLOCK P. M.

The Senate reconvened, the President in the chair.

## REPORT OF A COMMITTEE.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 383, a bill for an act in relation to formation of independent school districts, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. G. HUTCHISON, *Chairman.*

Ordered passed on file.

Senator Bills moved the Senate adjourn.

Lost.

## SPECIAL ORDER.

Resolution relative to extra pay for committee clerks was taken up. Senator Hemenway moved that the resolution be laid on the table. Upon this the yeas and nays were demanded, and the roll was called.

The yeas were:

Senators Abraham, Caldwell, Carr, Chubb, Duncan, Gault, Glass, Hemenway, Hunt, Kamrar, Larrabee, McCoy, Marshall, Poyneer, Sutton, Sweney, Whaley, Whiting, and Wilkin—19.

The nays were:

Senators Baker, Barrett, Bills, Bloom, Brown, Carson, Chambers, Clark, Cotton, Donnan, Eastman, Gillett, Graves, Hall, Hendrie, Hutchison, Johnson, Logan, Miles, Nichols, Robinson, Rothert, Russell, and Ryder—24.

Absent or not voting:

Senators Bayless, Cassatt, Henderson, McDonough, Smith, Stephens, and Sudlow—7.

So the motion was lost.

Senator Bills moved that the Senate adjourn.

Lost.

Senator Cotton moved the previous question and the Senate seconded the motion.

The question being shall the main question now be put, the Senate so ordered.

Upon the adoption of the resolution the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Baker, Barrett, Bills, Bloom, Brown, Clark, Cotton, Donnan, Eastman, Graves, Henderson, Hendrie, Hutchison, Johnson, Logan, Miles, Robinson, Rotherth, Russell, Ryder, Smith, Stephens, and Sudlow—23.

The nays were:

Senators Abraham, Caldwell, Carr, Carson, Chambers, Chubb, Duncan, Gault, Glass, Hemenway, Hunt, Kamrar, Larrabee, McCoy, McDonough, Marshall, Nichols, Poyneer, Sutton, Sweney, Whaley, Whiting, and Wilkin—23.

Absent or not voting:

Senators Bayless, Cassatt, Gillett, and Hall—4.

There being a tie the President voted nay, and so the resolution was lost.

#### BILL ON SECOND READING.

On motion of Senator Larrabee, House joint resolution relative to the warden of the Anamosa penitentiary, was taken up and considered and read a first and second time.

Senator Larrabee moved to add the following: "on suggestion of the Executive Council."

Adopted.

On motion of Senator Larrabee the rule was suspended and the bill read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bloom, Caldwell, Carr, Carson, Chubb, Cotton, Donnan, Duncan, Gault, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Nichols, Poyneer, Robinson, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—40.

The nays were none.

Absent or not voting:

Senators Bills, Brown, Cassatt, Chambers, Clark, Eastman, Gillett, Miles, Rotherth, and Russell—10.

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

#### RESOLUTIONS.

Senator Chambers introduced the following concurrent resolution, which was adopted.

*Resolved by the Senate, the House concurring,* That the applications for pardon of Geo. Stanley and Annie Taylor are hereby returned to his excellency the Governor with the advice that he act in the matter as his best judgment may dictate.

Senator Chambers offered the following resolution which was adopted.

*Resolved by the Senate,* That the resolution passed by the House in

relation to the pardon of Lewis W. Weirick, is hereby referred to the Governor with the advice that his excellency act in the matter as his best judgment may dictate.

BILLS ON SECOND READING.

Substitute for Senate File No. 282, a bill for an act for the appointment of a State Veterinary Surgeon and defining his duties, was taken up and read a first and second time.

On motion of Senator Johnson the Senate went into a committee of the whole with Senator Nichols in the chair.

On motion of Senator Ryder, the committee rose and the President *pro tem* took the chair.

On motion of Senator Nichols the rule was suspended and the bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Eastman, Gault, Gillett, Hall, Hemenway, Hunt, Larrabee, McCoy, McDonough, Robinson, Rothert, Ryder, Smith, Stephens, Sudlow, Whaley, and Wilkin—25.

The nays were:

Senators Baker, Bills, Cotton, Donnan, Duncan, Hendrie, Hutchison, Johnson, Kamrar, Logan, Marshall, Miles, Sutton, and Whiting—14.

Absent or not voting:

Senators Barrett, Bayless, Cassatt, Clark, Glass, Graves, Henderson, Nichols, Poyneer, Russell, and Sweney—11.

So the bill was lost.

There was sent to the secretary's desk a beautiful poem entitled "When the Cows Come Home," with the request that Assistant Secretary Hutchins read it, which he did.

Senator Hendrie moved to reconsider the vote by which the bill was lost.

Carried.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Bloom, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Cotton, Duncan, Eastman, Gault, Gillett, Hall, Hemenway, Hunt, Johnson, Larrabee, McCoy, McDonough, Nichols, Poyneer, Robinson, Ryder, Stephens, Sudlow, Sutton, Whaley, and Wilkin—29.

The nays were:

Senators Baker, Clark, Donnan, Graves, Hutchison, Kamrar, Miles, Sweney, and Whiting—9.

Absent or not voting:

Senators Barrett, Bayless, Bills, Cassatt, Glass, Henderson, Hendrie, Logan, Marshall, Rothert, Russell, and Smith—12.

So the bill passed and the title was agreed to.

Senator Hall offered a joint resolution relative to pardon of Finis Allen.

Senator Clark moved the previous question, and the Senate seconded it.

The question being, shall the main question now be put? it was so ordered.

Senator Hall moved the rule be suspended and the joint resolution read a third time now.

Carried.

Joint resolution read a second and third time.

The question being, shall the joint resolution pass?

The yeas were:

Senators Abraham, Barrett, Bayless, Bloom, Brown, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Gillett, Graves, Hall, Hemenway, Hutchison, Johnson, Kamrar, Larrabee, McCoy, McDonough, Marshall, Nichols, Robinson, Rothert, Russell, Ryder, and Whaley—29.

The nays were:

Senators Baker, Caldwell, Carr, Eastman, Gault, Glass, Hunt, Logan, Smith, Stephens, Sudlow, Sweney, and Whiting—13.

Absent or not voting:

Senators Bills, Cassatt, Henderson, Hendrie, Miles, Poyneer, Sutton, and Wilkin—8.

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

Senate File No. 204, a bill for an act making an appropriation for the State Library and providing assistants for the librarian, and for the compensation of librarian and assistants, with amendments passed by the House, was taken up and read a first and second time.

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

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Brown, Caldwell, Carson, Chambers, Cotton, Donnan, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hutchison, Johnson, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Smith, Stephens, Sudlow, Sweney, Whaley, Whiting, and Wilkin—36.

The nays were:

Senator Ryder—1.

Absent or not voting:

Senators Bayless, Bills, Bloom, Carr, Cassatt, Chubb, Clark, Hemenway, Henderson, Hendrie, Hunt, Logan, and Sutton—13.

So the bill passed and the title was agreed to.

Senator Johnson moved a reconsideration of the vote by which the concurrent resolution relative to the pardon of Weirick was adopted.

Senator Rothert moved to lay the motion on the table.

Upon this the yeas and nays were demanded and the roll was called.

The yeas were:

Senators Abraham, Bayless, Brown, Carr, Carson, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Gault, Graves, Hall, Hemen-



way, Hunt, Hutchison, Johnson, Kamrar, McDonough, Miles, Nichols, Rothert, Ryder, Sudlow, Sutton, Whaley, Whiting, and Wilkin—29.

The nays were:

Senators Eastman, Gillett, Larrabee, Logan, Marshall, Poyneer, Russell, Smith, Stephens, and Sweney—10.

Absent or not voting:

Senators Baker, Barrett, Bills, Bloom, Caldwell, Cassatt, Glass, Henderson, Hendrie, McCoy, and Robinson.—11.

So the motion prevailed.

#### RESOLUTION.

Senator Larrabee offered the following resolution which was adopted:

WHEREAS, Lieutenant-Governor Manning has performed the duties of President of the Senate of the Twentieth General Assembly with distinguished ability and eminent fairness, and has as a citizen and a public officer adorned the station with which the people have twice honored him; therefore,

*Be it resolved*, That we tender him as a slight recognition of the regard due him the thanks of the Senate, together with the chair he has occupied and the gavel he has ably wielded, and that we assure him of our best wishes for his promising future.

The President pro tem. appointed Senators Rothert, Johnson and Nichols, to wait upon President Manning and conduct him to the chair.

House File No. 307, a bill for an act to repeal section 10, chapter 70, acts of the Sixteenth General Assembly, relating to the propagation of fish, was taken up, and read a first and second time.

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

On the question shall the bill pass?

The yeas were:

Senators Abraham, Carson, Chubb, Cotton, Donnan, Duncan, Eastman, Gillett, Glass, Hall, Hemenway, Henderson, Hunt, Hutchison, McCoy, McDonough, Miles, Stephens, and Sutton—19.

The nays were:

Senators Bayless, Graves, Robinson, Sweney, Whiting and Wilkin—6.

Absent or not voting:

Senators Baker, Barrett, Bills, Bloom, Brown, Caldwell, Carr, Cassatt, Chambers, Clark, Gault, Hendrie, Johnson, Kamrar, Larrabee, Logan, Marshall, Nichols, Poyneer, Rothert, Russell, Ryder, Smith, Sudlow, and Whaley—25.

So the bill was lost.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT.—I am directed to inform you that the House has

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

Substitute for House Files Nos. 16 and 105, a bill for an act to regulate and provide for the construction of tile and other underground drains through the lands of another.

Also, I am directed to inform you that the House has passed without amendment the following Senate bills:

Senate File No. 271, a bill for an act to provide for the purchase of lands for the use of the Iowa Agricultural Society.

Senate File No. 113, a bill for an act to reimburse Samuel Chandler, sheriff of Fremont county, and Daniel Farrell, sheriff of Mills county, for money expended in arresting Polk Wells, Wm. Norris and Wilson, the Riverton bank robbers.

Senate File No. 181, a bill for an act to authorize railway corporations to condemn lands for additional depot grounds.

SIDNEY A. FOSTER, *Clerk.*

House File No. 59, a bill for an act providing for holding terms of the circuit court at Avoca, Pottawattamie county, Iowa, and defining the territorial jurisdiction of said court and restricting that of the corresponding court to be held at Council Bluffs, in said county of Pottawattamie, was taken up and read a first and second time.

Senator Carson offered a substitute, which was lost.

Senator Chubb moved the previous question, which the Senate seconded.

The question being, shall the main question be now put? the Senate so ordered.

The bill was ordered engrossed.

Senator Hemenway moved a reconsideration of the vote by which the bill was ordered engrossed.

The committee presented the President of the Senate to the Senate, who eloquently thanked the Senate for the uniform kindness shown him during the session now closing.

#### 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, a bill for an act making appropriations for building a cottage of a capacity sufficient to accommodate one hundred patients, adjacent to the Iowa Hospital for the Insane at Independence.

House File No. 276, a bill for an act legalizing conveyances.

House File No. 496, a bill for an act to legalize the incorporation of the town of Lettsville, in Louisa county, Iowa, the election of officers, and all acts done and ordinances passed by the council of said town.

Senate File No. 13, a bill for an act to repeal sections 857, 865, and 866 of the Code, and enact substitutes therefor, providing for semi-

annual collection of taxes; also, to amend sections 871, 873, 883, and 914 of the Code, and section 1, of chapter 79, of the acts of the Sixteenth General Assembly.

Senate File No. 83, a bill for an act to establish the Iowa State Board of Labor.

SIDNEY A. FOSTER, *Clerk.*

REPORT OF COMMITTEE.

Senator Chambers, 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. 397, an act to authorize the Governor to convey eighty acres of land now belonging to the Reform School at Eldora.

Substitute for Senate File No. 83, an act to create a bureau of labor statistics, and to provide for the appointment of a commissioner of said bureau and to define his duties and term of office.

Joint resolution No. 9 and memorial in regard to jurisdiction of United States circuit courts.

Senate File No. 285, an act to amend chapter 58, acts of the Seventeenth General Assembly.

Senate File No. 293, an act to prevent accidents at railroad crossings.

Senate File No. 400, an act to protect subcontractors for labor performed and material furnished for public buildings and improvements.

Senate File No. 13, an act to repeal sections 587, 865 and 866 of the Code, and to enact substitutes therefor, providing for semi annual collection of taxes; also, to amend sections 871, 873, 883, and 914 of the Code, and section 1 of chapter 79 of the acts of the Sixteenth General Assembly.

And find the same correctly enrolled.

J. C. CHAMBERS, *Chairman.*

The President signed in the presence of the Senate the following bills:

House Files Nos. 549, 276, 496.

Senate Files Nos. 13, 83.

The question being upon the motion of Senator Hemenway the motion prevailed, and the vote by which the bill was ordered engrossed was reconsidered.

On motion of Senator Hemenway the rule was suspended and the bill was read a third time.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bills, Brown, Caldwell, Carr, Chambers, Chubb, Clark, Cotton, Donnan, Eastman, Gault, Glass, Hemenway, Hunt, Kamrar, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Ryder, Smith, Stephens, Sudlow, and Whaley—31.

The nays were:

Senators Bloom, Carson, Hendrie, Hutchison, Robinson, Sweney, and Wilkin—7.

Absent or not voting:

Senators Cassatt, Duncan, Gillett, Graves, Hall, Henderson, Johnson, Logan, Rothert, Russell, Sutton, and Whiting—12.

So the bill passed and the title was agreed to.

Substitute for House Files Nos. 16 and 150, a bill for an act to regulate and provide for the construction of tile and other underground drains through the lands of another, was taken up and read a first and second time.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has passed without amendment the following bills:

Senate File No. 288, a bill for an act making an appropriation to the Benedict Home.

Senate File No. 205, a bill for an act making an appropriation to complete and furnish the new capitol, and for paving the streets, and for grading and putting down the curbing and sidewalks around the capitol square.

Senate File No. 286, a bill for an act for an appropriation for the State Fish Commission.

I also herewith present for your signature the following bills and joint resolution:

Senate File No. 285, a bill for an act to amend chapter 58, acts of the Seventeenth General Assembly.

Senate File No. 293, a bill for an act to prevent accidents at railroad crossings.

Joint resolution and memorial No. 9, in regard to jurisdiction of United States circuit courts.

Senate File No. 397, an act to authorize the Governor to convey eighty acres of land now belonging to the Reform School at Eldora.

Senate File No. 400, an act to protect subcontractors for labor performed and material furnished for public buildings and improvements.

Which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House.

SIDNEY A. FOSTER, *Clerk.*

Senators Cassatt, Sudlow, and Duncan were granted leave of absence.

Senator Marshall moved a call of the Senate.

Carried.

Call made.

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

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bayless, Bills, Brown, Caldwell, Carr,

Chambers, Chubb, Clark, Cotton, Gault, Gillett, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Whaley, Whiting, and Wilkin—36.

The nays were none.

Absent or not voting:

Senators Baker, Bloom, Carson, Cassatt, Donnan, Duncan, Eastman, Glass, Graves, Hall, Miles, Sudlow, Sutton, and Sweney—14.

So the bill passed and the title was agreed to.

House File No. 230, a bill for an act for the relief of S. B. Beder, was taken up, and read a first and second time.

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

On the question shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bayless, Bills, Cotton, Donnan, Gillett, Hall, Hemenway, Hendrie, Hunt, Hutchison, Johnson, Robinson, Rothert, Russell, Ryder, Stephens, Sutton, Sweney, Whaley, and Wilkin—22.

The nays were:

Senators Gault and Poyneer—2.

Absent or not voting:

Senators Baker, Bloom, Brown, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Duncan, Eastman, Glass, Graves, Henderson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Smith, Sudlow, and Whiting—26.

So the bill was lost.

House File No. 36, a bill for an act to amend sections 2086 and 2087 of the Code of 1873, relating to the assignment of non-negotiable instruments and accounts, was taken up and read a first and second time.

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

On the question shall the bill pass?

The yeas were:

Senators Abraham, Baker, Brown, Caldwell, Carr, Chambers, Chubb, Cotton, Donnan, Gault, Gillett, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, Logan, McCoy, McDonough, Marshall, Nichols, Robinson, Rothert, Smith, Stephens, Sutton, Sweney, Whaley, Whiting, and Wilkin—35.

The nays were none.

Absent or not voting:

Senators Barrett, Bayless, Bills, Bloom, Carson, Cassatt, Clark, Duncan, Eastman, Glass, Miles, Poyneer, Russell, Ryder, and Sudlow—15.

So the bill passed and the title was agreed to.

The President signed the following bills in the presence of the Senate:

Senate joint resolution No. 9, Senate Files Nos. 400, 397, 293 and 285.

Senator Whaley gave notice that he would file notice to reconsider vote by which House File No. 59 passed.

House File No. 333, a bill for an act to amend section 1, of chapter 20, of the laws of the Eighteenth General Assembly, was taken up and read a first and second time.

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

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Baker, Barrett, Bayless, Bloom, Brown, Chubb, Cotton, Donnan, Gault, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, Larrabee, McCoy, McDonough, Marshall, Nichols, Poyneer, Rothert, Ryder, Smith, Stephens, Sweney, Whaley, Whiting, and Wilkin—33.

The nays were:

Senator Robinson—1.

Absent or not voting:

Senators Bills, Caldwell, Carr, Carson, Cassatt, Chambers, Clark, Duncan, Eastman, Gillett, Glass, Logan, Miles, Russell, Sudlow and Sutton—16.

So the bill passed and the title was agreed to.

Senator Hall moved that when the Senate adjourn it be to meet to-morrow morning at 9 o'clock.

Carried.

Senator Logan was excused from further attendance upon the Senate.

At 12:25 o'clock A. M., the Senate adjourned.

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SENATE CHAMBER, }  
DES MOINES, IOWA, April 2, 1884. }

Senate met pursuant to adjournment, and was called to order by Senator Robinson.

Prayer by Rev. Mr. Cobb.

Pending reading of journal Senator McCoy moved further reading be dispensed with.

Carried.

#### REPORTS OF COMMITTEES.

Senator Kamrar, 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 House concurrent resolution No. 20, relative to compensation of officers of the Twentieth 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.

J. L. KAMRAR, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers, to whom was referred Senate File No. 85, a bill for an act to repeal section 3775 of the 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 without recommendation.

J. L. KAMRAR, *Chairman.*

Ordered passed on file.

On motion of Senator McCoy, House File No. 55, a bill for an act in relation to attorneys' fees in partition cases of real estate, was taken up, and read a first and second time.

Senator McCoy moved that the 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 Abraham, Bayless, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Gault, Glass, Graves, Hemenway, Hendrie, Hunt, Hutchison, Kamrar, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—35.

The nays were none.

Absent or not voting:

Senators Baker, Barrett, Bills, Bloom, Cassatt, Donnan, Duncan, Eastman, Gillett, Hall, Henderson, Johnson, Larrabee, Rothert, and Russell—15.

So the bill passed and the title was agreed to.

On motion of Senator Sudlow, House File No. 532, a bill for an act authorizing the Secretary of State to issue a patent for the southwest quarter ( $\frac{1}{4}$ ) of the southwest quarter ( $\frac{1}{4}$ ) section 31, township 79, and range 19, was taken up, and read a first and second time.

Senator Sudlow moved that the 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 Abraham, Barrett, Bayless, Brown, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Cotton, Duncan, Eastman, Gillett, Glass, Graves, Hall, Hemenway, Hendrie, Hunt, Kamrar, Larrabee, McDonough, Marshall, Miles, Nichols, Poyneer, Stephens, Sudlow, and Sweney—29.

The nays were none.

Absent or not voting:

Senators Baker, Bills, Bloom, Cassatt, Donnan, Gault, Henderson, Hutchison, Johnson, Logan, McCoy, Robinson, Rothert, Russell, Ryder, Smith, Sutton, Whaley, Whiting, and Wilkin—21.

So the bill passed and the title was agreed to.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has passed, without amendment, the following bills:

Substitute for Senate File No. 84, a bill for an act to provide for the investment of the endowment funds of the Agricultural College and Farm.

Senate File No. 401, a bill for an act making appropriation for State officers, legislature expenses, and other matters.

Also, has adopted, and asks the concurrence of the Senate in the adoption, of the following:

Concurrent resolution No. 26, relative to the newly elected officers of the Iowa Agricultural College.

Also, joint resolution No. 23, relative to swamp land indemnity.

SIDNEY A. FOSTER, *Clerk.*

On motion of Senator Hunt House memorial and joint resolution, in reference to the application for pensions, was taken up and read a first and second time.

Senator Hunt moved that the 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 Abraham, Baker, Barrett, Bayless, Brown, Caldwell, Carr, Carson, Chubb, Clark, Cotton, Duncan, Eastman, Gault, Graves, Hall, Henderson, Hunt, Hutchison, Kamrar, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Smith, Stephens, Sweney, Whaley, Whiting, and Wilkin—32.

The nays were none.

Absent or not voting:

Senators Bills, Bloom, Cassatt, Chambers, Donnan, Gillett, Glass, Hemenway, Hendrie, Johnson, Larrabee, Logan, Robinson, Rothert, Russell, Ryder, Sudlow, and Sutton—18.

So the bill passed and the title was agreed to.

On motion of Senator Sutton House concurrent resolution, relative to trustees of the Agricultural College, was taken up and read a first and second time.

Senator Hall moved that the rule be suspended, and the resolution be considered engrossed, and read a third time now, which motion prevailed, and the resolution was read a third time.

On the question shall the resolution pass?

The yeas were:

Senators Baker, Barrett, Brown, Caldwell, Carson, Chambers, Clark, Cotton, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hutchison, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, and Whiting—31.

The nays were none.

Absent or not voting:

Senators Abraham, Bayless, Bills, Bloom, Carr, Cassatt, Chubb,



Donnan, Hendrie, Hunt, Johnson, Kamrar, Larrabee, Logan, Robinson, Rothert, Russell, Ryder, and Wilkin—19.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 553, a bill for an act to reward the heroic act of Kate Shelley, by providing for her education.

SIDNEY A. FOSTER, *Clerk.*

On motion of Senator Hall Senate File 172, a bill for an act to repeal section 1923, etc., with amendments passed by the House, was taken up, considered, and read a first and second time.

Senator Abraham moved the previous question, which the Senate seconded.

The question being, shall the main question be now put? the Senate ordered it.

The bill was read a third time.

The question being, shall the House amendments be concurred in?

The yeas were:

Senators Bills, Caldwell, Carson, Chubb, Clark, Cotton, Duncan, Gault, Graves, Hemenway, Henderson, Hendrie, Hutchison, McDonough, Marshall, Miles, Rothert, Ryder, Smith, Sutton, and Sweney—22.

The nays were:

Senators Abraham, Brown, Chambers, Eastman, Kamrar, Poyneer, Robinson, Russell, Stephens, Sudlow, Whaley, and Wilkin—12.

Absent or not voting:

Senators Baker, Barrett, Bayless, Bloom, Carr, Cassatt, Donnan, Gillett, Glass, Hall, Hunt, Johnson, Larrabee, Logan, McCoy, Nichols, and Whiting—16.

So the amendments was lost.

Senator Gault moved a reconsideration of the vote by which House File No. 230 was lost.

Carried.

Senator Sweney moved that the vote by which the rule was suspended be reconsidered.

Carried.

On motion of Senator Sutton the rule was suspended and the bill was read a third time.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Brown, Caldwell, Carr, Carson, Chambers, Cotton, Donnan, Eastman, Gault, Glass, Graves, Hemenway, Henderson, Hendrie, Hutchison, McCoy, Robinson, Rothert, Russell, Ryder, Stephens, Sutton, Sweney, Whaley, Whiting, and Wilkin—27.

The nays were:

Senators Chubb, Kamrar, McDonough, Miles, and Sudlow—5.

Absent or not voting:

Senators Baker, Barrett, Bayless, Bills, Bloom, Cassatt, Clark, Duncan, Gillett, Hall, Hunt, Johnson, Larrabee, Logan, Marshall, Nichols, Poyneer, and Smith—18.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Senator Chambers, from 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. 397, an act to authorize the Governor to convey eighty acres of land now belonging to the Reform School at Eldora.

Substitute for Senate File No. 83, an act to create a Bureau of Labor Statistics, and to provide for the appointment of a commissioner of said bureau, and to define his duties and term of office.

Joint resolution No. 9 and memorial, in regard to jurisdiction of United States circuit courts.

Senate File No. 285, an act to amend chapter 58 of the acts of the Seventeenth General Assembly.

Senate File No. 293, an act to prevent accidents at railroad crossings.

Senate File No. 400, an act to protect sub-contractors for labor performed and material furnished for public buildings and improvements.

Senate File No. 13, an act to repeal sections 857, 865 and 866 of the Code, and enact substitutes therefor, providing for semi-annual collection of taxes; also to amend sections 871, 873, 883, and 914 of the Code, and section 1, of chapter 79, of the acts of the Sixteenth General Assembly.

J. C. CHAMBERS, *Chairman.*

On motion of Senator Abraham, House File No. 542, a bill for an act making appropriation to aid in building and establishing an additional Soldiers' Home in the State of Iowa, was taken up and read a first and second time.

Senators Abraham and Chubb presented petitions from citizens of Iowa for the passage of this bill.

Senator Abraham moved that the 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.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bloom, Brown, Caldwell, Chubb, Clark, Duncan, Eastman, Gillett, Graves, Henderson, Hunt, Hutchison, Johnson, Larrabee, McCoy, McDonough, Marshall, Miles, Nichols, Robinson, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Whaley, and Wilkin—30.

The nays were none.

Absent or not voting:

Senators Baker, Bayless, Bills, Carr, Carson, Cassatt, Chambers, Cotton, Donnan, Gault, Glass, Hall, Hemenway, Hendrie, Kamrar, Logan, Poyneer, Rothert, Sweney, and Whiting—20.

So the bill passed and the title was agreed to.

On motion of Senator Gillett, House File No. 553, a bill for an act to further recognize and reward the heroic services to humanity performed by Miss Kate Shelly, on the night of July 6, 1881, by provision for her education and support, was taken up and read a first and second time.

Senator Gillett moved that the 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.

The question being shall the bill pass?

The yeas were:

Senators Abraham, Carr, Carson, Clark, Gillett, Graves, Hutchison, McDonough, Miles, Nichols, Poyneer, Rothert, Russell, Sutton, and Whaley—15.

The nays were:

Senators Duncan, Johnson, Kamrar, Stephens, Sweney, and Wilkin—6.

Absent or not voting:

Senators Baker, Barrett, Bayless, Bills, Bloom, Brown, Caldwell, Cassatt, Chambers, Chubb, Cotton, Donnan, Eastman, Gault, Glass, Hall, Hemenway, Henderson, Hendrie, Hunt, Larrabee, Logan, McCoy, Marshall, Robinson, Ryder, Smith, Sudlow, and Whiting—29.

So the bill was lost.

On motion of Senator Robinson, House joint resolution in relation to swamp land indemnity, was taken up and read a first and second time.

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

On the question, shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bills, Bloom, Caldwell, Carr, Clark, Cotton, Duncan, Hall, Hendrie, Johnson, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Sudlow, Sweney, Whaley, and Wilkin—26.

The nays were none.

Absent or not voting:

Senators Baker, Bayless, Brown, Carson, Cassatt, Chambers, Chubb, Donnan, Eastman, Gault, Gillett, Glass, Graves, Hemenway, Henderson, Hunt, Hutchison, Kamrar, Larrabee, Logan, McCoy, McDonough, Stephens, Sutton, and Whiting—24.

So the bill passed and the title was agreed to.

Senator Clark offered the following resolution:

*Resolved*, That the janitor be and he is hereby directed to remain on duty in the Senate for ten days after adjournment packing and forwarding documents remaining to be sent, and that he draw his customary salary therefor.

Senator Hemenway offered the following concurrent resolution as a substitute, which was adopted:

*Be it resolved by the Senate, the House concurring,* That no persons be paid as a janitor to this General Assembly as provided by section 12 of the Code, except such as have been elected by the General Assembly, and all other laborers employed about the Capitol building by the Secretary of State shall be paid at the rate of \$2 per day or as the Capitol Commissioners may direct for the days of actual service.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has concurred in the Senate amendments to:

House File No. 76, a bill for an act to amend sections 304 and 307, chapter 2, title 4, of the Code.

House File No. 415, a bill for an act to change the name of the Additional Penitentiary at Anamosa, and to provide for a matron for the female convicts thereof, to authorize the purchase of certain lands, to provide for the house rent of the deputy warden.

Joint resolution No. 22, authorizing the warden of the Additional Penitentiary at Anamosa to furnish stone as may be required in the construction of any public buildings in the State.

And has passed and asks concurrence in House File No. 520.

I also herewith present for your signature the following bills:

House File No. 273, a bill for an act to amend section 1, of chapter 28, of the laws of the Fifteenth General Assembly, relating to the levying of taxes.

House File No. 422, a bill for an act to provide for the erection of monuments to deceased soldiers of the late war.

House File No. 20, a bill for an act in relation to the fourth judicial circuit of the State, subdividing the same, providing for the election of circuit judges therein, and defining their powers and duties.

House File No. 529, a bill for an act to legalize the incorporation and the official proceedings of the town of Kellerton, in the county of Ringgold.

House File No. 533, a bill for an act to legalize the incorporation of the town of Dallas Center, and to legalize the acts of the town council and other officers thereof.

House File No. 345, a bill for an act to legalize the incorporation of the town of Springville, Linn county, Iowa.

House File No. 537, a bill for an act to apportion the State into representative districts, and declaring the ratio of representation.

House File No. 228, a bill for an act to amend sections 10 and 12, chapter 151, laws of the Eighteenth General Assembly.

House File No. 543, a bill for an act to promote the improvement of highways.

Substitute for Senate File No. 282, a bill for an act to provide for education of J. W. Hallock, etc.

Senate File No. 181, a bill for an act to authorize railway corporations to condemn lands for additional depot grounds.

Senate File No. 277, a bill for an act to regulate admission to practice as attorney and counselor in the courts of this State.

Senate File No. 113, a bill for an act to reimburse Samuel Chandler, sheriff of Fremont county, and David Farrell, sheriff of Mills county.

Senate File No. 288, a bill for an act for an appropriation for the Benedict Home.

Senate File No. 204, a bill for an act making appropriations for the State Library, etc.

Which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House.

Also, has passed House File No. 280, and asks concurrence

SIDNEY A. FOSTER, *Clerk.*

Senator Whaley called up his motion to reconsider vote by which House File No. 59 was lost.

The question being, shall the vote be reconsidered.

The yeas were:

Senators Barrett, Bayless, Bills, Chubb, Cotton, Duncan, Eastman, McDonough, Miles, Nichols, Poyneer, Ryder, Smith, Stephens, and Sudlow—15.

The nays were:

Senators Caldwell, Carson, Henderson, Kamrar, McCoy, Robinson, Sweney, Whaley, and Whiting—9.

Absent or not voting:

Senators Abraham, Baker, Bloom, Brown, Carr, Cassatt, Chambers, Clark, Donnan, Gault, Gillett, Glass, Graves, Hall, Hemenway, Hendrie, Hunt, Hutchison, Johnson, Larrabee, Logan, Marshall, Rothert, Russell, Sutton, and Wilkin—26.

So the motion was lost.

On motion of Senator Henderson, House File No. 520, a bill for an act to legalize the action of the board of directors in the district township of Marne, county of Linn, and State of Iowa, was taken up and read a first and second time.

Senator Henderson moved that the 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.

The question being, shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bills, Brown, Carson, Chambers, Chubb, Gillett, Glass, Graves, Hemenway, Hendrie, Kamrar, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sutton, and Sweney—27.

The nays were none.

Absent or not voting:

Senators Baker, Bayless, Bloom, Caldwell, Carr, Cassatt, Clark, Cotton, Donnan, Duncan, Eastman, Gault, Hall, Henderson, Hunt, Hutchison, Johnson, Larrabee, Logan, Sudlow, Whaley, Whiting, and Wilkin—23.

So the bill was lost.

Senator Hemenway moved a reconsideration of the vote by which the bill was lost.

Carried.

On the question shall the bill pass?

The yeas were:

Senators Abraham, Barrett, Bayless, Bills, Bloom, Brown, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Cotton, Duncan, Eastman, Gault, Gillett, Glass, Graves, Hall, Hemenway, Henderson, Hendrie, Hunt, Hutchison, Johnson, Kamrar, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sutton, Sweney, Whaley, and Wilkin—43.

The nays were none.

Absent or not voting:

Senators Baker, Caldwell, Donnan, Larrabee, Logan, Sudlow, and Whiting—7.

So the bill passed and the title was agreed to.

The President signed the following bills in the presence of the Senate:

House Files Nos. 537, 20, 533, 345, 529, 273, 543, 282, 422, 228.

Senate Files Nos. 277, 113, 181, 288, 204.

On motion of Senator Hall House File No. 499, a bill for an act in relation to powers and duties of mayors of first and second class cities, was taken up, and read a first and second time.

Senator Hall moved that the 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 Abraham, Barrett, Bills, Brown, Caldwell, Carson, Cassatt, Chubb, Duncan, Eastman, Gillett, Glass, Hall Hemenway, Hendrie, Hutchison, Kamrar, Larrabee, McCoy, McDonough, Marshall, Nichols, Poyneer, Robinson, Russell, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin—31.

The nays were none.

Absent or not voting:

Senators Baker, Bayless, Bloom, Carr, Chambers, Clark, Cotton, Donnan, Gault, Graves, Henderson, Hunt, Johnson, Logan, Miles, Rothert, Ryder, Smith, and Whiting—19.

So the bill passed and the title was agreed to.

#### REPORT OF COMMITTEE.

Senator Chambers, 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. 286, a bill for an act for an appropriation for the State fish commission.

Senate File No. 205, a bill for an act making an appropriation to complete and furnish the new capitol, and for paving the streets and grading and putting down the curbing and sidewalks around the capitol square.

Substitute for Senate File No. 271, a bill for an act providing for the purchase of land for the use of the Iowa State Agricultural Society.

Senate File No. 277, an act to regulate admission to practice as attorneys and counselors in the courts of this State.

Senate File No. 113, an act to reimburse Samuel Chandler, sheriff of Fremont county, and Daniel Farrell, sheriff of Mills county, for money expended in arresting Polk Wells, Wm. Norris and Wilson, the Riverton bank robbers.

Senate File No. 204, an act making an appropriation for the State library and providing assistants for the librarian and for the compensation of the librarian and assistants.

Senate File No. 131, an act to authorize railway corporations to condemn lands for additional depot grounds.

Senate File No. 288, an act for an appropriation for the Benedict Home.

And find the same correctly enrolled.

J. C. CHAMBERS, *Chairman.*

#### MESSAGES FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has adopted the following resolution:

Senate joint resolution No. 11, relative to the assignment of rooms in the new capitol.

Also, I herewith present for your signature the following bills:

House File No. 36, a bill for an act to amend sections 2086 and 2087 of the Code of 1873, relating to the assignment of non-negotiable instruments and accounts.

House File No. 333, a bill for an act to amend section 1, of chapter 20, of the laws of the Eighteenth General Assembly.

House File No. 55, a bill for an act limiting attorney fees in case of partition.

House File No. 230, a bill for the relief of S. B. Beeder.

House File No. 398, a bill for an act to repeal chapter 126 of the laws of the Sixteenth General Assembly, and chapters 87 and 173 of the laws of the Seventeenth General Assembly, and chapter 192 of the laws of the Eighteenth General Assembly, and chapter 102 of the laws of the Nineteenth General Assembly, in relation to taxes in aid of railways, and to enact a substitute therefor.

Senate Files Nos. 288, 205, 271.

Which have passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House.

SIDNEY A. FOSTER, *Clerk.*

Senator Hemenway moved that no more bills be acted on by the Senate except those coming from the House.

Adopted.

Senator Wilkin offered a joint resolution relative to State arsenal. Read a first and second time.

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

The question being, shall the joint resolution pass?

The yeas were:

Senators Abraham, Barrett, Carson, Cassatt, Eastman, Glass, Graves, Hendrie, Hutchison, McCoy, McDonough, Miles, Nichols, Poyneer, Robinson, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, and Wilkin—25.

The nays were none.

Absent or not voting:

Senators Baker, Bayless, Bills, Bloom, Brown, Caldwell, Carr, Chambers, Chubb, Clark, Cotton, Donnan, Duncan, Gault, Gillett, Hall, Hemenway, Henderson, Hunt, Johnson, Kamrar, Larrabee, Logan, Marshall, and Whiting—25.

So the joint resolution was lost.

Senator Abraham moved a reconsideration of the vote by which this joint resolution was lost.

Carried.

On the question, shall the joint resolution pass?

The yeas were:

Senators Abraham, Barrett, Bloom, Brown, Caldwell, Clark, Cotton, Donnan, Duncan, Eastman, Gillett, Graves, Hemenway, Henderson, Hunt, Hutchison, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Rothert, Russell, Ryder, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—35.

The nays were none.

Absent or not voting:

Senators Baker, Bayless, Bills, Carr, Carson, Cassatt, Chambers, Chubb, Gault, Glass, Hall, Hendrie, Johnson, Kamrar, and Robinson—15.

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

The President signed the following bills in the presence of the Senate:

House Files Nos. 398, 36, 55, 230, 333, Senate Files Nos. 286, 205, 271.

#### REPORT OF COMMITTEE.

Senator Chambers, 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. 286, an act for an appropriation for the State Fish Commission.

Senate File No. 205, an act making an appropriation to complete and furnish the new capitol and for paving the streets and grading and putting down the curbing and sidewalks around the capitol square.

Senate File No. 271, an act providing for the purchase of land for the use of the Iowa State Agricultural Society.

Senate File No. 113, an act to reimburse Samuel Chandler, sheriff of Mills county, for money expended in arresting Polk Wells, Wm. Norris and Wilson, the Riverton bank robbers.



Senate File No. 277, an act to regulate admission to practice as attorneys and counselors in the courts of this State.

Senate File No. 204, an act making an appropriation for the State library, and providing assistants for the librarian and for the compensation of the librarian and assistants.

Senate File No. 181, an act to authorize railway corporations to condemn lands for additional depot grounds.

Senate File No. 288, an act for an appropriation for the Benedict Home.

Senate File No. 401, an act making appropriations for the payment of State and judicial officers and certain expenses of the General Assembly and other matters.

J. C. CHAMBERS, *Chairman*.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has passed the following bill:

Senate File No. 305.

Also:

MR. PRESIDENT—I herewith present for your signature Senate File No. 84, which has passed both branches of the General Assembly, and been duly enrolled, and signed by the Speaker of the House.

SIDNEY A. FOSTER, *Clerk*.

Senator Chubb offered the following resolution, which was adopted:

*Resolved*, That a committee of three be appointed by the chair to wait upon the Governor and notify him that the Senate is ready to adjourn, and inquire if he has any further business to bring before the Senate.

The chair appointed as such committee Senators Bloom, Chubb, and Kamrar.

Senator Rothert, by request, offered the following resolution, which was adopted:

*Resolved*, As a parting blessing to all of us we join in the sentiment,

Happy to meet, sorry to part,  
Happy to meet again.

The committee appointed to wait on the Governor returned and reported that they had performed their duty and that the Governor stated that it would be impracticable for the Senate to adjourn until the general appropriation bill is signed.

The President signed in the presence of the Senate, Senate File No. 84.

REPORT OF COMMITTEE.

Senator Chambers, 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. 84, an act to provide for the investment of the endowment fund of the Iowa State Agricultural College and Farm.

And find the same correctly enrolled.

J. C. CHAMBERS, *Chairman.*

Senator Larrabee offered the following resolution, which was adopted:

*Resolved*, That the thanks of the Senate are hereby tendered to Col. J. D. Jackson, E. R. Zeller, and Dr. E. R. Hutchins, for their unusually able and efficient services in their fulfillment of their duties during the session of the Twentieth General Assembly.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has passed the following Senate File:

Senate File No. 242; also, joint resolution relating to arsenal.

SIDNEY A. FOSTER, *Clerk.*

Senator Larrabee offered the following resolution:

*Resolved*, That the thanks of the Senate are hereby tendered to Hon. J. D. Gillett for his able and impartial performance of the arduous duties of the office of the President *pro tem.* of the Senate.

Senator Hall moved to amend by inserting "and that the chair he has occupied during the session be presented him."

Upon this the yeas and nays were demanded, and the roll was called.

The yeas were:

Senators Baker, Barrett, Bloom, Brown, Carson, Cassatt, Chubb, Clark, Cotton, Donnan, Eastman, Glass, Graves, Hall, Hemenway, Henderson, Hunt, Hutchison, Johnson, Larrabee, Logan, McCoy, McDonough, Marshall, Miles, Nichols, Poyneer, Robinson, Rothert, Smith, Stephens, Sudlow, Sutton, Sweney, Whaley, Whiting, and Wilkin—37.

The nays were:

Senator Ryder—1.

Absent or not voting:

Senators Abraham, Bayless, Bills, Caldwell, Carr, Chambers, Duncan, Gault, Gillett, Hendrie, Kamrar, and Russell—12.

So the resolution was adopted.

The President signed the following bills in the presence of the Senate: House Files Nos. 59, 520, 499; Senate File No. 401.

#### COMMITTEE FROM THE HOUSE.

A committee from the House announced that that body was ready to adjourn.

## 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 Files Nos. 532, 542, 415; Substitute for House Files Nos. 16 and 105; House File No. 76; joint resolution No. 19, joint resolution Agricultural College trustees.

SIDNEY A. FOSTER, *Clerk.*

## REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 401, a bill for an act making appropriations for the payment of State and judicial officers, and certain expenses of the General Assembly, and other matters, and find the same correctly enrolled.

J. C. CHAMBERS, *Chairman.*

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Senate Files Nos. 280, 242; joint resolution to authorize the Capitol Commissioners to repair and furnish the State arsenal; Senate File No. 305.

SIDNEY A. FOSTER, *Clerk.*

The President signed the following bills in the presence of the Senate: Concurrent resolution No. 26; House File No. 532; substitute for House Files Nos. 16 and 105; House Files Nos. 542, 76, 415; joint resolutions Nos. 19 and 23; joint resolution relative to State arsenal; Senate File No. 280; joint resolution relative to committee rooms; Senate Files Nos. 242 and 305.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Joint resolution No. 23.

SIDNEY A. FOSTER, *Clerk.*

## REPORT OF COMMITTEE.

Senator Chambers, 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 to authorize the Capitol Commissioners to repair and furnish the State arsenal.

Senate File No. 280, an act in relation to ditches, drains, levees, embankments and changes in water courses.

Senate File No. 242, an act to repeal section 4018, chapter 9, title 24, of the Code, and to enact a substitute therefor.

Senate File No. 305, an act to provide for the inspection and regulate the sale of petroleum, and to repeal chapter 172, of the acts of the Seventeenth General Assembly, and section 3901 of the Code.

Joint resolution No. 11, relative to the assignment of rooms in the new capitol.

And find the same correctly enrolled.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Senate File No. 242, an act to repeal section 4018, chapter 9, title 24, of the Code, and to enact a substitute therefor.

Senate File No. 305, an act to provide for the inspection and regulate the sale of petroleum, and to repeal chapter 172, of the acts of the Seventeenth General Assembly, and section 3901 of the Code.

Joint resolution No. 11, relative to the assignment of rooms in the new capitol.

Joint resolution to authorize the Capitol Commissioners to repair and furnish the State arsenal.

Senate File No. 280, an act in relation to ditches, drains, levees, embankments and changes in water courses.

J. C. CHAMBERS, *Chairman.*

Senator Rothert offered the following report which was adopted:

Your committee to whom was referred resolution regarding State Board of Health, beg leave to report they have had the same under consideration, and instruct me to report that the said Board of Health be requested to practice economy in the future.

H. W. ROTHERT, *Chairman.*

## RESOLUTION.

Senator Sweney offered the following resolution which was adopted:

*Resolved*, That the thanks of the Senate are hereby tendered to Miss Myra Froth and Miss Ida Little for their faithful work in the discharge of the duties of enrolling and engrossing clerks, and that we recognize them as being eminently efficient, and well qualified for the performance of the duties of their positions.

## REPORT OF COMMITTEE.

Senator Chambers, from the Committee on Enrolled Bills, submitted 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. 84, an act to provide for the investment of the endowment fund of the Iowa State Agricultural College and Farm.

J. C. CHAMBERS, *Chairman.*

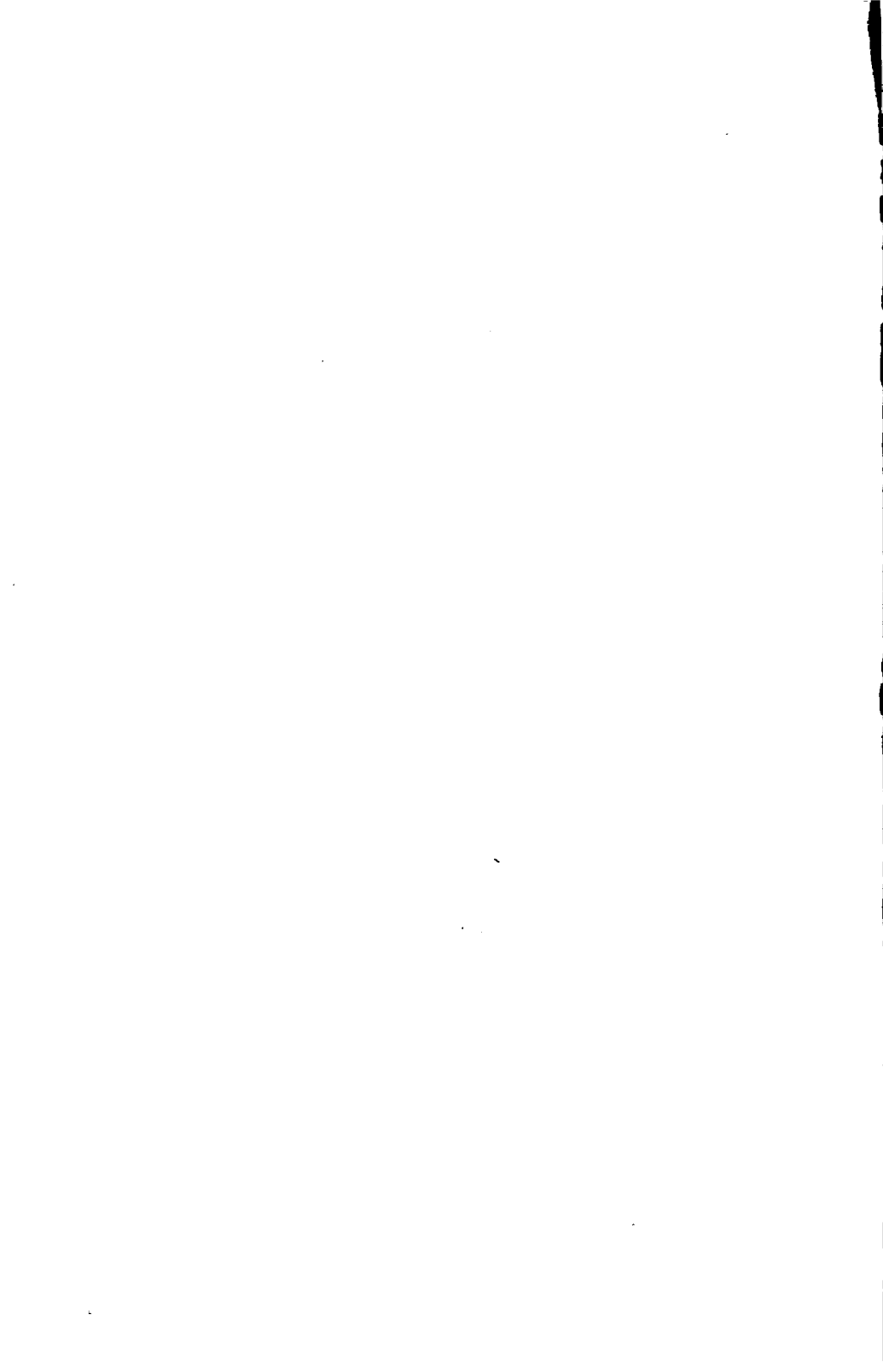
At 12 o'clock m., the President announced that the Rev. Senator Marshall would offer prayer.

The Senate arose and the Reverend Senator offered prayer, and the President declared the Senate adjourned *sine die*.

E. R. H.

*Attest:*

FRANK D. JACKSON, *Secretary of Senate.*



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