

JOURNAL
OF
THE SENATE
OF THE
TWENTY-FIRST GENERAL ASSEMBLY
OF THE
STATE OF IOWA,

WHICH CONVENED AT THE CAPITOL AT DES MOINES, JANUARY 11, 1886.

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JOURNAL OF THE SENATE.

SENATE CHAMBER,
DES MOINES, IOWA, January 11, 1886. }

PURSUANT to law the Senate of the Twenty-first General Assembly convened at 2 o'clock P. M., and was called to order by Senator Donnan, who nominated Senator Whaley of Butler county temporary President of the Senate, which motion the Senate ratified and Senator Whaley took the chair.

Prayer by Rev. W. J. Young.

On motion of Senator Sutton, E. R. Hutchins of Polk county was elected temporary Secretary.

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

HOLD-OVER SENATORS.

- 2d District—John W. Carr.
- 4th District—Lewis Miles.
- 5th District—John McDonough.
- 6th District—A. P. Stephens.
- 7th District—T. E. Clark.
- 8th District—James S. Hendrie.
- 9th District—Francis A. Duncan.
- 14th District—Ben McCoy.
- 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.
- 25th District—Moses Bloom.
- 28th District—Preston M. Sutton.
- 33d District—William G. Donnan.
- 36th District—F. D. Bayless.
- 39th District—Alvin M. Whaley.
- 43d District—John D. Glass.
- 46th District—Charles E. Whiting.
- 49th District—Ormond M. Barrett.

ABSENT.

- 3d District—Edward J. Gault.
26th District—John W. Henderson.
27th District—John Ryder.
41st District—J. H. Sweney.
47th District—Charles C. Chubb.

The roll of newly elected Senators was then called, and the following responded :

- 1st District—J. M. Casey.
9th District—W. W. Dodge.
10th District—John S. Woolson.
12th District—J. G. Hutchison.
13th District—James Dooley.
18th District—Lafe Young.
20th District—S. T. Chesebro.
22d District—P. B. Wolfe.
29th District—M. P. Doud.
30th District—C. H. Gatch.
31st District—John Scott.
32d District—M. Underwood.
40th District—W. C. Earle.
42d District—T. W. Burdick.
45th District—A. N. Poyneer.

On motion of Senator Caldwell a committee of five on credentials was appointed.

The Chair announced the following committee :

Senators Caldwell, Carson, Miles, Clark and Bayless.

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

On motion of Senator Miles, George Fox, George E. Stephens and George Hepburn were elected temporary messengers.

On motion of Senator Woolson, M. C. Johnson of Page county, was elected temporary Sergeant-at-Arms.

On motion of Senator Glass, Jeff Logan was elected temporary Janitor of the cloak room.

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

SENATE CHAMBER,
DES MOINES, IOWA, JANUARY 12, 1886. }

The Senate met pursuant to adjournment, at 10 o'clock, and was called to order by the temporary President, Senator Whaley.

Prayer by Rev. Johnston.

Senator Caldwell announced that the Committee on Credentials were ready to report only in part.

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

AFTERNOON SESSION.

Senate convened at 2 o'clock P. M., Senator Whaley in the chair.
On motion of Senator Glass the Senate adjourned to 2:30 P. M.

2:30 O'CLOCK P. M.

The Senate was again called to order by Senator Whaley.

A communication was received from the Secretary of State in reference to contest for the seat of Senator in 44th District.

The Committee on Credentials made the following report:

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

- 1st District—James M. Casey.
- 7th District—T. E. Clark.
- 9th District—W. W. Dodge.
- 10th District—John S. Woolson.
- 12th District—J. G. Hutchison.
- 13th District—James Dooley.
- 18th District—Lafayette Young.
- 20th District—Samuel T. Chesebro.
- 21st District—William O. Schmidt.
- 22d District—P. B. Wolfe.
- 29th District—M. P. Doud.
- 30th District—C. H. Gatch.
- 31st District—John Scott.
- 32d District—Myron Underwood.
- 34th District—L. R. Bolter.
- 35th District—William J. Knight.
- 37th District—N. F. Weber.
- 38th District—Matt Parrott.
- 42d District—T. W. Burdick.
- 44th District—R. G. Reiniger.

45th District—Alfred N. Poyneer.
 48th District—J. K. Deal.
 50th District—Gifford S. Robinson.

T. J. CALDWELL,
 T. E. CLARK,
 LEWIS MILES,
 GEORGE CARSON,
 F. D. BAYLESS,
Committee.

Adopted.

The newly elected Senators appeared and took and subscribed to the following oath:

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

RESOLUTION.

Senator Cassatt offered the following resolution, which was adopted:

Resolved, That until otherwise ordered the printed rules of the Twentieth General Assembly be and the same are hereby adopted.

CONCURRENT RESOLUTION.

Senator Caldwell offered the following resolution which was adopted:

Resolved by the Senate, the House concurring, That a joint committee be appointed consisting of two from the Senate and three from the House on mail carrier.

The Chair appointed as such committee Senators Caldwell and Sutton.

ELECTION OF PRESIDENT PRO TEM.

Upon motion of Senator Donnan the Senate proceeded to elect a President *pro tem*, to fill vacancy.

Senator Glass nominated Senator J. H. Sweney.

Those voting for Senator Sweney were:

Senators Barrett, Bayless, Bloom, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Gatch, Glass, Henderson, Hendrie, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Underwood, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—46.

Absent or not voting:

Senators Earle, Gault, Sweney and Weber—4.

So Senator Sweney was unanimously elected.

The chair appointed Senators Glass and Knight as a committee to escort Senator Sweney to the chair.

Senator Sweney took the chair, accepting the same with thanks.

Upon motion of Senator Donnan, the Senate proceeded to election of permanent officers.

Senator Glass nominated Donald D. Donnan for Secretary of the Senate.

Senator Whiting nominated S. G. Dunn for same position.

Those voting for Donnan were:

Senators Barrett, Bayless, Burdick, Caldwell, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Whaley, Wilkin, Woolson and Young—31.

Those voting for Dunn were:

Senators Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Gault, Henderson, Hendrie, Johnson, Knight, Ryder, Schmidt, Whiting and Wolfe—17.

Absent or not voting:

Senators Earle and Weber—2.

Don D. Donnan having received a majority of all votes cast was declared elected.

Senator Glass nominated Ernst Hofer for First Assistant Secretary.

Senator Bloom nominated John Sneppel.

Those voting for Hofer were:

Senators Barrett, Burdick, Caldwell, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Whaley, Wilkin, Woolson and Young—80.

Those voting for Sneppel were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Doege, Dooley, Gault, Hendrie, Johnson, Knight, Ryder, Schmidt, Whiting and Wolfe—17.

Absent or not voting:

Senators Earle, Henderson and Weber—3.

Senator Glass nominated W. R. Cochrane for Second Assistant Secretary.

Senator Dodge nominated J. J. Wohwend.

Those voting for Cochrane were:

Senators Barrett, Burdick, Caldwell, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robison, Scott, Stephens, Sutton, Sweney, Underwood, Whaley, Wilkin, Woolson and Young—80.

Those voting for Wohwend were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Gault, Hendrie, Johnson, Knight, Ryder, Schmidt, Whiting and Wolfe—17.

Absent or not voting:

Senators Earle, Henderson and Weber—3.

Senator Glass nominated Miss Nannie J. Stull for Engrossing Clerk.

Senator Whiting nominated Miss Kate Glynn.

Those voting for Miss Stull were:

Senators Burdick, Caldwell, Carr, Carson, Chambers, Chubb, Clark,

Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Whaley, Wilkin, Woolson and Young—29.

Those voting for Miss Glynn were:

Senators Bloom, Casey, Cassatt, Chesebro, Dodge, Dooley, Gault, Hendrie, Johnson, Knight, Ryder, Schmidt, Whiting and Wolfe—14.

Absent or not voting:

Senators Barrett, Bayless, Bolter, Earle, Henderson, Sweney and Weber—7.

Senator Glass nominated Miss Nellie Milligan for Enrolling Clerk.

Those voting for Miss Milligan were:

Senators Burdick, Caldwell, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Whaley, Wilkin, Woolson and Young—29.

Absent or not voting:

Senators Barrett, Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Earle, Gault, Henderson, Hendrie, Johnson, Knight, Ryder, Schmidt, Weber, Whiting and Wolfe—21.

Senator Glass nominated Ben. E. Eberhardt for Sargeant-at-Arms.

Senator Whiting nominated D. H. Lee.

Those voting for Eberhardt were:

Senators Barrett, Burdick, Caldwell, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Henderson, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Whaley, Wilkin, Woolson and Young—30.

Those voting for Lee were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Hendrie, Johnson, Knight, Ryder, Schmidt and Whiting—15.

Absent or not voting:

Senators Earle, Gault, Sweney, Weber and Wolfe—5.

Senator Glass nominated for bill clerk Miss Sadie Patch.

Senator Johnson raised the point of order that under the rules such an office was not provided for.

Nomination withdrawn.

Senator Glass nominated Theodore Schreiner for door-keeper.

Senator Whiting nominated Edward Higgins.

Those voting for Schreiner were:

Senators Bayless, Bloom, Burdick, Caldwell, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Whaley, Wilkin, Woolson and Young—32.

Those voting for Higgins were:

Senators Bolter, Casey, Chesebro, Dodge, Dooley, Gault, Hendrie, Johnson, Knight, Ryder, Schmidt, Whiting and Wolfe—13.

Absent or not voting:

Senators Barrett, Earle, Henderson, Sweney and Weber—5.

Senator Glass offered the following resolution:

Resolved, That there is hereby created the office of Bill Clerk, the duties of which shall be to have charge of printed bills and the distribution thereof, and that Sadie Patch of Madison county, be and hereby is elected to said office.

Senator Johnson moved its reference to committee on rules when such committee shall be appointed.

Lost.

The resolution was adopted by the following vote.

Those voting in the affirmative were:

Senators Barrett, Burdick, Caldwell, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Whaley, Wilkin, Woolson and Young—29.

Those voting in the negative were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Gault, Hendrie, Johnson, Knight, Ryder, Schmidt, Whiting and Wolfe—17.

Absent or not voting:

Senators Earle, Henderson, Sweney and Weber—4.

Senator Glass offered the following resolution:

Resolved, That C. W. Martin, Wm. Bintner, W. T. Lyon, S. A. Moore, Robert Blizzard, E. R. Roberts, P. J. Merkle and John Sims, be and they hereby are appointed additional door keepers of the Senate and assigned to duty to assist Theodore Schreiner, as door-keeper.

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

The yeas were:

Senators Barrett, Burdick, Caldwell, Carson Chambers, Chubb, Clark, Deal, Donnan, Doud, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Whaley, Wilkin, Woolson and Young—27.

The nays were:

Senators Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Duncan, Gault, Hendrie, Johnson, Knight, Ryder, Schmidt, Whiting and Wolfe—17.

Absent or not voting:

Senators Bayless, Earle, Henderson, Sweney and Weber—5.

Senator Glass offered the following resolution which was agreed to:

Resolved, That Jeff Logan and Wm. Coalson be and they are hereby appointed janitors of the Senate and are to have charge of the cloak rooms.

Senator Glass offered the following resolution:

Resolved, That the following named persons be each and they hereby are elected to the office of Paper Folder for the Senate: Ida L. Devinell of Marshall County and Grace Emert, of Polk County.

Adopted.

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

Senator Donnan offered the following resolution :

Resolved, That the testimony in the case of the contested election, of the Senator from the 44th district presented by the Secretary of State, do lie upon the table in charge of the Secretary of the Senate until the appointment of the standing committees of the Senate.

Adopted.

Senator Knight offered the following resolution :

Resolved, That a special committee of five be appointed to arrange so that members of the different parties represented in the Senate may be accommodated with seats together, and as nearly as possible on opposite sides of the chamber.

Senator McCoy offered the following substitute :

Resolved, That holdover and re-elected Senators shall take the seats occupied by them at the last session of the General Assembly, and that other Senators shall draw seats by lot, unless they can otherwise agree among themselves what seats they shall occupy. *Provided*, that Senators elected to fill vacancies shall take the seats occupied by their predecessors if they choose.

The substitute was adopted and the resolution as amended was agreed to.

Senator Knight offered the following resolution :

Resolved by the Senate, the House concurring, That the Secretary of State purchase, for the use and at the expense of the State, and furnish to each member of this General Assembly, a copy of McClain's, or a copy of Miller's annotated Codes, as each member may select; *provided*, the price paid shall not exceed eight dollars for each set of books, and that the Codes purchased shall be annotated to include all laws to date.

Adopted.

Senator Duncan moved that the chair appoint a committee of three to inform the House that the Senate is now in session and ready for business.

Carried.

The chair announced as committee Senators Duncan, Robinson and Knight.

Senator Gatch offered the following resolution :

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.

Adopted.

Senator Chambers offered the following resolution :

Resolved, That the Senate invite the resident clergymen of Des Moines to open the deliberations each morning with prayer. The order in which they shall officiate to be arranged by themselves.

To which Senator Clark offered the following amendment :

And in the event of the failure of the resident clergymen to furnish a minister to officiate, any visiting clergymen invited by the President of the Senate to officiate, shall receive same compensation as resident clergymen.

Resolution as amended was adopted.

Senator Wilkin offered the following resolution, which was adopted:

Resolved, That the adjournment of the Senate, unless otherwise ordered, be until 2 o'clock P. M. of the succeeding day.

Upon motion of Senator Page the Secretary of the Senate was instructed to procure keys for Senator's desks.

Senator Duncan of committee, informed the Senate that the House had adjourned without completing organization.

Senator Donnan moved to adjourn to 2 P. M.

Senator Dodge moved to amend by inserting 10 A. M.

Amendment accepted.

The Senate adjourned to 2 P. M. the following day.

SENATE CHAMBER, }
DES MOINES, IOWA, January 18, 1886. }

The Senate convened at 10 o'clock A. M.

Senator Sweny in the chair.

Prayer by Rev. Talbot.

The journal of the previous day was read, corrected and approved.

The doorkeeper appeared and took the oath of office.

Senator Weber of the 37th district and Senator Earle of the 40th district appeared and took the oath of office.

The secretary read a communication from the Capitol Commissioners.

On motion of Senator Wilkin referred to Committee on Public Building when such committee shall be appointed.

Senator Donnan offered the following resolution:

Resolved, That Fay H. McDonough, A. B. Underwood, George E. Stephens, Arthur Weber, George Fox, J. M. Scott, and Rufus Chase, be and they are hereby appointed as messengers of the Senate.

Adopted.

INTRODUCTION OF BILLS.

By Senator Woolson, Senate File, No. 1, a bill for an act to create a State Board of Arbitration, defining its duties, powers and jurisdiction, and providing for enforcing its judgments.

Read first and second time and laid on table.

By Senator Cassatt, Senate File No. 2, 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 of coal mines and their employes.

Read a first and second time and referred to the Committee on Mines and Mining, when such committee shall be appointed.

Senator Duncan, from the committee to inform the House of the organization of the Senate, reported that they had performed that duty.

The chair appointed as committee on inauguration of Governor and Lieutenant-Governor Senators Gatch, Glass and Gault.

On motion of Senator Woolson the seats drawn and assigned last night were confirmed by the Senate.

On motion of Senator Schmidt the seats occupied by the Senators from Wright, Scott, Keokuk and Des Moines counties were assigned to them by numbers.

RESOLUTIONS.

Senator Woolson offered the following resolution:

Resolved, That the following be added to the Rules of the Senate as Rule 32:

RULE 32. Smoking by Senate employes, while in the discharge of their duties in connection with the Senate chamber or doors leading thereto, is hereby forbidden. Violations of this rule shall subject the employe to liability for discharge by vote of the Senate.

Senator Sutton offered the following amendment:

And smoking of tobacco is hereby prohibited in the hall of the Senate.

Adopted as amended.

Senator Wilkin offered the following resolution:

Resolved by the Senate, the House concurring, That a committee of two from the Senate and two from the House be appointed to wait upon the Governor and inform him that the General Assembly is now organized and ready to receive any communications from him.

Adopted.

The chair appointed Senators Wilkin and Bloom as such committee.

Senator Glass offered the following resolution:

Resolved by the Senate, the House concurring, That Miss Alice S. Smith and Miss Ella Richards be elected to the office of Postmistress and Assistant Postmistress, respectively, of the Twenty-first General Assembly.

Adopted.

Senator Woolson offered the following resolution:

Resolved, That the following be added to the rules of the Senate as Rule 33:

RULE 33. The pages appointed for each session by the Senate shall hold their places during efficiency and good behavior, and be subject to removal by the President of the Senate for inefficiency or other cause in his judgment justifying removal.

Senator Reiniger raised the point of order that the rules adopted under the temporary organization were not the rules of the Senate.

Overruled.

The resolution was adopted.

Senator Hutchison offered the following resolution:

Resolved by the Senate, the House concurring, That the Senate shall meet the House in Joint Convention at 12 o'clock Meridian to-day, to canvass the votes for Governor and Lieutenant-Governor elected at the general election of the State held on November 3, 1885.

Adopted.

Senator Stephens offered the following resolution :

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

Adopted.

The Chair appointed as such committee Senators Stephens, Chubb and Ryder.

On motion of Senator Donnan the vote on concurrent resolution of the Senate to meet the House at 12 o'clock in joint convention was reconsidered.

Senator Caldwell moved to adjourn to 1:30 P. M.

Carried.

At 1:30 o'clock P. M. Senate called to order by President *pro tem*.

Senator Donnan offered the following resolution:

Resolved, That the resolution relating to counting the votes for Governor and Lieut.-Governor be amended so that the hour be 2:15 this P. M.

Adopted:

Senate met in adjourned session at 1:30 o'clock P. M.

Senator Caldwell moved to take up House messages.

MESSAGE 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:

Resolution appointing a committee of three to act with a similar committee on behalf of the Senate relating to the inauguration of Governor and Lieut.-Governor.

SIDNEY A. FOSTER, *Temporary Clerk*.

Upon motion of Senator Caldwell the Senate concurred in the House resolution.

Miss Sadie Patch appeared and took the oath of office as bill clerk of the Senate.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in concurrent resolution No. 5, concerning the appointment of a committee to wait upon the Governor.

RESOLUTION.

Senator Clark offered the following resolution:

Be it resolved by the Senate, That the supervision of the reportorial corps and representations of the press be and the same is hereby conferred upon the Secretary of the Senate.

Adopted.

The following message was received from the House:

Concurrence in Senate resolution No. 3, without amendment, and announcing concurrence in Senate resolution No. 4, amending to meet in joint convention at 2:30 P. M.

Agreed to.

Senator Wilkin of committee to inform the Governor of Senates readiness for business, reported that the committee had performed that duty and that the Governor had informed the committees that he would communicate soon.

The President of the Senate then announced that the time had arrived for the holding of the joint convention, and requested the Senators accompanying him in a body to the House.

The Senate then went into joint convention.

The Senate reconvened at 9:15 P. M.

Senator Glass introduced the following concurrent resolution:

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 meeting in joint convention to inaugurate Governor and Lieut.-Governor.

JOINT CONVENTION.

Senator Sweney, President *pro tem.* of the Senate, called the joint convention to order at 2:30 o'clock P. M. and announced as Teller on part of the Senate, Senator Burdick.

The Speaker announced as Teller on part of the House, Mr. Pattee.

The roll was called and a majority of both Houses was found to be present, as follows:

Messrs. Agnew, Anderson of Hamilton, Anderson of Warren, Bailey, Baldwin, Ball, Barnum, Barrett, Bayless, Benson, Berryhill, Bloom, Boggs, Bolter, Bradley, Brown, Bruce, Burdick, Burgess, Butler of Cherokee, Butler of Page, Caldwell, Carr, Carson, Casey, Cassatt, Chamberlin, Chambers, Chesebro, Chubb, Clark of Page, Clark of Scott, Coie, Coleman, Converse, Cousins, Craig, Culbertson of Carroll, Culbertson of Des Moines, Custer, Dabney, Deal, Deitz, Dent, Dobson, Donnan, Dooley, Doud, Duncan, Finn, Garrett, Gatch, Gates, Gault, Glass, Greenlee, Hamilton, Hammond, Harris, Hart of Clinton, Hart of Pottawattamie, Hayzlett, Head, Henderson, Hendrie, Holbrook, Hotchkiss, Hutchison, Johnson, Keatley, Kent, Killen, Kline, Knight, LaForce, Larson, Lathrop, Linehan, Lyons of Guthrie, Lyons of Mahaska, McCarthy, McCoy, McDonough, Manderscheid, Meservey, Miles, Mitchell, Montgomery, Moore, Nachtwey, Nelson, Parrott, Pattee, Penny, Peterson, Poyneer, Ramsey, Ranck, Redhead, Redman, Reiniger, Reynolds, Rice, Riley, Roach, Robb, Roberts, Robinson, Russell, Rustad, Ryder, Schaller, Schee, Schmidt, Shaw, Smith, Spencer, Stephens, Stiger, Storey, Sutton, Sweney, Sweet, Teale, Thompson of Clayton, Thompson of Linn, Tipton, Underwood, Walker, Weaver, Weber, Whaley, Whiting, Wilbur, Wilkin, Wilson of Butler, Wilson of Cass, Withrow, Wolfe, Woolson, Wright, Wyland and Young.

Members not answering were:

Messrs. Densmore, Dodge, Earle, Overholtzer, Scott, Welch and Wiley.

The joint convention proceeded to canvass the vote for Governor and Lieut.-Governor.

The chair announced triplicate returns from Appanoose county, and that they were identical.

On motion of Senator Clark one of the three returns was excluded, they being identical, and the one excluded was afterward filed with the Secretary of State.

Senator Clark offered the following resolution:

Resolved, That where the intention of the voter is apparent, that the vote shall be counted for the person for whom it was so intended.

Adopted.

The chair announced that in the return of Clinton county the words read "two thousand six hundred and ——" while the figures in the return for J. A. T. Hull were 2,892 in the proper column.

Senator Clark moved that as there was an apparent deficiency in the writing of the vote, the figures shall prevail.

Carried.

The chair instructed the teller to record the vote two thousand six hundred and ninety-two.

The chair announced that in the vote of Dallas county on Whiting for Governor, a discrepancy between the return in writing and figures, the figures showing 1,584; the writing showing fifteen hundred and fifty-four votes.

On motion of Mr. Thompson of Linn, the figures were taken as the correct canvass and to be so recorded by the tellers in the case of this discrepancy.

The chair announced that the returns of Emmet county appear not to be signed by the county auditor or the clerk of the board of supervisors, but signed by five members of the board of supervisors as a board of canvassers.

Mr. Thompson of Linn, moved that the return from said county be counted as returned.

Carried.

The chair announced that there were three returns from Harrison county and they were identical.

Mr. Thompson of Clayton, moved that one of said returns be excluded and filed with the Secretary of State.

Carried.

The chair announced that the returns from Humboldt county were signed by four members of the board of supervisors and the county auditor, but that the votes were filled in with figures only.

On motion of Senator Clark the returns were counted.

Senator McCoy moved to take a recess to half past eight o'clock to-night.

Senator Caldwell moved to amend by inserting 8 o'clock.

Adopted.

The question recurring upon the original motion it was carried.

EVENING SESSION.

The joint convention met at 8 P. M.

President Sweney in the chair.

The clerk of the House called the roll of the joint convention.

The roll call showed the following members present:

Messrs. Agnew, Anderson of Hamilton, Anderson of Warren, Bailey, Barrett, Bayless, Benson, Berryhill, Boggs, Bradley, Bruce, Burdick, Burgess, Butler of Cherokee, Butler of Page, Caldwell, Carr, Carson, Casey, Chambers, Chubb, Clark of Page, Clark of Scott, Coie, Coleman, Cousins, Culbertson of Carroll, Custer, Dabney, Deal, Deitz, Dobson, Donnan, Doud, Duncan, Finn, Gatch, Gault, Greenlee, Harris, Hayzlett, Head, Henderson, Hotchkiss, Hutchison, Keatley, Kent, Kline, Knight, LaForce, Larson, Lathrop, Linehan, Lyons of Guthrie, Lyons of Mahaska, McCarthy, McCoy, McDonough, Manderscheid, Meservey, Miles, Mitchell, Montgomery, Moore, Nelson, Overholtzer, Parrott, Pattee, Poyneer, Ramsey, Redhead, Redman, Reynolds, Rice (excused), Riley, Roach, Robb, Roberts, Robinson, Rustad, Schaller, Schee, Schmidt, Scott, Smith, Spencer, Stephens, Stiger, Storey, Sutton, Sweney, Sweet, Teale, Thompson of Clayton, Thompson of Linn, Tipton, Underwood, Walker, Weaver, Webber, Whaley, Whiting, Wilbur, Wiley, Wilkin, Wilson of Butler, Wilson of Cass, Withrow, Woolson, Wright and Young.

Members not answering:

Messrs. Baldwin, Ball, Barnum, Bloom, Bolter, Brown, Cassatt, Chamberlin, Chesebro, Converse, Craig, Culbertson of Des Moines, Densmore, Dent, Dodge, Dooley, Earle, Garrett, Gates, Glass, Hamilton, Hammond, Hart of Clinton, Hart of Pottawattamie, Hendrie, Holbrook, Johnson, Killen, Nachtwey, Penny, Peterson, Ranck, Reiniger, Rice, Russell, Ryder, Shaw, Welch, Wolfe and Wyland

The tellers announced that they were ready to report.

The president of the joint convention then announced the vote upon Governor at the November election 1885, in the State of Iowa, as follows:

For Governor:

Wm. Larrabee	175,605
Chas. E. Whiting	163,619
Elias Doty	314
James Mickelwait	1,417
J. P. St. John	1
Ben. Butler	1
J. Given	3
H. Hester	1
E. H. Gillett	1
Ainsworth	1
M. F. Davis	1
E. S. Witt	4
Susan B. Anthony	1
Scattering	30

345,999

And declared that William Larrabee, having received the highest number of votes cast for Governor, is elected Governor of the State of Iowa for the term of two years from the second Monday in January, 1886, and until his successor is elected and qualified; and the following certificate was signed in the presence of the joint convention:

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January, 1886. }

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 November election, A. D. 1885, for the office of Governor of the State of Iowa, it appeared that William Larrabee 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 13th day of January, A. D. 1886.

J. H. SWENEY,

President of the Senate and President of the Joint Convention.

ALBERT HEAD,

Speaker of the House of Representatives.

ATTEST:

T. W. BURDICK,

Teller of the Senate.

D. J. PATTEE,

Teller of the House of Representatives.

The Speaker of the House of Representatives, Albert Head, then announced the result of the joint canvass for Lieutenant-Governor, as follows:

For Lieutenant-Governor there were votes cast.....	846,223
J. A. T. Hull.....	176,896
E. H. Gillett.....	167,787
J. K. Clark.....	288
W. M. Steere.....	1,236
— Hamon.....	1
J. Jones.....	1
S. Starky.....	2
Scattering.....	12

And declared that John A. T. Hull, having received the largest number of votes cast for Lieutenant-Governor, that he is elected Lieutenant-Governor of the State of Iowa for the term of two years, from the second Monday in January, 1886, or until his successor is elected and qualified, and the following certificate was signed in the presence of the joint convention:

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, January 13, 1886. }

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 November election A. D. 1885, for the office of Lieutenant Governor of the State of Iowa, it appeared that J. A. T. Hull 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 13th day of January, A. D. 1886.

J. H. SWENEY,

President of the Senate and President of the Joint Convention.

ALBERT HEAD,

Speaker of the House of Representatives.

ATTEST:

T. W. BURDICK,

Teller of the Senate.

D. J. PATTEE,

Teller of the House of Representatives.

Senator Donnan offered the following resolution:

Resolved, That the abstract 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.

Adopted.

The clerk was instructed to see that the returns were properly filed.

Senator Duncan moved that a committee consisting of one from the Senate and two from the House be appointed to notify the Governor and Lieutenant Governor of their election.

Motion prevailed and the President appointed as such committee Senator Duncan and Representatives Butler of Page and Storey of Adair.

The minutes of the Joint Convention were then read and on motion approved.

When on motion the Joint Convention was dissolved.

REPORT OF COMMITTEE.

Senator Gatch reported for the Committee on Inauguration, as follows:

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

The inaugural ceremonies will be held in the rotunda of the capitol building at 2:30 o'clock P. M. Thursday, January 14. The military escort will receive the Governor, Lt. Governor and party at the Kirkwood House at 2 o'clock P. M. and proceed to the north front of the capitol, where the military will open order, and the Governor, Lieutenant Governor and party will pass through into the rotunda. The members of the General Assembly will meet in joint convention in

the rotanda of the capitol at 2:30 o'clock P. M. The Governor and party taking seats upon the platform, the members of the General Assembly will occupy seats directly in front.

PROGRAMME.

Music.

Prayer by Dr. Stewart.

Administration of the oath of office by Chief Justice.

Inaugural Address by the Governor.

Music.

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

The capitol building will be open from 8 o'clock to 10 P. M., and an informal reception will be given by the Governor, Lieutenant-Governor, and Speaker of the House on the second floor of the rotunda.

The ceremonies of the inauguration will be under the control of Adjutant-General Alexander.

Tickets of admission will be distributed as follows:

Members, each 4 tickets, 600.

Governor, 20.

Governor elect, 20.

Lieutenant-Governor, 10.

Speaker of House, 10.

Secretary of State, 5.

Treasurer of State, 5.

Auditor of State, 5.

Superintendent of Public Instruction, 5.

Commissioner of Labor Statistics, 5.

Clerk of Supreme Court, 5.

Supreme Court Reporter, 5.

State Librarian, 5.

Mine Inspector, 5.

Adjutant-General, 5.

Attorney-General, 5.

Three Capitol Commissioners, 5 each, 15.

Five Judges of Supreme Court, 5 each, 25.

Three Railroad Commissioners, 5 each, 15.

Mayor and Council of Des Moines, 20.

Press of the State, 50.

Each member of the General Assembly will be supplied with one additional ticket for his own use.

Tickets for distribution to the members of the General Assembly will be distributed by the chairmen of the respective committees.

All other tickets will be distributed by the chairman of the joint committee and General Alexander.

The printing of tickets will be under the supervision of General Alexander and Chairman Gatch.

We further report that we have authorized Adjutant General Alexander to invite the following military companies to attend and participate in the inaugural ceremonies as part of the Governor's escort; to-wit:

Governor's Grays of Dubuque, the Marshalltown company, and the two companies of Des Moines.

That we have also authorized General Alexander to employ a military band and such carriages for use of the Governor, Lieutenant Governor and party as in his judgment is necessary and sufficient.

The inaugural ceremonies will take place in the rotunda of the first floor.

The rotunda, the north and south corridors will be reserved to members of the General Assembly, State officers and persons holding tickets, all the remaining part of the building will be open to the public.

Persons holding tickets will be admitted at the north entrance. All other persons will be admitted at the east and west entrances.

C. H. GATCH,
Chairman Senate Committee.

E. W. WILBUR,
Chairman of House Committee.

CONCURRENT RESOLUTION.

Senator Glass introduced the following:

Resolved by the Senate, the House concurring, That the Senate meet with the House in joint convention at 2:30 o'clock, P. M., on Thursday, Jan. 14th, 1886, for the purpose of the inauguration of the Governor and Lieutenant Governor.

Adopted.

Senator Young moved that all that part of report of Committee on Inaugural that provides for payment of military companies from abroad be stricken out, and called for the yeas and nays.

On the motion to amend the yeas were:

Senators Bolter, Carr, Chubb, Doud, Wilkin and Young—6.

The nays were :

Senators Barrett, Bayless, Bloom, Burdick, Caldwell, Carson, Casey, Clark, Deal, Donnan, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Whaley, Whiting and Wilson—33.

Absent or not voting.

Senators Cassatt, Chambers, Chesebro, Dodge, Dooley, Hendrie, Johnson, Ryder, Schmidt, Sweney and Wolfe—11.

The report was adopted.

The Senate adjourned to 10 o'clock A. M. Thursday.

SENATE CHAMBER, }
Des MOINES, IOWA, January 14, 1885. }

The Senate met in regular session at 10 A. M.

Prayer by the Rev. Derrick.

The journal of the previous day was read, corrected and approved.

Moved by Senator Burdick that the reading of the minutes of the joint convention be dispensed with.

Carried.

Senator Hutchison offered the following resolution.

Resolved by the Senate, the House concurring, That the committees on appropriation of the Senate and House are hereby instructed when appointed to have prepared ready for consideration, at an early date in the session, all bills intended to provide appropriations for the various State institutions and public buildings, in order that hasty and inconsiderate legislation may be avoided on these important matters at the end of the session.

Adopted.

INTRODUCTION OF BILLS.

By Senator Burdick, Senate File No. 3, a bill for an act to establish and maintain a Soldiers' Home in the State of Iowa, and making an appropriation for the purchase of land and the erection of the necessary buildings.

Read a first and second times and referred to the Committee on Appropriations, when such committee shall be appointed.

By Senator Miles, Senate File No. 4, a bill for an act to facilitate the giving of bonds required by law.

Read a first and second times and referred to the Committee on Judiciary, when such committee shall be appointed.

By Senator Dooley, Senate File No. 5, a bill for an act to compel corporations and others to pay lawful money to their employes.

Read a first and second times and referred to the Committee on Labor, when such committee shall be appointed.

Senator Sutton 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 5th day of February. 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 67 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 salaries; also whether any persons so employed receive or have received anything in addition to his 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 manner of escape from fire and make recommendations in regard thereto.

7. Said committees shall also report the sanitary condition of such institutions and make recommendations in regard thereto.

Senator Reiniger offered the following amendment to the resolution:

And that the committees may and are hereby authorized to examine any person, under oath, if they deem it necessary to gain the information called for.

The amendment was accepted, and the resolution was adopted.

Senator Weber offered the following resolution:

Resolved, That the custodian of the State capitol be instructed to require the parties in charge, controlling the heating of the Senate chamber, to keep the room at seventy degrees Fahrenheit.

Senator Poyneer moved to amend by inserting sixty degrees in place of seventy degrees.

Senator Caldwell moved to lay the resolution and amendments on the table.

Carried.

Senator Woolson offered the following resolution:

Resolved, That there be added to the standing committees of the Senate a Committee on Labor.

Adopted.

Senator Wilkin introduced the following concurrent resolution:

Resolved by the Senate, the House concurring, That a special committee, consisting of three from the Senate and three from the House, be appointed to examine and recommend what committee rooms shall be assigned for the use of the committees of the Senate and House respectively, and to report their action to each of said bodies at as early a day as practicable.

Adopted.

The private secretary of the Governor appeared on the floor with a message from the Governor, and presented the same to the Senate.

BIENNIAL MESSAGE.

Gentlemen of the Senate and House of Representatives:

The condition of the State in all its departments, viewed from whatever standpoint, is gratifying. Notwithstanding the fact that at the close of the last fiscal term, the total of outstanding warrants, less the cash on hand in the State treasury, reached the large sum of \$618,372.19, it does not show the indebtedness, for from that amount must

be deducted the State funds held by the county treasurers at that date, viz: \$176,592.77, leaving the real balance at \$441,849.42. Two causes may be cited in full explanation thereof. First, the extraordinary appropriations of the last General Assembly were unusually large—exceeding any previous legislation. These were for needed uses, in the enlargement and improvement of our public charitable institutions, already insufficient in capacity to satisfy the necessities of the State; a fact universally conceded, and also for the early completion of the capitol. And, secondly, the last year being the first under the semi annual tax system, and the provisions of that act having been so generally taken advantage of by the people, the receipts to the treasury were thereby decreased—comprising but the first payment of the levy for 1884. I think it is safe to say, that even with the increased appropriations, had the old tax method been available, the unredeemed warrants would have been very small in volume. The deficit therefore is of temporary character, which will nearly disappear with the present year. The large expenditures made should not be the subject of unfavorable comment, for through them the State has made provision for the care of its unfortunates in a manner in keeping with the spirit of the civilization in which we live, and of which every citizen may well be proud. That the future will witness a reasonable maintenance of the high rank now held by the State in these respects, I do not doubt. For a detailed exhibit of the receipts and disbursements of the revenue, and the general condition of the business of the State, you are referred to the very able report of the

AUDITOR OF STATE,

which will repay your careful examination. That office is justly regarded as one of the most important in our system, having in especial charge the finances of the State; and therefore the views of the officer, especially if he be a man of ripe experience in legislative and executive State concern, are worthy of serious consideration. That the present report emanates from such a source will be conceded by even casual inspection, and I commend it to your study. The previous long service of Mr. Cattell in this office, during the most critical period of our history, admirably qualifies him to the faithful discharge of the duties of the position, and renders the report especially valuable. I concur, generally, in his views relative to our financial condition, and as a whole, endorse his recommendations. In respect to the valuation of the different kinds of property for taxation, various opinions obtain, but all agree that there is no equality, either as between individuals or communities, nor under existing laws, can it be expected. The equalizations provided for, however honestly made, are neither just nor equitable, and the result is, taxation is not fairly equal, even as it effects real estate; but when attention is directed to personalty, the most glaring inequalities are manifest, examples of which are mentioned in the report. The Auditor suggests equalization of live stock as well as real estate, but I do not believe it can be successfully made, for the reason, that while it may be possible as between individuals, or townships of the same county, it must be conceded that the State board could not have that intelligent knowledge

of all the counties of the State, necessary to proper equalization of such values. If the expenses of the State government could be so adjusted that each county might assess itself without regard to valuations in those adjoining, a happy result would be attained. This can be secured in the adoption of either of the following methods, which would be quite as equitable as our present practice: First, by dividing the State expenses among the counties in proportion to the population, the rate per capita to be determined by the Executive Council, and certified to the counties, and the aggregate amount to become an absolute charge thereto. Second, by levying a tax directly upon the railroad property as assessed by the Executive Council, which rate should not exceed the average tax levies throughout the State for the preceding year, and requiring the same to be paid into the State treasury. By either plan the present mode of levying State tax would be wholly abandoned, and all discriminations and inequalities in attempted equalization as between counties, which causes so much of dissatisfaction, be forgotten, and each county be independent in management of its own affairs.

In connection with this general subject of the taxation of property, I ask your attention to the matter of exemptions therefrom. It is well known that leased Agricultural College lands are non-taxable, and in consequence large tracts, leased for a long term of years, and upon which valuable improvements have been made, escape contribution to the public treasury. I cannot see why this should continue, and suggest that some plan be adopted, whereby such investments should pay their proportionate share of the general expense. Again, under the present law, as generally interpreted, all church property, of whatever nature, is exempt from tax payment—and in this matter I am satisfied great injustice is done. It is well enough to exempt church buildings actually used as such—but when it is sought to include the palatial residences of pastors, which are often the most valuable in the district, and yet impose all taxes upon the poor man's cabin, I think it is carrying the matter altogether too far.

The new law permitting the

SEMI-ANNUAL PAYMENT OF TAXES

has met with the most gratifying success, and has already established itself in the confidence of the people. It is not only a convenience to the great majority of the tax-payers, but it is found to be beneficial in that it permits the circulation of large amounts of money which would otherwise be locked up in bank vaults, or other like depositories. Naturally enough, and as was expected, some annoyance has resulted to the revenues on account of this change in tax payments; but all these will soon adjust themselves, and the friction of this first year of the system speedily disappear. Although less than one-sixth of the tax-payers take advantage of the permission to pay their whole taxes at date of the first installment, I recommend that feature of the law be not disturbed. The small amount of tax sales made the past year being very much less than for a long period of years, is indubitable evidence that the new law has proven itself valuable, and is popular with the people.

THE TREASURY.

The monetary transactions of the State are fully shown in the clear and concise report of the Treasurer of State. The receipts for the term from all sources, inclusive of the balances at the beginning, aggregate the sum of \$2,905,867.94. The disbursements have been \$2,599,967.04, leaving balances for the new business of \$305,900.90, which agrees with the accounts reported on the books of the Auditor. Included in this balance was \$147,151.94 belonging to general revenue, the most of which was held for redemption of \$100,000.00 of interest bearing warrants which the Treasurer had "called" for payment. The business exceeded that of the preceding term by nearly half a million dollars. I concur in the suggestion that the "coupon" fund be consolidated with the general revenue, and that payment therefrom be authorized for any coupons hereafter presented. I see no necessity for longer continuing this as a separate account.

THE OFFICE OF AUDITOR OF STATE.

At the election of 1884, Hon. J. L. Brown was re-elected to the office of Auditor of State. The general law required that a re-elected officer shall qualify anew by producing and fully accounting for all public funds or property in his control under color of his office, and prohibits the approval of his official bond until he has made such accounting, which fact must be endorsed upon the bond before its approval. Mr. Brown refusing to make this accounting as was plainly his legal duty, his bond was not approved, and therefore he was not allowed to retain possession of the office. The office was temporarily filled by the appointment of Hon. Jonathan W. Cattell thereto, who duly qualified. At the general election of 1885 there was no person elected to said office, and I therefore again appointed Mr. Cattell Auditor of State, who has duly qualified in the manner required by the law, and will hold the same until the next general election.

INSURANCE.

I earnestly renew the suggestion in my former message for the establishment of a separate bureau for the supervision of the banks and insurance companies. Recommendations of like character have been made by every incumbent of the Auditor's office for the last twelve years, and I think the time has now arrived when it should not longer be delayed. The business has now become of such vast proportions that it will require the constant care of a competent superintendent, with a sufficient force of clerks to insure promptness in the dispatch of this important business. Let this officer be appointed by the Governor, with the approval of the Senate, but removable for cause at any time, with the consent of the executive council. This is the plan now generally adopted in the several States, and has proven satisfactory. All banks incorporated under the laws of the State, and all firms or individuals advertising a banking business, should be required to report, and be subject to examination by this officer, in order to

the protection of the public whose confidence they solicit. The law regulating the admission of foreign insurance companies should be so amended that every such company shall be required to incorporate under the laws of this State, before licensed to do business herein. There is no good reason why privileges should be extended them which are denied to our own people. Therefore, make them fully amenable to our laws, and triable in our own courts, the same as in the cases of home companies, and our own citizens. I think this a matter of grave importance. The law authorizing examination of companies clearly needs amendment so far as respects charges for such services, and I suggest that the itemized bill of expenses therefor shall not only receive endorsement of the officer in control as now provided, but shall also be submitted to the approval of the executive council, and when so approved, the companies shall be held to payment, or, on refusal, shall be suspended. I strongly urge early action in these regards. I think this, too, a matter of great importance.

The business done by the State banks and private bankers aggregates many millions of dollars, thus affecting almost every citizen.

STATE TRUSTEES.

I respectfully renew the suggestion made in a former message, that provision be made for a State Board of Trustees, who shall have advisory control of all our public institutions of a penal or charitable character. It is the only way by which uniformity in management can be secured. Such a board carefully selected from the best business talent in the State, would not only be of immediate advantage to the institutions themselves, but, without local prejudices, would be wise counsel to the General Assembly in advising the necessary appropriations. I am satisfied the expense of the Board would be as nothing compared to the benefits resulting to the State. By far the larger proportion of all our State taxes are used for the support and improvement of these institutions, and, while I would not be understood as finding fault with their present management, I yet believe it could be improved upon as above indicated. Let the members, three or five in number, be appointed by the Governor, subject to the approval of the Senate, and I am confident the result would be a substantial and economical betterment over our present methods. It must be remembered that expenses of this character will necessarily advance as the State grows older and increases in population, and I am thoroughly satisfied that such a board, reasonably compensated so that its members could afford to devote their entire service to the State, would save to us very largely in the expenditures necessary for these purposes.

In connection with the subject, I again call attention to the necessity for the appointment of an officer who shall have general charge of the erection and repairs of public buildings. Every session of the Legislature witnesses large appropriations to these ends, which are committed to men, the majority of whom are not practical builders, and therefore liable to be imposed upon, both as regards the price and the character of the work. I deem it a matter of highest importance that all such expenditures be under practical supervision. The capi-

tol in which you are now assembled is an enduring monument to the sagacity and business ability of the commissioners, which has received the merited encomiums of all, strangers and citizens, who have examined it. An experienced superintendent for general State purposes, would be invaluable. He should be a member of the Board of Trustees, and thus equipped, with a skilled superintendent and business associates, the Board would accomplish a great and needed work, and the State be sure to receive a real *quid pro quo* for all its expenditures. As regards the ordinary expenses of the several institutions, should the local board or the local authorities refuse the suggestions of the State trustees respecting the management thereof, then an appeal to the Governor, the whole subject can be submitted, and his decision be final. Should my suggestions as above be adopted, I see no necessity for continuing the present visiting committee to the hospitals, for the duties thereof would practically follow to the trustees above provided for. I very earnestly urge your favorable consideration hereof, believing the best interests of the State demand these betterments.

EDUCATIONAL.

The report of the Superintendent of Public Instruction is a full presentation of the educational interests of the State, and indeed a library of useful knowledge relating to this most important subject.

Every Iowan feels an intense personal interest in our public schools, and a just pride in our school system, which has placed the State in the highest position in the educational pyramid—and to them this able and comprehensive report will be most welcome. From the long practical experience of the Superintendent in the work, both as teacher and supervisor, his views upon the various divisions of the general subject will be of great value, and I commend them to your consideration. In my message of two years ago, I called attention to the necessity of furnishing the people with text books at less cost, and argued in favor of the State becoming its own editor and publisher, and thus saving to the people at least half the present expense of school books. The proposition was a novel one, and being such a radical change from all our previous experience, the General Assembly was not ready for its adoption. That idea, however, has been the subject of discussion at almost every fire side—and I am glad to see that the Superintendent has devoted so much space in his valuable report to this question. His argument in favor of free school books to the children, to be furnished by taxation, the same as fuel is supplied, is an able presentation of the subject, and will engage universal attention. I do not insist upon my own theories, although I am of opinion it was a practical solution of the matter, and would effectively and effectually protect the people from the oppressions of book publishers' combinations; the object sought it to lessen the expenses in this particular, and if the method so strongly advanced by the Superintendent is the better plan I hope it will be adopted. I also concur in the views of the Superintendent relative to extending the official term of sub-directors. This is an important office, and I know of no reason for difference in term between the sub-director of a

township and an independant district. I trust you will make amendment to the law in this respect.

In order to an understanding of the work accomplished in respect to the much discussed transportation question, I refer you to the report of

THE RAILROAD COMMISSIONERS,

and bespeak for it a careful, unprejudiced examination. It will be seen that various question, involving almost every phase of the general subject have been submitted to the determination of this Commission, and each has received intelligent consideration. Many of these have been of vital importance, the natural result of a great and increasing business amounting to many millions of money and directly affecting the personal rights and privileges of every class and condition of the people. Yet the decisions have been characterized by legal and business soundness which have at once commanded respect and acquiescence. Although not originally favorable to the Commission, yet in view of the good accomplished in the way of the speedy settlement of disputes and the great saving of costs to disputants, I am forced to the conclusion that the Commission is grounded in wise statesmanship. It is a court, readily and inexpensively accessible to every citizen, and so long as conducted in correct principal, merits the confidence of the people. There is no question it is stronger in that confidence than ever before, and notwithstanding some objections to its usefulness, which for the most part are directly traceable to a few men who are disappointed aspirants for the Commissionership, and have never had any business transactions with railroad companies beyond the purchase of a personal passage ticket, I believe the people generally are favorable to this method of arbitration, which as has been seen, is prompt and comparatively costless. I note however, a disposition, which I am persuaded is really shared by but few, to change the manner of selection of Commissioners, and make the office elective. This would be unwise because of the reasons following, either of which, in my judgment, is a valid objection. First, It would make the Commission completely partisan in character, which should be avoided. Second, There would be much greater danger of the elevation to these important positions of mere place hunters whose only qualifications rest in political cunning, than is now possible. It does not follow, merely because a man is loud in denunciation of corporations and all forms of capital, and vehement in assertion that the people are not respected, and their rights trampled, that therefore he is a safe leader, or fit to be entrusted with grave official responsibilities—such clap-trap is often resorted to, and too often succeeds. But a stronger objection is found in the fact—Third, That such a change would inevitably result in driving the railroad question actively into the politics of the state, primarily in the selection of Commissioners, but ultimately through all the ramifications of state politics. I believe this proposition is fraught with serious evil in various ways, and I trust will not command your approval.

PUBLIC CHARITIES.

The general subject of public charities, and the best methods for the state to discharge its obligations to its unfortunate classes, and also to aid the reformation of the viciously inclined, are matters which are attracting very earnest attention throughout the country, and, I am glad to believe, with beneficial results. As has been observed, the number of these dependent ones is constantly increasing, and so rapidly as to be really alarming; thus rendering the consideration of these questions a necessity to the well being of the state. It is gratifying to know that able, public spirited men and women are devoting their time and means to an unselfish and practical investigation of the general subject, with a view to the better information of the people. Certainly there can be no nobler ambition than that which prompts man to the betterment of his fellows; and if in the discussions which I trust will follow these few suggestions, a more general interest will be aroused, I am confident of good results. The last session of the National Conference was held in Washington in June, 1885, to which I commissioned several of our citizens as delegates, all of whom proved their zeal by personal attendance, although with no hope of pecuniary recompense.

For particular information relative to the work of the Conference, and the general subject of public charities, I submit herewith the interesting and instructive report of Jennie McCowan, A. M., M. D., of Davenport, who is the secretary for Iowa, and solicit your careful perusal.

In this connection I call attention to the report of the Iowa Prisoners' Aid Association, which is presented you. The Twentieth General Assembly appropriated \$2,000 in aid of this Society, an exhibit of the expenditures of which is appended hereto. The association generally, and its officers especially, is made up of men and women who are earnest and zealous in this laudable work, and from my personal knowledge of the purposes thereof, and the good already accomplished, I believe it merits the encouragement of the state, and therefore do not hesitate to urge further appropriations thereto.

THE ORPHANS' HOME.

With more than ordinary pleasure do I submit the report of the management and condition of the Orphans' Home, which is most gratifying. With an average monthly attendance of 247 children of both sexes, and varying from two to sixteen years of age, the average being nine and one half years, and of course liable to all the ills which usually afflict those of such tender years, the health report is a remarkable showing, for only two deaths have occurred in two years, one of which was from hereditary consumption, and the other from membranous croup, with which the child was suffering when admitted to the Home. I cordially join with health officer, Dr. W. F. Peck, in his warm tribute to the faithful efficiency of Superintendent and Mrs. Pierce; for from my personal visitations there and careful scrutiny of the management of this institution, I am confident it has few equals and no superiors anywhere in the country. It is a real gratification to visit the Iowa Orphans' Home.

The improvements ordered by the last General Assembly have been made, and as I think, the funds judiciously expended. Nothing has been attempted in order to 'make a show,' but on the contrary, the trustees have been actuated but for the one purpose, *i. e.*, making everything connected with the Home of practical utility. An inventory of the buildings, new and old, is included in the report, thus giving the reader a clear idea of the general situation. As was predicted, when the Home was opened to orphans other than those of soldiers the number of admissions rapidly increased, and to such an extent that additional buildings must be provided—and it is an expenditure which the entire state will cordially approve. If we can protect these little innocents, and lead them through virtuous and industrious paths to a noble womanhood, and to man's best estate, the result will richly compensate the effort. I have examined the situation relative to the improvements suggested, and cordially approve them as of real necessity. They are not fancy ideas. In the aggregate these additions amount to \$66,250, which can be divided and a part be payable next year. With these helps the usefulness of the Home will be greatly increased. In this connection I cannot forbear expressing the conviction that the law should prohibit the sending of children to any county poor house, or asylum. The only proper place for orphan children should be the Orphans' Home. There they can be comfortably cared for, taught habits of industry, protected from evil influences, acquire an education sufficient for the ordinary business of life and thus they in turn be conditioned to help on the beneficent work which has saved themselves. The Iowa Orphans' Home is indeed a treasure, and I know I but voice the real sentiment of the people when I commend its management, and bid it "God's speed in its noble work."

THE PENITENTIARIES.

I am glad to be able to assure you that the penitentiaries of the State are in excellent condition, both in discipline and results, and also in the general health of the men. There never has been a time in the history of the State when so much could be said in commendation of the prison management, as during the past two years. The officers have been indefatigable. The prison at Fort Madison is the only one wherein the labor of the convicts is sold, and the returns are more than sufficient to pay the expenses in general support of the Prison, the average price per day being forty-seven cents. The contracts, however, do not include all the convicts, having a daily average for the biennial period of but 290, while the daily average of convicts has been 392. The surplus embraces those employed in State work, and the sick and disabled. The average cost per convict for all the prison expenses, inclusive of salaries, but exclusive of permanent improvements, has been forty-four cents per day, a showing which speaks volumes in praise of the economic administration of Warden Crosley and his able assistants. I must add, too, that the convicts are well fed and clothed, a matter to which I have paid particular attention on my official visitations, which have always been without previous notice to the prison authorities. The warden asks

for but slight extra appropriations, in which I concur from a knowledge of the facts, and recommend the same. The report for that prison is brief and clear, but describes fully the situation. During the term the Warden has paid the sum of \$18,479.14 from savings from the general support fund, and surplus earnings, into the State treasury, to which he has added \$2,900 paid over since the date of his report, a total sum of \$21,379.14.

The work in the construction of the

ADDITIONAL PENITENTIARY.

at Anamosa has been prosecuted with vigor, and we now hope to see the early completion of this prison, which, when done, will be really a model prison. As is well known the work of construction has been almost wholly performed by convict labor, but it will favorably compare with that of any other of our public buildings, the capitol alone excepted. The Warden estimates that \$75,000 more will be needed to complete the buildings, including those for the use of the insane convicts, and the female department, and also \$9,500 for a tank-house and pump, and an iron fence as shown in the report. The duties of the Warden have now become so exacting in the general management of the prison, that I think he should have an assistant in the work of construction, and I recommend that provision be made for the appointment of a superintendent for that purpose. When the building designated for the insane is finished, I recommend that all the insane convicts now in the State Hospital be transferred thereto. The female convicts are all at this prison, those previously at Ft. Madison having been sent hither by my order. The total number in confinement at both prisons, at the close of the term, June 30, 1885, was 667, an increase of sixty in two years. The whole number on December 31, 1885, was divided as follows, viz, Ft. Madison, 406; Anamosa, 300; total, 706.

PARDONS.

In a separate document, I beg leave to report the several cases wherein the pardoning power has been exercised during the last two years. It will be observed, that with very few exceptions, the period of imprisonment has been but slightly reduced, and that in every instance the pardon has been conditioned upon future good behavior. I have found this practice has had most salutary effect. The fear of possible return to the cell as a certain consequence to bad conduct, is a powerful incentive to correct deportment, and I am pleased to record the fact, that in but a single instance have I heard of a falling among those released during the past two years—and in that case, the offense was committed without the State, and the offender has kept himself beyond the reach of my warrant for his re-imprisonment. Of the whole number of pardons granted, ninety-seven were from the penitentiaries, fourteen from county jails and city lock-ups, and two from the industrial schools, and five were suspensions of sentence. In the examination of these cases I have consulted freely with the trial judges and district attorneys, who have promptly and

cheerfully answered my enquiries, and in almost every case, they have joined in recommending clemency. I have also sought other reliable evidence, and been as patient and thorough in the investigations as possible—and looking back over the entire list, I do not recall a case, which upon the facts as certified to me, was not properly decided. The number of applications was very great, involving much labor in their examination, in order that justice be done. My regret is that in two of the cases, where the parties died before the pardon actually reached them, I did not act more promptly and save them from death in a felon's cell—but I was not aware of their very dangerous condition.

The cases of the following named persons convicted of murder in the first degree, but who petition for pardon, are submitted for your examination, viz: Annie Taylor, Clinton county; William Slowery, Clinton county; Fountain W. George, Polk county.

The proper notices thereof have been duly published as required by the law, and the papers may be found on file in the Executive Office.

THE TEMPERANCE QUESTION.

Notwithstanding the adverse opinions and unfriendly criticisms indulged in by its opponents, there is no doubt the

PROHIBITORY LIQUOR LAW

has been reasonably successful. That the principle of the law is still dominant with the people must be conceded, for while not in direct issue at the late election, it was attempted to be made so by the saloon interest, and by delusive argument and false statement sought to be brought into contempt; but the scheme failed, and the people remained firm in the determination that Prohibition must continue the order of the State. I am aware the law is violated in very many of our cities, but this argues nothing for its repeal—the same may be said as regards the law against burglary, and other graver crimes, yet none desire their modification. Whatever failure has attended it, is largely due to the apathy of its original champions, who, while stentorionic in demand for its enactment, have been noticeably quiet in aiding its enforcement. They have said: "It is now the law, and let the public officers see to it;" many of the self-elected legal luminaries refusing to prosecute for violations, for fear they might lose a client, or unless a generous fee was paid or secured. Penal statutes are never self-enforcing, but must depend upon individual effort, as well as a quickened and approving public conscience. It will not do to say that the procurers of a law have sole responsibility for its success, although they should be active in this respect. Whatever the law, it belongs to all alike. Singularly enough, the law for the suppression of the liquor traffic has had to contend not only against the vigorous onslaught of its enemies, but as well the apologies of its hypocritical friends, whose cowardly acts have really been more deadly in character. And yet, struggling with all these elements, the law has sustained itself. I am persuaded there is less of liquor

drinking in Iowa than previously—less of suffering resultant from the traffic—less of crime, which outgrows its sale and use, and therefore more of public and private good—all this should stimulate its better enforcement. After quite thorough and patient investigation, I am satisfied the law is very generally observed throughout the State, and has more of intelligent public endorsement than when enacted two years ago. It must be continued, therefore, and as far as reasonably possible, made more rigorous.

I call your particular attention to the “boot-leg” vending indulged in in some localities, which is the meanest of practices. There can be no possible defense to this kind of selling, and I trust its punishment will be severe, as its cowardice and villainy deserves. The suggestion has been variously made, that in order to more certainly enforce the law, the police authorities of city and county should have appointment direct from the Governor, instead of as now provided. A proper reflection will satisfy you of the impracticability of such proposition. A better plan would be to make it the special duty of all peace officers to file informations whenever they had reasonable cause to believe the law was being violated; and to further provide that all fines when collected shall be divided equally between the informer and the school fund, and that a reasonable fee for the benefit of the prosecuting attorney, be taxed as a part of the costs. I also recommend amendment to the law permitting sales of liquors for mechanical, medicinal, culinary and sacramental purposes, so that the purchaser must sign a written application, stating particularly the purpose for which he needs the same, and if for illness, the disability from which he is suffering; which application shall be filed by the druggist, and be subject to examination by any magistrate, the county attorney and grand jury, and that a false statement shall be punishable as for a forgery. The law should further provide that any peace officer failing in his duties herein, may be presented therefor to the district court, by information by the county attorney and on conviction it should operate as a removal from office. With these additional remedies and penalties, new vigor would be given the law, which would have beneficial result.

THE JUDICIARY.

I have received very many suggestions relative to increasing the efficiency of our judiciary, and in decreasing the expenses to litigants and people, and also insuring the more prompt administration of the law. This subject has engrossed much of public attention during the past few years, and certainly merits grave consideration. The administration of the law in punishment of offenders, and the settlement of civil causes, should be made as prompt and inexpensive as possible. To this end, I have favored a constitutional convention, in order that this important matter might be more thoroughly discussed, and from every standpoint, and believe it the wise method; for aside from the judicial embarrassments, various other subjects of great importance, need public consideration. In the absence of such provision, I suggest the following, by way of improvement our present system: That the circuit courts be abolished, and the number of

district courts increased, either by creation of new districts, or the addition of a sufficient number of judges, that the business thereof may be disposed of without delay. To amend the law, and make the trial jury consist of six persons instead of twelve, and that the jury list for each term comprise twelve jurors, instead of as now required. The present law permits the defendant in criminal causes to have twice the number of peremptory challenges to the jury than is allowed the State. I don't believe this is in furtherance of justice, and recommend it be made the same to each party. I am decidedly of opinion, that when a manifestly incompetent or improper man is summoned on the jury the court should have power to excuse him, on its own motion. This authority should be extended to grand, as well as petit jurors. As I understand the law, the State must also furnish the defendant a list of the witnesses for the prosecution, together with an abstract of the evidence to be introduced. No such requirement is made as to the defendant, and it seems to me that the State is placed at great disadvantage thereby. I cannot see why this should be continued.

A county court should be established, which should have jurisdiction in all civil cases when the amount involved does not exceed five hundred dollars, and exclusive jurisdiction in all probate matters.

It should have cognizance also of all alleged misdemeanors, and all appeals, civil and criminal, from justice courts. There should be four terms of this court each year, two of which should be attended by a petit jury. The probate business of the State is very large and important, and in the nature of things needs prompt attention. The above well provides for its despatch.

It will be necessary also, for you to define the duties and fix the responsibilities of the new county attorney. Aside from his duties before the grand jury, and in prosecuting indictments found, he should have general control of all criminal actions in the county. I believe he should also be empowered to commence prosecutions for misdemeanors, by information officially filed with the clerk, who should immediately issue a warrant thereon. This would save the expense of a preliminary examination before a magistrate. Whether or not private individuals should be authorized to begin prosecutions for violations of the law, without written authority from the county attorney, unless a bond be given for the preliminary costs, I submit for your decision. Undoubtedly a large proportion of criminal actions are commenced for revenge, and personal malice, with no thought for public good. If such a provision as above was required it would certainly reduce the criminal expenses of the county, and if the county attorney was a proper officer, would make more certain, rather than hinder, the punishment of offenders. The proper compensation of county attorneys is also a matter of importance. I incline to the opinion, that a reasonable salary should be fixed, and that in addition, he should be allowed a per centum of all fines and forfeitures actually collected, the minimum of salary to be fixed by law, proportionate to the population of the county, and the per centum of fines determined by the board of supervisors.

I believe, if some such amendments were made to our code, it

would result in large saving to the people, both as tax-payers and litigants.

THE INSANE.

The last two years have witnessed a marked betterment of the public situation, relative to the care of the insane, both as regards the capacity of the hospitals, and the facilities for their proper care—and I am glad in the fact that the percentage of recoveries is increasing in proportion as these facilities are extended. It thus appears, therefore, that the humane efforts in their behalf have been crowned with success, which is cause for general congratulation. Although the capacity of the hospitals is not yet sufficient, the number of insane, resident in the State, not having the advantage of proper hospital care being variously estimated from 1,500 to 1,800, we are making progress in that direction, and I trust the day is not far distant when all this most unfortunate class of our fellow beings can have the treatment which common justice requires. With the increase of population follows additions to the number of insane, and correspondingly the duty of the State in their behalf—and it is a duty from which we cannot shrink. The report of the trustees and the superintendent of

THE MT. PLEASANT HOSPITAL

is a very full statement of the condition at that hospital, which I can fully endorse from the standpoint of personal knowledge. The trustees give personal attention to their duties, and the Superintendent, Dr. H. A. Gilman, a most accomplished gentleman, and a physician of large experience in the care of the insane, have worked together in successful management of this institution, until it ranks the highest. The administration has been one of complete success.

The appropriation for an additional wing for the accommodation of male patients has been expended, and the old wards relieved their crowded condition, which has already resulted to permanent benefit of the patients. The number assigned to each ward is less than before, and as a consequence the proportion of real cures has advanced. The male patients are in better condition, physical and mental, than ever before, and the chances of recovery have largely increased. This wing is much better constructed than the original buildings—a fact fully attesting the vigilant care of the Superintendent, Dr. Gilman, under whose immediate supervision the work was done. Special attention has been given to secure proper ventilation, and as well security against fire, and altogether the work is very complete. I am very much pleased with the results. In the construction, Dr. Gilman has utilized quite largely the better class of the male patients, which has contributed to lessen the cost of the work, which may be truly said to have been one of exceptional economy, and for which he deserves special thanks. He has proven himself of rare executive ability.

The trustees now desire that a corresponding improvement be made for the female patients. It is a fact that these wards are

crowded to greatest capacity, and the necessity for enlargement is pressing. I have looked into this matter very carefully, and do not hesitate to recommend the appropriation for this purpose; it is absolutely needed. With that addition, the original design will have been fully completed and the Hospital at Mt. Pleasant properly equipped.

The same is substantially true of

THE INDEPENDENCE HOSPITAL

which has been doing a noble work. The number of insane under treatment has increased during the biennial period from 580 to 694, and as a consequence the Hospital is now crowded. The trustees recommend appropriations in the sum of \$53,200 for the various purposes set out in their report, in the most of which I cordially concur, as being really necessary to the Hospital, and should be furnished them. I concur also in the suggestions of the trustees of both hospitals, that the expenses of the visiting committee should not be charged to the Hospital fund, but payable from the State treasury. The State is fortunate indeed in the management of its hospitals, which challenge the admiration of all who are acquainted therewith. As will be seen by careful examination of the reports, the mortality has been remarkably low, and the general health of the patients been excellent, while the recoveries have been proportionately greater than ever before. I invite your special attention to both reports, and commend them for their clear and comprehensive showing. No one can help being convinced the necessities which compass these institutions, and I trust the amounts asked will be promptly granted them.

THE STATE UNIVERSITY.

The people of the State have always evinced a considerable degree of interest in the success of the State University, which of late years has amounted to quite an enthusiasm. This is but the natural result of better acquaintance with the work of the institution, which to say the least, is a matter of pride to those who have been responsible for its management. There is no mistake the Iowa State University has attained exalted rank among the higher educational institutions of the country, and may be safely compared to that of any other of the States. The University in all its departments, literary, scientific, law, and medical, has been a powerful agency in the direction of general public education, by direct influence of its numerous graduates who are settled in all parts of the State, and therefore merits a continuance of the public confidence. In order to yet further enlargement of its usefulness, the regents desire increase of its endowment fund, so that in the near future no special appropriations need be necessary for its support; and at a late meeting the board determined to recommend the levy of a special tax, not exceeding one-eighth of a mill annually, until such time as the fund thus created would yield an income sufficient for the purposes of the University.

I am of opinion that if the State intends to maintain such an insti-

tution at all, it should be done in a manner creditable to the dignity of the State, and inasmuch as the sum asked is indeed moderate, I favor its allowance. The regents also desire an appropriation of \$22,000 to pay off present deficiencies, and \$20,000 to meet the current expenses for the fiscal year, and also \$25,000 with which to build a clinical amphitheater and for the equipment of the dental department—a total of \$67,000. With these sums the regents believe it will not be necessary to again solicit special appropriations, but that with the future permanent revenues the University will be able to support itself and accomplish its expected work.

THE BENEDICT HOME.

The Twentieth General Assembly appropriated five thousand dollars for the enlargement and support of a Reformatory for fallen women, which had been established at the capital through the efforts of the Christian women of the State. The money has been expended under the general approval of the Executive Council, and I think wisely, in furtherance of the objects of the Home, which are fully set out in the report of the trustees, which I now submit. I have also been at some pains to learn the facts relative to this institution, with a view to your information; and I take pleasure in expressing the conviction that it is accomplishing a grand and necessary work in the reformation of those who are more "sinned against than sinning," which deserves the encouragement of the State. The result so far has certainly been gratifying. The ladies who are responsible for the management of this Home are well known as among the noblest in the State, who are devoting themselves to its maintenance, and that, too, without pecuniary reward. I commend their desires to your favorable consideration, and recommend the small sum asked for improvements, together with an annual appropriation of five thousand dollars be granted them. The State can well afford such donation.

THE COLLEGE FOR THE BLIND.

An examination of the reports relating to the College for the Blind shows a marked improvement in its condition. One hundred and ninety-seven pupils have been enrolled during the biennial period—an increase of fifty-six over the previous term—of which one hundred and fifty-one remained at the close of the term, June 10, 1885. The personnel of the pupils is constantly changing, for at graduation in either of the departments, they permanently retire from the Institution. There were eight graduates for the term, and their scholarship was superior. It is a matter of continuing surprise to me, that out of the many hundreds blind people in the State so few seek the advantages offered at this College. The admissions for the two years were seventy-three, of which number fifty seven were under the age of twenty years. The new pupils for the previous period were but fifty. The health of the pupils has been excellent. None have died, and no cases of serious illness have been reported. The trustees and faculty are encouraged, therefore, to still further enlargement of the work of the College; for, with better attendance, which could easily be secured,

and to which vigorous effort ought to be made throughout the State, especially for those under the age of twenty years, its usefulness would be more apparent. I commend to your careful study the interesting report of Superintendent McCune, which details the purposes and work of the College. No like institution in the United States makes a more satisfactory exhibit, and this College merits, as it has ever received, the warm encouragement of the people of the State.

The trustees direct your attention to some needed repairs and improvements, and after a personal investigation into the condition of things there, I earnestly indorse their statement. There can be no doubt the wooden stairways should all be removed and iron ones substituted. This should be done in all public institutions, especially where, as in this College, the inmates are blind, and thus denied the principal assistance necessary in case of accident. The methods of escape should be made as indestructible as possible.

I have also noticed that the only means of lighting the building is by common kerosene lamps, which are not only clumsy but extremely dangerous. Everything of this character should be removed from such an institution and the whole made as absolutely safe as possible. With few exceptions, all the occupants of this College are blind people, and therefore the necessity of greater care in all their surroundings. Should an accident occur, by fire or otherwise, whereby lives were lost, the State could hardly excuse itself for its neglect in these important particulars. I earnestly recommend the appropriations asked by the trustees in the needed repairs mentioned, but also for furnishing electric lights throughout the building.

To recapitulate, viz.:

Repairs to roof and floors.....	\$	18,200
For two additional cisterns.....		600
For boiler and fixtures.....		1,800
For general repairs....		3,000
For beds and bedding.....		2,000
For library.....		1,000

The work being accomplished at

THE INSTITUTION FOR THE DEAF AND DUMB

merits commendation. The pupils are making rapid progress in their studies, which is the best evidence of the devotion and labor of their teachers, and altogether, both to pupils and teachers, great praise is due for the zeal manifested. The purposes for which the institution was founded have been fully observed on the part of the trustees, who, by constant and particular care, have succeeded in making the Iowa School one of the best in the Union. The general health of the pupils has been excellent, and at the date of my last inspection, a few weeks ago, there was not a case of serious illness, out of a total attendance of two hundred and sixty—a fact which speaks loudly the care being exercised by the officers in charge.

The special appropriations made by the Twentieth General Assembly have been expended for their specific purposes, as shown in the report of the trustees. The new buildings are well adapted to the

uses intended, and through them the comforts and possibilities of the school vastly increased.

The appropriations now asked at your hands are all needed, and should be made cheerfully; especially do I urge the appropriations for a new kitchen and additional shop room. The present kitchen is in the basement of the principal building, in which also are the offices and reception rooms and all the sleeping apartments. It is impossible to shut out from the main and upper stories the kitchen odors, which are often quite offensive, and, therefore, for sanitary and prudential reasons there is necessity for immediate removal.

I also mention an appropriation for new heating boilers, which I think are of urgent necessity. The main building is entirely dependent upon two small boilers for the heat furnished it, which taxes their utmost capacity. Should any accident happen either, it would be impossible to sufficiently warm the building. I think there should be two other boilers furnished for reserve purposes. The expense for suitable ones, all ready for use, will not exceed two thousand dollars, and I earnestly recommend it.

THE FEEBLE-MINDED INSTITUTION.

I am much pleased with the report of the trustees and superintendent of this institution. Necessity exists for further appropriations, which are set out in detail in these reports, and from a personal examination of the situation I am of opinion should be granted. This is one of the cares of the State, which is destined to grow in interest and importance, and appeals strongly to our sense of duty. It relates to a class of people who need the most earnest sympathy of the public, and while our efforts in their behalf should not be extravagant, let it never be said we withheld that which is necessary to their comfort. The work being accomplished in the way of the mental improvement of the inmates is patent to every observer, and is very gratifying. The discipline at the institution is all that could be expected, and the reasonable rules enforced for its government reflect credit to all concerned. The superintendent and his corps of assistants are enthusiastically devoted to their work, and I strongly commend them their pains-taking labors. At the date of the report, July 1st last, there were applications on file for admissions of new pupils to the number of one hundred and forty-five, which could not be granted because of want of room. The subsequent applications received are thirty-four, making an aggregate of one hundred and seventy-nine which must await the completion of the buildings now in process of construction. When these are done, and they are of immediate need, the capacity of the institution will be greatly increased, and it will enter upon a career of usefulness alike creditable to the State and its efficient management. I regard it as one of the best conducted of our public institutions.

THE INDUSTRIAL SCHOOLS.

As was expected would follow the enlargement of the industrial schools, there has been an increased attendance of children—the

whole number in both departments being three hundred and ninety at the date of the report, June 30, 1885, an increase of sixty-six during the term. The report of the trustees shows the improvements which have been made, all of which, so far as I have been able to judge, are of substantial and creditable character. The discipline has been maintained, and that without resort to extreme measures, the general health has been excellent, and altogether, these schools are in prime condition. Some additional funds are needed to further the general purposes for which the schools are established, which are fully set out in the report, which I trust will receive your careful attention. I am persuaded these schools are really accomplishing a good work in the reformation of those committed thereto; and while there are some exceptions which may end in permanent failure, yet on the whole, judging from results already known, the investment is a paying one, and deserves the fostering care of the State. If even a bare majority are reclaimed to virtuous and industrious lives we should be encouraged to persevere in the work.

While the system of moderate manual labor pursued at these schools, especially that on the farm connected with the boys' department at Eldora, is a valuable adjunct to proper discipline and physical betterment, I am decidedly of the opinion that the chief attention should be given to the proper mental development, so that when discharge occurs, those going out may be able to secure ready and remunerative employment, and not liable through ignorance and discouragement of being easily led astray; and I am glad to believe the officers and trustees attach high importance to this subject. The children should be taught equally with others who have the advantages of our free public schools. It tends to their protection in the future, and altogether promises best returns for the labor bestowed.

THE NEW HOSPITAL FOR THE INSANE

at Clarinda is progressing as rapidly as the most anxious could wish, and already a considerable portion is under roof. The site is as beautiful as can be found in the State; and being susceptible of perfect drainage, and having abundant water supply at little cost, and the whole tract of five hundred and thirteen acres being of richest quality of soil, it makes up one of the choicest spots imaginable. The buildings themselves are of approved modern designs, being the cottage system as ordered by the General Assembly, and in their solidity and taste evidence the care and skill both of architect and commissioners. In order to the early use of a portion of the hospital, I earnestly recommend the appropriations suggested in the report of the commissioners, and especially that for the erection of the kitchens and laundry, which are indispensable.

The Commission consists of Messrs. George B. Van Saun, of Black Hawk county; E. J. Hartshorn, of Palo Alto county, and J. D. M. Hamilton, of Lee county, appointed from among the best and experienced men in the State, who are in my judgment doing a work which will bear most critical inspection. I respectfully ask your examination of their report, which fully exhibits the plans and progress made.

I submit, with great satisfaction, the report of the

VISITING COMMITTEE TO THE INSANE HOSPITALS.

It is a fine tribute to the good and humane management of our Hospitals, which will be appreciated by the people of the State. The committee is made up of Dr. S. B. Olney, of Fort Dodge, Mrs. L. S. Kincaid, of Muscatine, and L. C. Mechem, Esq., of Centerville, who have been diligent in the discharge of their responsible duties. I commend their views to your serious consideration.

That the number of insane is constantly and rapidly increasing, is a fact which needs no special proofs to your conviction. The State has a solemn duty in this regard, not merely to the protection of the public, but as well to the amelioration of the condition of those thus afflicted, and any reasonable expenditure necessary to these ends will receive the cordial approval of the people. Whether or not the time has yet come for the establishment of an additional hospital in the northwestern part of the State is a question for the General Assembly to decide. For myself, I incline to the opinion that an early completion of the Clarinda Hospital will suffice for several years yet to come.

The suggestion of the committee, that a fund should be placed at disposal of the hospital authorities, for the special purpose of returning to their own States the non-resident patients who are sometimes purposely shipped here, meets my earnest approval.

The first report of the

BUREAU OF LABOR STATISTICS

is submitted to your consideration, and will repay critical examination. That it is complete in its every detail will be apparent to the most casual observer. The Bureau was largely an experiment, having been established by your immediate predecessors, but in its brief existence has proven its value to the people and established itself as quite a necessity to the government, in order to a clearer understanding of the public situation and needs. There has been a very general demand for the report, which is as complimentary to the Bureau, as evincing the desire of the people for better information touching the labor question. That the value of such knowledge is widely appreciated, is found in the fact that Congress has established such a Bureau for the Federal Government, and fourteen of the States besides our own, already have them in successful operation. At the late National Convention there was a full attendance of the commissioners, and the proceedings were of the most interesting character. The discussions took a wide range, and the papers submitted, devoid of cheap clap-trap, evidence a degree of care in preparation which will have beneficial influence throughout the country. We need to make better provisions for the necessary expense of this Bureau if we would not cripple its usefulness. The last General Assembly appropriated no definite sum beyond the salary of the commissioner, and necessarily investigations have been curtailed, and the results so far only what he has been able to accomplish by individual effort. An allowance should be made for clerical help, the same as with other officers, and for other necessary expenditures incident to the work. With

such assistance, and with such a vast field for research opened before him, the permanent value of this department will be thoroughly demonstrated.

THE COAL MINES.

The mining interest, which engages so many thousands of our people, and which has become of vast importance, merits the considerate attention of the law-making power, to the end that whatever is necessary to insure safety to the operatives shall not be overlooked. The number of mines is largely more than at any previous time, while the employes have increased in even greater ratio—and comprising those of both sexes, minors as well as adults, very properly engrosses much of public concern. The peculiar nature of the business—the danger to life, and limb, and health, which constantly envelopes those engaged, compels most careful study to its proper understanding; and any facts relative to the general subject are eagerly sought. I am glad to refer you to the report of the State Inspector, which contains detailed information relative to the magnitude of this interest, which will be appreciated. It has now become of such proportions that no single individual can give it that thorough supervision its importance demands, and, therefore, after full investigation of the general situation, I am convinced that additional inspectors must be appointed. I recommend the State be divided into three inspection districts, with an independent inspector resident in each district who shall be appointed by the Governor subject to the confirmation of the Senate—and each of whom shall biennially report to him. I also recommend that each inspector shall be required to quarterly personally inspect every mine in his district, and oftener if ordered by the Governor; and whenever his suggestions as to ventilations and escapes are not observed, then on appeal to the Governor, the Attorney-General shall be directed to compel compliance. Each inspector should also be required to report monthly to the Commissioner of Labor Statistics, any casualties which occur in his district, which shall be made the subject of prompt investigation by the Commissioner, who shall report his findings to the Governor. The law should further require the removal of the inspector, in case he is careless in his duty. I know no other way to secure protection to those employed in these numerous mines, and earnestly urge your prompt action in the matter.

The dissertation on the subject of labor, contained in the report, while undoubtedly an able presentation of the subject, given as it was by Hon. Stephen B. Elkins in an address to the graduating class of the Missouri State University, is hardly proper material in this report. Every person has his own ideas of such questions, and may inflict them upon the public whenever he has opportunity—but to attempt now to commit the State to any special theory, ought not and can not succeed. The better course is the least official interference, leaving this and kindred questions to arbitrament between employes and employers.

The third biennial report of

THE COMMISSIONERS OF PHARMACY,

now submitted, possesses special interest because certain decisions of the Supreme Court, construing the law, are set out in full, and with the opinions of the Attorney-General and the Commissioners themselves, will engage your serious attention. Whether or not the law needs amendment in order to the better protection of the people will be for you to determine. Good has already been accomplished, in that specially educated persons are compounding our medicines, and we are safer the danger of fatal mistakes, which, despite utmost care, will sometimes occur. The Commission is made up of men who are brave enough to enforce the law, however rigid it may be, and we all agree too much care is impossible. Especially do I call your attention to the facts stated by the Commissioners in the report relative to the procuring of liquor "permits." These opinions are shared by the entire profession in the State, and largely also by others who have studied the subject, and as such are entitled to careful consideration at your hands.

THE FISH COMMISSION.

The report of the Fish Commissioner and his assistant have also been presented you. The appropriation for the last biennial appropriation term, exclusive of salaries, was five thousand six hundred dollars. Of this there had been expended up to December 30, 1885, the sum of \$4,608.80, leaving \$991.40 yet to be drawn upon or before the expiration of the appropriation year, viz., April 1, 1886.

The expenses for the fiscal term, June 30, 1883, to June 30, 1885, as shown by the reports, were \$4,944.26, which is additional to the salaries of the Commissioner of \$2,400, and the Assistant Commissioner of \$1,200, and the rental paid for the Spirit Lake hatchery of \$600, thus making a grand total of \$9,144.26.

I cannot recommend the continuance of this appropriation. I do not believe the beneficial effects are appreciable to the State, and whilst I do not doubt the present Commissioners have done the best they could in the performance of their duties, and as well as possible by any officers, I am yet of opinion the whole matter is valueless to the State at large, and the expense should not longer be endured.

THE NATIONAL GUARD.

I am glad to be able to assure you that the hopes generally entertained for the improvement and permanence of our national guard have been fully justified, and the guard is now in better condition both as to proficiency in drill and morale, than ever before. The companies are made up from among the very best young men in the State, and having a just pride in the organization, and an enthusiasm which has carried it through to its present success, it is not strange the guard has firmly established itself in public confidence. I congratulate the entire command, officers and men alike, upon their courage and efficiency, which have won the good name universally conceded

them, and trust that higher honors, the certain resultant their unselfish labors are yet awaiting them.

The report of Adjutant-General Alexander makes full exhibit of the details of the organization, and merits your careful examination. Especially do I ask an increase of allowance for armory rents, which should be double at least. The State ought to pay all necessary expenses of the guard, so long as the members devote most of their time without compensation, and must also advance money from their private funds for its legitimate purposes. Knowing so well the devotion and unselfishness of officers and men, I cannot too strongly urge the claims of the Iowa National Guard upon your favorable consideration.

The report of the

STATE BOARD OF HEALTH

being the third of the series, presents a mass of information relative to the sanitary condition of the State, which will be found highly interesting. The cost of maintaining the Board is trifling, whilst the advantages to the State are beyond computation. It is recognized authority in all health matters, and justly so, because of the high professional standing of its members, but is yet unable to that usefulness which naturally belongs to it, because of inability to enforce its rulings. In order to its better service to the State, I recommend, in cases where its suggestions are refused by local boards, or defied by individuals, that on presentation of facts by the Board, it shall be the duty of the county attorney of the proper county to institute legal proceedings to compel obedience to the Board requirements. Violations of the rules of the State Board should be made a misdemeanor. The Board makes several recommendations relative to changes in the law which are worthy of your careful attention. The Board has done a good work and merits general commendation.

The report of the

STATE LAND OFFICE

exhibits the operations of that bureau during the biennial period, and gives descriptions of all the lands for which patents have been issued. Various questions have been presented relative to the several grants from the general government, requiring decision by the State authorities. These are expressed in the report, and in so far as the concurrence of the General Assembly is necessary, the same is respectfully asked.

The report shows that 64,647.83 acres of the original school land grants are yet unsold, and that 158,645.94 acres are not yet patented—thus nearly 100,000 acres sold but not patented. I am persuaded that in a majority of these cases, the contracts have been paid out, but through the negligence of the purchasers the certificates of final payment have not been forwarded. In cases where the contract has been past due for the space of five years, and interest unpaid, there should be prompt foreclosure.

With reference to the unsold lands, I am in favor as a general

proposition, of immediate sale, in order to the conversion of the assets into interest-bearing securities. Nothing is to be gained by holding these lands for better prices—we are the loser through deficit of interest accumulations.

The affairs of the office are in most competent hands, Hon. John M. Davis having been in charge as Deputy Register and chief clerk for the last twenty years, and its business receives prompt attention.

THE STATE LIBRARY.

The report of the State Librarian shows in detail the law additions to the Library during the biennial period, and includes also a large number of important literary publications, which have been secured through the Librarian. In truth, I am glad to bear testimony to the faithful labors of Mrs. Maxwell, who has been constant in attendance and unremitting in effort to advance the interest of the Iowa State Library, until it has become one of the first in the Union. It is now sought after more than ever before, because of its completeness, and makes necessary additional assistance to its proper care. I cordially endorse the recommendation of the Librarian for a continuance of the last annual appropriation for the services of assistants, which I consider both reasonable and necessary.

The report of

THE STATE OIL INSPECTOR

makes a comprehensive showing of the work of his office since the taking effect of the law. That there have been some complaints is not surprising, for that would follow the execution of any new and radical statute; but on the whole, I am constrained to believe the law has been well executed. I would suggest in the way of improvement, that a deputy be required in each congressional district. I approve the suggestion of the Inspector, that one half the fine imposed for violations of the law be paid to the informer, and the residue to the county school fund. The report shows wherein the Inspector believes the law can be improved upon, and I submit his suggestions to your your consideration.

STATE VETERINARIAN.

One of the wisest measures adopted by the Twentieth General Assembly was that providing for the appointment of a State Veterinary Surgeon. I was fortunate in the selection of Prof. M. Stalker, of the Agricultural College, who has been a most faithful and competent officer. The demands for his services have been frequent and from all parts of the State, and I am glad to report his complete success in protecting our valuable stock interests from serious contagions. The people have both cheerfully and promptly seconded all his efforts, and the results of his labors, with those of his assistants, Dr. Milnes of Cedar Rapids, and Dr. Nicholson of Sac county, are very gratifying.

The report submitted on June 30, 1885, is interesting and contains

a vast amount of information relative to the disease of domestic animals which will prove of immense practical value to the whole people.

Although the report covers a period of but fourteen months, the amount of work accomplished is really astonishing, and the beneficial result far beyond computation. The suggestions of the report, coming from so experienced a source, and having reference to so valuable an interest, estimated as exceeding one hundred and fifty millions of dollars, should receive your earnest thought.

Early the past year I established a rigid quarantine against most of the older States prohibiting the importation of neat cattle, on account of the prevalence of pleuro-pneumonia in malignant form. This quarantine is yet maintained, except as to a very few States, where revoked on the advice of Prof. Stalker—and as a consequence, we have been saved the evil effects of this contagion.

AGRICULTURAL.

The agricultural interests of Iowa are undoubtedly greater than any other, and have most largely contributed to our high standing in the sisterhood of States. Only about one-third of our territory is under actual cultivation, and yet Iowa ranks among the very first in agricultural products, and undoubtedly the first in agricultural probabilities. I notice, and with pride, that only one other State in the Union has a cattle valuation equal to our own—and when it is remembered that is territorially nearly three times as large, the comparison is to our advantage, and justifies me in the declaration, that all things considered, Iowa is entitled to the first place in the column. That this is largely due to the work of the State Agricultural Society, needs no argument at my hands. Our State fairs have become the great attraction, not only to our own people, but largely to the citizens of other States; and now that the fair has a permanent abiding place, cannot but increase in usefulness, and become the pride of all the people.

The amount appropriated by the last General Assembly, supplemented by a like sum contributed by public spirited citizens, has been expended in the purchase and improvement of suitable permanent grounds near the city of Des Moines, for the use of the Society, in accordance with the law. These grounds comprise 266 acres, and are admirably located, both as respects accessibility to visitors, and convenience to exhibitors. An additional sum should be appropriated to enable the officers to fit up these grounds in a manner becoming this great State, and make such permanent improvements as are necessary to the success of its fairs. The Society estimates an expenditure of fifty thousand dollars will be required for this purpose, and inasmuch as all expenditures in this interest, are directly to the advantage of the State, I heartily concur in the suggestion, and recommend the appropriation. There ought not to be a dissent to the proposition.

THE DAIRY.

One of the most prominent industries of our people, which within

a few years has developed with marvelous rapidity, and given the State most enviable reputation, is the dairy interest. It now engages the business attention of a large proportion of our citizens, and in the importance and value of the product may be favorably compared with any other in magnitude. Naturally, and as is always true of any success, it has difficulties to encounter, one of the most serious of which is the work of the counterfeiters—for truth compels the statement, that men in our own midst are largely engaged in the business of adulterations, and the results of their works are sent out broadcast over the country, to the prejudice of honest labor, and danger to the public health. All sorts of vile compounds are sold in the market as genuine “creamery” product, which in fact were mixed in slaughter houses, or worse yet, some filthy cellar store house. Whether or not it possible to prevent the manufacture of butter imitations, is a question—but the law should severely punish the sale thereof; and I recommend amendment to the present statutes, with a view to more certain enforcement of their provisions, that one half the fine collected be paid the informer, and that a reasonable attorney’s fee, for the prosecuting attorney, be charged as a part of the costs. The provision punishing as forgery the false branding of the adulterated article, is a proper one, and I believe if inducement be offered as suggested, it would result in exposures and convictions.

This general subject is one of the most important which will engage you, and I bespeak for it your diligent examination.

THE LONDON EXHIBITION.

It is proposed to hold an American exhibition in London, England, during the present year, at which shall be made a display of the products and resources of the different American States. To secure action in the United States a national organization has been perfected, and invitations extended to the different States to participate in the exhibition. The Secretary, Hon. Jno. Gilmer Speed, of New York, advises me that the other States will be officially represented, and suggests early action by the appointment of a State Commissioner and proper appropriation to enable him to make a display worthy the reputation of the State. I have declined to make any appointment, or take any official action, but submit the whole case for such action as you may deem best.

THE NEW CAPITOL.

A few words only are necessary in this regard. The moneys appropriated by the Twentieth General Assembly have all been drawn and expended, and the work shows for itself the intelligent and painstaking care which has characterized it from the organization of the present Commission in 1872, and which has gained for it universal commendation. It is no doubt a fact that no other public building in the United States has been constructed with more rigid economy, and that when finished, now so near at hand, we may congratulate ourselves upon its completeness and elegance. The report of the Commissioners will be presented you in good time, showing in

detail and in aggregate all the expenditures up to the present year. Too much praise cannot be given the Commissioners, superintendents, and indeed all who have been engaged, for their faithful labors.

STATE IMPROVEMENT.

Your attention is also directed to the propriety of creating a State board of immigration, with a view to inducing an increase of settlement to the State. As is well known, we have large tracts of unoccupied lands, the most fertile in the world, the advantages of which in respect to schools and commercial facilities have only to be published to compel occupation; and it is a matter of public concern that none but the best class of settlers be invited hither. I believe this can be secured through the appointment of such board, and if a small appropriation be made, sufficient to defray actual expenses of correspondence and statistical publications, the result would be advantageous to the State.

U. S. COURT HOUSE AT KEOKUK.

At the last session of Congress an act was passed, which has been approved, appropriating funds for the building of a federal court house and post-office in the city of Keokuk—but the same are not available until the State of Iowa shall have ceded to the United States exclusive jurisdiction over the site to be selected therefor for all purposes, except the administration of the criminal laws of the State and the service of civil process therein. I recommend the passage of such an act.

WORLD'S EXPOSITION.

During the last winter a World's Exposition was in progress in the city of New Orleans, which was quite largely participated in by the people of Iowa, and from which the State retired with very creditable record. To meet the expense necessary to a State exhibit many public spirited citizens made contributions, trusting to a reimbursement at your hands. Inasmuch as all such costs should be borne by the State at large, I recommend an appropriation of the amount necessary, which is estimated will not exceed \$20,000, to be placed under the control of the Executive Council, with which to reimburse such proper expenditures as shall appear to them correct.

A SOLDIERS' HOME.

Twenty-five years have now elapsed since the close of the great civil war, undertaken upon our part for the preservation of the national integrity. Many of those who did heroic service for their country in its hour of need, were well nigh totally disabled in its service, and now with the weight of advancing years are unable longer to support themselves. I believe the State should make respectable provision for their maintenance. Let it not be said the a great and rich commonwealth like Iowa is forgetful of the obligations due its

citizen soldiery. We are proud of the fact that Iowa sent so large proportion—over one-tenth of its entire population—in the Union army, the casualties to which exceeded one-sixth the number, and again over one-fourth of whom lost their lives during the struggle, The State owes them a debt of everlasting gratitude, and to those of them who now need its assistance there should be no hesitation in granting it. I approve the suggestion for the establishment of a Soldier's Home. The number who would seek admission would not be large, but whether few or many, such benefit should be extended.

THE CONSTITUTIONAL CONVENTION.

Although at the election five years since the proposition to call a constitutional convention was negatived by a small majority, I believe a convention should now be provided for. The present constitution was adopted nearly thirty years ago; within that time the State has nearly quadrupled in population, and the general condition has greatly changed. Reform is demanded in our political system, so that elections be less frequent. There should be a reorganization of our judicial department, either by increase of courts or better division of their work, and thus avoid much of the expense and uncertainty and delay in the administration of the law. Other improvements will readily suggest themselves to the careful observer; and in as much as the thirty years will have fully elapsed ere a new constitution can be voted upon, I suggest to your consideration the necessity for action in this matter.

IN CONCLUSION.

I have thus called your attention to various subjects affecting the well being of the State, and the general good, which I believe should engage your earnest and patriotic consideration—and I have stated in plain language my own views thereof. Yours is a grave responsibility, but I have no fears it is properly appreciated, and your duties will be performed as becomes brave and intelligent men. Let it not be said the General Assembly failed its opportunities.

And now, in retiring from the high official position with which I have been honored, I desire to express my gratitude to the people of the State for the very general support and confidence which has been mine to experience, and to say, that whatever betide, I shall hold them in lasting remembrance. As heretofore, so in the hereafter, I devote myself ever and unreservedly to the service of Iowa, the grandest commonwealth in the federation.

BUREN R. SHERMAN.

Senator Donnan moved that the reading of the Governor's message be temporarily postponed.

Carried.

Senator Whaley offered the following resolution:

Resolved, That the Postmistress and the Assistant Postmistress, elected for the Twenty-first General Assembly, appear before the bar of the Senate and take the customary oath of office.

Adopted.

Senator Woolson moved that the Governor's message be now taken up.

Pending the reading of the message Senator Schmidt moved that further reading of the message be dispensed with and that it be received, placed on file and referred to proper committee.

Carried.

Senator Caldwell offered the following resolution:

Resolved by the Senate, the House concurring, That when this General Assembly adjourn on the 14th that it be until Tuesday the 26th inst., at 2 o'clock P. M.

Laid on table.

Misses Smith and Richards appeared at the bar of the Senate and took the oath of office of Postmistress and Assistant Postmistress of the General Assembly.

Senator Parrott offered the following resolution:

Resolved, That one of the additional Doorkeepers be detailed by the Sergeant-at-Arms to act under the direction of the Secretary of State in packing and shipping of documents for members of the Senate.

Senator Hutchison offered the following amendment:

"Provided that this Doorkeeper be paid same compensation as Doorkeeper and in no case to receive extra compensation."

Senator Donnan moved that the resolution be referred to committee of three.

Upon a rising vote the motion was lost.

Resolution as amended was adopted.

Senator Woolson moved that the Senate adjourn to 1:45 P. M.

Carried.

AFTERNOON SESSION.

1:45 O'CLOCK P. M.

The Senate was convened at 1:45 P. M. by the Secretary of the Senate calling Senator Poyneer to the Chair.

The Chair announced that the President *pro tempore* was unavoidably detained and sent the request that he might be excused.

He was excused.

INTRODUCTION OF BILLS.

By Senator Dodge, Senate File No. 6, a bill for an act to prohibit the employment of children under fifteen years of age in mines, factories and workshops.

Read a first and second time and referred to the Committee on Labor when such committee shall be appointed.

By Senator Wolfe, Senate File No. 7, a bill for an act to repeal sec. 3909 and to enact a substitute.

Read a first and second time and referred to the Committee on Judiciary, when such committee shall be appointed.

By Senator Carson, Senate File No. 8, a bill for an act to require swine having died of cholera to be either buried or burned upon the premises and to provide penalties for failure to comply with the provisions of this act.

Read a first and second time and referred to the Committee on Agriculture when such committee shall be appointed.

By Senator Carson, Senate File No. 9, a bill for an act to amend chapter 1 of title 17 of the Code relating to actions on judgments rendered in this State.

Read a first and second time and referred to the Committee on Judiciary when such committee shall be appointed.

By Senator Miles, Senate File No. 10, a bill for an act repealing sections 231, 4256 and 4291 of Code, and enacting a substitute therefor relating to the grand jury and reducing the number of grand jurors.

Read a first and second time and referred to the Committee on the Judiciary when such committee shall be appointed.

By Senator Chubb, Senate File No. 11, a bill for an act for the restoration and preservation of government land corners.

Read a first and second time and referred to the Committee on Public Lands when such committee shall be appointed.

Senator Robinson moved that the Senate proceed to meet the House of Representatives in joint convention, and that the Sergeant-at-Arms ascertain whether the inaugural procession was ready.

Carried.

A message from the House was received, informing the Senate that the House was ready to go into joint convention.

Senator Wilkin moved that the chair inform the messenger of the House that the Senate will meet the House at once.

Carried.

Senator Clark moved to proceed to meet the House.

Carried.

The Senate then proceeded in a body to meet the House.

JOINT CONVENTION.

The joint convention assembled in the Hall of the House of Representatives at 2:30 o'clock p. m., and was called to order by President *pro tem.* Sweney.

Music by the band.

Prayer by Rev. Dr. Stewart, of Des Moines.

The oath of office was then administered to the Governor elect, William Larrabee, and Lieutenant-Governor elect, John A. T. Hull, by Justice Joseph R. Reed, of the Supreme Court of Iowa.

The President introduced Governor William Larrabee who delivered the following Inaugural Address.

FELLOW CITIZENS:

With gratitude to the people of the State for the confidence which they reposed in me by committing to my charge their highest trust, and with a deep sense of the great responsibility that I assume in accepting it, I invoke the blessing of Almighty God and the support of all good citizens of this commonwealth, to aid me in the proper discharge of the duties of my office.

We have every reason to rejoice over the continued prosperity of our people and the healthy condition of our state affairs, and it behooves me here to acknowledge the great obligations under which we are placed to our worthy retiring Executive for his devotion to duty and his unremitting exertions to promote the welfare of the people.

Our ancestors, the early settlers of the colonies, keenly realizing the oppressive intolerance of their native government, and deeply imbued with the spirit of opposition to its iniquitous and even vicious customs, left their mother country and established here a body politic upon the basis of justice, equality and self-government.

There is, by the law of nature, an intimate relation between the policies and fates of governments. Tyranny and wrong inevitably lead to suffering and decay, while moderation and right lead to happiness and prosperity. Any nation disregarding the eternal rule of justice will sooner or later pay the penalty for the transgression; and the longer the delay in correcting the evil, the severer will be the judgment. Our own nation has proved no exception to this law. The wisest among the founders of our government well realized the enormity of the evils resulting from the institution of slavery, yet, moved by an extreme desire to obtain "a more perfect union,"—they consented to perpetuate, or rather failed to eradicate, an evil which the moral sense of the majority condemned as a crying sin against humanity. For over eighty years the existence of slavery on American soil belied the proudest passage of our great charter of rights, until Abraham Lincoln's Emancipation Proclamation and the War of the Rebellion freed the most sacred document of American liberty from the charge of being a mockery. Brilliant as were the deeds of our noble sons during the struggle for the preservation of the Union and the recognition of human rights, it took four long years to destroy a system which for a century we had nurtured.

AN HONEST BALLOT.

Yet our political mission was not ended with the abolishment of slavery. In compliance with the principles of political equality, as announced by our fathers in the Declaration of Independence, it became necessary to endow over four millions of freedmen, under the protection of our fundamental law, with all the rights of American citizens. It is therefore a duty which we owe to ourselves as well as to the cause of justice, to secure to them the full enjoyment of those rights, and especially the right to cast an honest ballot and to have it honestly counted.

Many of the freedmen in the States which rose in rebellion are debarred from the exercise of this franchise. An election there is

too often but a farce, and a fraud practiced upon the ignorant and helpless. The declared result of such an election is only the will of those people who twenty-five years ago forced their States into secession, and who still maintain the right to govern, regardless of the will of the majority. The spirit that prompts and encourages the continuance of this evil is the same that demanded its perpetuation and fostered its growth; and it is a question for this generation to determine whether such a spirit shall be permitted to dominate, or whether the principles of a truly republican government shall prevail.

The fifteenth amendment to our National Constitution leaves no doubt as to the right of the Federal Government to employ such measures as may be necessary to remove this cancer from the vitals of our political system. The people of Iowa are as much interested in the correction of these abuses as they are in the correction of acts of injustice committed within their own borders.

We should not permit the State Rights heresy to again obtain control of our national government. All frauds upon the freedom and purity of the ballot-box, whether committed at the dictation of the slave barons in South Carolina and Mississippi, by the aid of eminent jurists and statemen in Delaware, or by the cunning of the political brigands of Chicago and Cincinnati, concerns us equally in Iowa, and will continue to concern us until this flagrant wrong is righted.

Let no one be blinded by party prejudice. There is no more important question pressing upon the public mind at the present time; and all patriotic citizens should unite in the demand that these outrages upon the rights of millions of freemen shall cease.

The successful attempts to defile the purity of the ballot-box elsewhere already appear to exert their influence in our own State, for indications of illegitimate voting are by no means wanting in our larger cities, and appear to demand a revision of our election laws.

AMERICAN POLICY OF PROTECTION.

The policy of protection to American labor and industries was uppermost in the minds of the fathers of our republic. This is attested by the fact that the second bill enacted into law under our National Constitution was for the raising of revenue and "for the encouragement and protection of manufactures." Adherence to this policy has always been followed by increased compensation for labor and by general prosperity; a departure from it, by reduced wages, discontent and a depression of all industrial interests. There may perhaps have been one exception to this general rule, when well-known factors intervened to suspend for a time its operation.

Under this beneficial policy our nation has during the last twenty-five years made marvelous progress, and has grown in all the elements that contribute to the greatness and happiness of a civilized people, notwithstanding the great destruction occasioned by four years of civil war. More than three-fourths of the total expense of the war has already been paid, and previous to the present management of federal affairs the close of each fiscal year witnessed a remarkable reduction of our bonded indebtedness.

A continuance of this policy, which protects not only American manufacturers by imposing duties on imported merchandise, but American laborers as well by prohibiting the importation of Chinese and pauper laborers from Europe, will soon remove every vestige of our national debt.

PENSIONS.

It would, moreover, enable us to repay, though inadequately, a debt of gratitude and justice to our Nation's defenders. We should be more liberal to those soldiers who are entitled to pensions under existing laws, and the time is near at hand when a pension should also be granted to every soldier and sailor who staked his life for the preservation of the Union. Justice demands this, since there is scarcely a soldier whose health is not more or less impaired in consequence of the hardships of the war, while the increasing difficulty of procuring such proof as is now required by law is working more and more injustice.

Under the American policy of protection all this may be accomplished and national prosperity be continued, while the adoption of the British policy of free trade would inevitably lead to national disaster, reducing the laborers of the United States to a condition resembling that to which English free trade and English oppression have reduced the people of Ireland.

To maintain this policy and increase the demand for our manufactures, all reasonable efforts should be made to extend our commercial intercourse with other countries, and especially Mexico, South and Central America.

TAXATION AND CURRENCY.

There is no part of the administration of the government that requires such extensive information and thorough knowledge of the principles of political economy as the subject of taxation and currency, and any change should be discouraged that will increase the burdens of the debtor class, or contribute to industrial depression.

Nothing is more important than to have a currency of stable value. A government cannot do a more cruel thing than to permit a fluctuating currency. It gives unreasonable advantage to the sagacious and enterprising monied few over the industrious and uninformed masses. Every change or new regulation affecting values of property presents a new harvest for those who foresee its inevitable consequences.

CIVIL SERVICE REFORM.

From the first organization of our national government until the close of the administration of John Quincy Adams the practice of removing federal officers for partisan reasons, was comparatively unknown.

With President Jackson's administration, however, was inaugurated that degrading system which makes spoils of public offices and distributes them as rewards for party service.

This pernicious custom was continued to a greater or less extent, until the people, weary of its evil influence, demanded a correction of this abuse, and Congress in response adopted what is known as the Civil Service Reform Act. Wholesome results would doubtless have followed the conscientious enforcement of this law, but its provisions have been completely disregarded both in letter and in spirit by the introduction of the newly created crime of offensive partisanship.

A system of espionage and intrigue which encourages a vile and inquisitorial scrutiny into the personal affairs of public officers, and confers upon Congressmen the questionable honor of acting as government detectives, is repulsive to every honest American, and any attempt to shield such a system under the pretense of reform is an insult to American intelligence.

THE INDUSTRIAL QUESTION.

The industrial question, involving the relations between labor and capital, the rate of wages, and the proper distribution of wealth, is by no means a new one, nor does it require the application of new principles for its solution, but rather the reviving of new confidence in old virtues.

We must maintain for the laborer larger compensation for his work than is realized in other countries, and should eradicate some evils which, though yet in their infancy, are constantly growing upon us and threaten much danger in the future. The time is past when physical force should be relied upon for the settlement of these questions. Justice and reason should govern the capitalist and the laborer. Strikes and lockouts are measures too wasteful and expensive in a civilization having wants so urgent and manifold as ours. It is as proper and perhaps as essential for labor to organize as for capital, but as organized capital under the control of inefficient managers is soon wasted so will the benefits of labor organizations be lost if their control falls into the hands of selfish and designing demagogues.

It is a misfortune that trivial, and sometimes imaginary, evils are magnified, and used by unscrupulous and narrow-minded politicians for the purpose of exciting the prejudices and exasperating the passions of well meaning people.

Evils will ever grow out of the inevitable changes of society as our population increases in density and as wealth accumulates. It is our duty as intelligent and honorable men to meet these questions as they arise, and disposing of them with a spirit of fairness and justice, prevent the noisy agitator from making them subservient to his base schemes of personal advantage and party interest. Such a person is an enemy to the best interests of the people, and a clog upon the efforts of those who by wise and beneficent measures are striving to promote and ameliorate the condition of mankind.

Boards of arbitration for the adjustment and settlement of disputes between labor and capital, and especially those peculiar to the mining interests, have been adopted in other States with the best results, and I believe that such a course would also prove beneficial to us.

Yet while everything should be done on the part of the State to

protect the rights, and improve the social condition of the laborer, he should never forget that honesty, diligence, intelligence, frugality and sobriety are the only trustworthy means by which success and permanent prosperity can be obtained, and that all theories of securing the rewards of those virtues without rigidly practicing them are, and always will be, fallacious. Every laborer should aim to obtain a competency, and the State should render him all proper assistance in his efforts in that direction, both by removing from his path the serpent that tempts him to intemperance and prodigality, and by encouraging the establishment of such institutions as will train him to a systematic and economical management of his affairs. Unfortunately the people of Iowa are less proficient in the art of saving, than that of earning.

SAVINGS BANKS.

The experience of Europe and the older portions of our country has shown that a system of reliable savings banks under the strict supervision of the State is one of the most potent agents to promote the thrift and improve the condition of our working classes.

But few have an accurate conception of the importance of these institutions in our own country. The deposits of the savings banks of the State of New York are little less than five hundred million dollars. New England shows to still better advantage. According to the report of the Comptroller of the Currency the aggregate of savings bank deposits in those States is now \$492,373,407.

The total population of New England in 1880 was 4,010,529, and the present number of deposit accounts at the savings banks is 1,460,185, which shows 36 per cent. of the entire population to be depositors. The average amount of each account is \$337.21; the average per capita \$122.77, or an average of \$613.85 for every family of five persons. Taking the State of Massachusetts alone, we find still better results, the deposits being \$262,720,147 in a total population of 1,783,005, or \$147.30 per capita and \$736.50 for every family of five persons.

When we remember that these vast sums have been accumulated by the savings of people of moderate means—the acceptance of larger deposits being prohibited by law—one can realize what the persistent practice of frugality and economy may accomplish.

Improvidence is the characteristic feature of the savage; the accumulation of property the first step toward civilization. It is no less true that the stability of a state decreases in the same ratio in which the number of its paupers increases; and that state has the best guarantee for internal peace and prosperity which has the largest proportions of well-to-do citizens. The state should therefore incite the laborer to obtain pecuniary independence, by providing for him places of deposit, where his small surplus earnings are received and safely kept, and where he may within a few years accumulate a sum far beyond his expectation, which will prove a comfort to him and often a great blessing to those he leaves behind.

For the purpose of inculcating these principles in the minds of the young, some of our best teachers have introduced the savings bank into their school with good results.

EDUCATION.

The most powerful lever of progress is education. If it is true, as I hold it to be, that ignorance, poverty and crime are intimately related, it is the duty of every state to educate.

In a republic, where every man is an elector and every elector is a sovereign, having in the election of his legislators and his rulers equal voice with the best, the wealthiest and the wisest, illiteracy and ignorance of the masses become a national calamity. A republic can survive war, famine and pestilence, but it cannot survive the intelligence of its people.

The demands of our people for a high educational standard is evinced by the heavy taxes voluntarily imposed upon their property for this purpose. Yet while all good and intelligent citizens fully realize the importance of mental and moral culture and require their children to avail themselves of the educational facilities within their reach, there are also those who through ignorance, vice or negligence deprive the children under their control of the benefits of the school, thus defeating the very purpose for which the free school system was created. For the protection of such unfortunate children and the interests of society, the adoption of a compulsory education law is imperatively demanded and should be no longer delayed. It is a severe law that requires the widow's home to be sold, to erect a school-house and employ a teacher for the benefit of her neighbor's children, and we should certainly grant the right to her to demand that those children avail themselves of the opportunities procured at such a sacrifice.

Teachers should develop the moral no less than the mental faculties of the children under their charge and should endeavor to foster in them such habits as will best secure their future welfare. Teachers should by law be required to instruct their pupils as to the injurious effects of the habitual use of alcohol and narcotics upon the system.

In view of the fact that about half of the taxes levied in this State go to the support of schools, prudent management of public funds requires that no one should be employed as a teacher who is not thoroughly qualified for his duties. Our State Normal School is doing noble work in fitting young men and women for the vocation of teaching, and the interests of our schools require that a hearty support be given to this institution.

The Agricultural College, through its graduates, exerts a most wholesome influence over the agricultural and kindred interests of the State, and should not be allowed to deteriorate either in tone or usefulness.

It should be the pride of all true friends of education to make our State University equal to the best in the land.

It is now divested of all features which once subjected it to the charge of being a local institution, and as fast as well-matured plans for extending its sphere of action can be adopted, adequate appropriations should be made for their consummation.

It is a matter of deep regret throughout the State that the influ-

ences surrounding this institution are such as to weaken its claim upon public favor.

To enlarge the usefulness of the University it is as important to improve the moral atmosphere of its surroundings as its curriculum.

The people of the State will never rest content until the city on which was bestowed the trust and favor of holding our highest seat of learning has become a model of moral and social refinement.

CORPORATIONS.

Division and combination of labor, of energy and of means are the main elements of all civilization.

Private corporations, a natural outgrowth, are among the principal factors of the great progress which our age has witnessed.

Their creation is permitted by the State for the purpose of promoting the welfare of the people, and their action should be kept strictly within the sphere for which they were created. The authority of the State to regulate and control corporations is now firmly established by the decisions of the courts and should be exercised with firmness, intelligence and discretion.

Railroad and insurance companies as well as banks are now required by law to give publicity to their business. Such requirement should be extended to other corporations doing business in the State, and litigations with them should be kept in our State courts as far as practicable.

RAILROADS.

It has been the policy of this State to encourage the construction of railroads. The wisdom of such a policy is evinced by the rapid growth of the system and the great benefits arising from it to the various interests of our people.

We have at the present time over 7,520 miles of railway in operation, yet our people will hardly be satisfied until every township in the State is intersected by the rail.

Many perplexing questions are constantly arising between individuals and the management of railroad companies.

After experimenting with much profit in past years as to the proper method of dealing with them, we adopt the commissioner system. It has fully answered our expectations, the board having rendered valuable services to the people by vigilant and careful attention to their grievances.

Largely through the efforts of this board the rates of transportation have been materially reduced.

Many differences are now settled with little or no expense to the persons aggrieved, and the individual is no longer compelled to resort to the courts to secure the correction of abuses and impositions. Friction between the people and the railroads is less and less, each year, as the work of the commission is better understood.

The experience of all other States which have adopted this system confirms the opinion that such a course of dealing with railways is preferable to any yet known, and there can be no doubt that the

adoption of a National Board of Railroad Commissioners would be the proper measure to regulate inter-state transportation.

The improvement of our internal water-courses, including that of the Fox and Wisconsin rivers, and the construction of the proposed Hennepin Canal would prove great equalizers of rates of transportation.

TELEGRAPH.

The success which has attended the postal telegraph system in those countries which have adopted it would seem to warrant its introduction into the United States.

Until that can be accomplished, rates should be fixed by law, to protect the public against the present unreasonable charges. Twenty-five cents is a sufficient compensation for the transmission of a message not exceeding twenty words, between any two points in our State.

The present short-sighted policy of exorbitant charges can only be justified by the necessity of earning dividends on watered stock.

INSURANCE.

The insurance business of the State has grown to great proportions, about four million dollars being now annually paid in premiums.

The losses paid during the last year amounted to less than \$1,600,000, thus leaving in the hands of the insurance companies over \$2,400,000 as gross profits.

Allowing \$400,000 to the companies for taxes and contingent expenses, there would be left to them \$2,000,000 for the labor performed. This sum would employ at an annual salary of \$1,000 each, 2,000 insurance officials in the State, or say twenty in each county. Compare this with the management of our county affairs. Two officers, the treasurer and auditor, transact the entire financial business of the county at an expense not exceeding \$5,000 per annum.

In view of the intelligence of the people of this State, further comments seem unnecessary, though I am well aware that sophistical arguments will be resorted to, to counteract the force of this statement.

It would seem that Iowa capital and Iowa enterprise should be able to insure Iowa property as safely as non-resident companies. Home companies, being entirely under our control, should be encouraged to do this business at a reasonable rate of compensation. The character of the property in our State is such as should entitle the insured to lower rates than are at present obtained. Many abuses are perpetrated upon unsuspecting policy-holders, who only learn of the imposition when it is too late to correct it. Home companies are more likely to do justice to their patrons, being nearer to them, and feeling therefore, a greater sense of responsibility.

Owing to the growth of this business, the Auditor of State is greatly overburdened with work. I therefore recommend that a separate department for the supervision of the insurance companies be established and placed in charge of a competent official, to whom

might also be intrusted the examination of the banks. The present seems an opportune time to make this change, which has been repeatedly recommended by my predecessors.

AGRICULTURE.

Iowa is pre-eminently adapted to agricultural pursuits, and the true source of her greatness lies in her healthy climate and the capacity of her soil to produce those staples most necessary for the sustenance of mankind. We came into the Union as the twenty-ninth in order of time, and stand eleventh as to population, yet rank first in the family of States in the gross product of their great cereal—corn; first in the value of domestic animals, neat cattle, horses and swine. The annual value of the products of our soil and dairy and the increase of our stock equals that of the total cotton crop of the United States. The mines of California and Colorado have never been half as rich in their output as the prairie mines of Iowa, which have the additional advantage over the former that with proper care they will never become exhausted. We should strive to understand the character and capacity of our soil, and engage in that kind of agriculture which is best adapted to the production of the greatest wealth. It would be much to our advantage to abandon the shipping of grain, and to direct our attention to stock-raising and the dairy.

All reasonable encouragement should be given to the improvement of our stock. More stringent laws should be immediately enacted to guard against the introduction or spreading of contagious diseases of cattle and swine, even to the extent that arbitrary measures might be taken to stamp them out when found within our borders. Hog cholera alone has probably caused a loss of no less than a million dollars during the last year.

Our dairy interests should no less receive the attention of the legislator. The present law against adulterating the products of the dairy, which is practically inoperative, should be so amended as to insure to our dairymen ample protection. This great industry, which promises yet to become one of the most important in the State, entitles it to more consideration than it has hitherto received.

TITLES OF SETTLERS ON PUBLIC LANDS.

Mention should here also be made of the doubtful legality of the titles to lands in dispute between settlers and railway companies. The importance to a farmer of a clear title to his lands requires that the utmost should be done on the part of the State to protect the rights of those settlers.

MANUFACTURES.

Good opportunities offer here for investment in manufacturing enterprises, and capital judiciously invested is quite certain to prove remunerative. We should promote manufactures, since success in these interests will greatly enhance the value of our agricultural

products. Diversified industries are necessary for a State to insure the highest degree of prosperity.

Notwithstanding the great productiveness of our fertile soil, we should not rely solely upon it, but should fully develop all the natural resources of the State, and with our manifold advantages for manufacturing, this branch of industry should by no means be neglected.

COMMERCE.

Closely allied are our mercantile interests, and what has been said concerning the promotion of manufactures is also applicable to them. The efforts of our Board of Railroad Commissioners to sustain the wholesale business of the State against outside encroachments should be seconded, if necessary, by appropriate legislation.

JUDICIARY.

Recently adopted amendments to our State Constitution imply a revision of our judicial system. Much diversity of opinion, of course, will exist upon a question of such importance.

I would recommend the abolition of the circuit court, the establishment of a county court for probate and such other business as may be desirable to entrust to it, the increase of the number of district judges, the election of the judges of the Supreme Court for a term of ten years, and their ineligibility for a second term. A proper division of the business among these courts will render our judicial system both more harmonious and economical, and insure a speedier enforcement of the law.

WOMAN SUFFRAGE.

A large number of our best people favor the extension of suffrage to women. Experience is the only proper guide to direct us in solving this important and complex problem of social science.

Social reforms cannot be planned out upon theoretical grounds alone, but practical information as well must be brought into requisition to insure a proper solution of such a problem. It is safer for us to make experimental trials than to at once commit ourselves to universal suffrage. If thought advisable to take a step in that direction, it would be well to experiment by first conferring authority upon women to vote at municipal or school elections.

It is clear to me that one thing is of vastly more importance to them than the ballot, and that is to acquire and to hold in their own name and right a larger share of property. This is essential to secure their real independence.

LESS ELECTIONS.

There appears to be a general demand that our Constitution should be so amended as to require a State election to be held only once in

two years, and it seems to me that the preliminary steps to accomplish it should be at once taken.

It is a well-established fact that as the electoral franchise in a population is increased, and thereby the responsibility of the individual voter is decreased, less attention is given to elections by those best qualified to exercise the franchise. It is but reasonable to infer that a similar rule would apply to the frequency of elections, and that the oftener they occur the less interest is taken in them by the voters. It is a duty as well as a privilege to vote, and elections should be held at such intervals and at such times of the year as will secure the best attendance at the polls. They should neither be too frequent nor too rare, and biennial elections are probably a happy medium.

MILITIA.

We should not overlook the great importance of maintaining a small corps of well-trained militia ready for service at any time of need, even at the risk of disturbing a few over-nervous people by the fear of bayonet rule in time of peace. The expenditure necessary for this purpose is trifling indeed, when compared with the advantages derived from having such a force always at command. It is the part of wisdom to anticipate danger and prepare for it. The hope of impunity is a very strong incitement to sedition, and the dread of punishment a proportionately strong discouragement.

SOLDIERS AND SAILORS' HOME.

When our nation was shattered and in twain, and the Government under the noble Lincoln cried for help to save its life, Iowa responded promptly and bountifully with her blood and her treasures. Over seventy-five thousand of her brave sons marched to the field of battle, and their record is so proud and glorious that every loyal Iowan should treasure it as a rich inheritance of the State. Over twenty thousand sleep their last sleep, and but a few years more will elapse when the army of the dead will out-number the army of the living.

Many of those who survive have become disabled and cannot provide for themselves such comforts in their declining years as our appreciative people desire them to enjoy. It seems, therefore, a fit tribute to them, and to the memory of the dead, that while the grateful people of this country are about to erect monuments to the illustrious Commander who has lately gone to his final rest, Iowa should erect and maintain a home for her disabled soldiers and sailors, one that will at once serve as a home for the living and a monument for the dead.

THE PROHIBITORY LAW.

Alcohol has been known from time immemorial. Like gunpowder and dynamite, it is beneficial to man when properly used and for rightful purposes; like them it is terribly destructive when improperly used.

Civilized nations have suffered greater evils from the use of alcoholic beverages than were contained in the fabled box of Pandora.

Notwithstanding our great advancements, a large proportion of our people have not yet succeeded in acquiring sufficient control over their appetites as to make it safe for them to be permitted the use of alcohol except under stringent restrictions and careful supervision of the legal authorities.

The monstrous train of evils growing out of the use of alcohol, or rather its abuse, is attracting more and more each year the attention of the intelligent and thoughtful people not only of this country but of the whole civilized world.

The magnitude of these evils can hardly be overstated. This is admitted by all; that stringent measures should be adopted for their correction is also admitted by all. Yet how to effectually remedy them is a question still to be solved. The remedy is not as manifest as the evil.

The person who has entire confidence in his remedy is either blinded by self-sufficiency or is ignorant of the many difficulties attending the solution of this problem.

Many experiments to check the excessive use of alcoholic liquors have been made, and various remedies have been tried, but the success of no one of them has yet been such as to prove conclusively that it is better than some other remedy; and this is therefore still a subject for further experimentation.

Questions of this kind require for their final solution calm and cold reasoning on clearly recognized principles and the banishment of sentiment.

The enormity of the evil should prompt unanimity of action among those desiring to correct it. No such unanimity is attainable unless deference is paid to the will of the majority of those who interest themselves in the cause, and whatever remedy is agreed upon by the majority should be heartily and earnestly sustained by all. The dram shop should never again have a legal existence in Iowa. This much should be apparent to all.

It is estimated by those familiar with this subject that prior to the adoption of our present law twenty-five million dollars were annually expended for intoxicating liquors in the State. This amount is equal to two thirds of the total receipts of our 7,520 miles of railroad. According to this estimate it is safe to say that the profits to those engaged in the liquor traffic were greater than the combined profits earned in Iowa by all its corporations.

The saloon is the educational institution which takes no vacation or recess and where the lowest and most pernicious political doctrines are taught. Its thousands of graduates may be found in all positions of wretchedness and disgrace, and are the most successful candidates for our poorhouses and penitentiaries. It is the bank where money, time, strength, manliness, self-control and happiness are deposited to be lost, where drafts are drawn on the widows and orphans, and where dividends are paid only to his Satanic Majesty. Let it perish.

For thirty years our statutes prohibited the sale, as a beverage, of strong liquors, and permitted municipalities to prohibit or license the sale of wine and beer. Those engaged in the traffic, however, invited by the persistent demand of their patrons and political allies for more freedom of trade, constantly disregarded the restrictions

imposed upon them by law. Their course provoked such of our citizens as were devoting their best energies to the advancement of the temperance cause, to demand entire prohibition of the sale of all intoxicating liquors.

A proposition to amend our State Constitution for this purpose was submitted and agreed to by two General Assemblies, and then referred, at a non-partisan election, to the people, who ratified it by a majority of nearly thirty thousand votes. At least three fourths of the non-voting population of the state also favored the amendment. However, on account of informality in its adoption by the General Assembly the Supreme Court of the state set it aside.

In response to these repeated demands and in accordance with the theory that ours is a government of, for and by the people, our present law for the prevention of intemperance, pauperism and crime was enacted by the last General Assembly, and took effect on the fourth day of July, 1884.

For several months the law was generally complied with throughout the state, and continued to be quite well observed, until judicial and other officers connived at, and even openly encouraged, the violation of the law. In several instances appeals were taken and the cases transferred from the State to the Federal courts, and these cases are still undecided.

Under these embarrassments those especially interesting themselves in enforcing the law have relaxed their efforts, waiting for the decision of the courts. The opponents of the law, of course, take advantage of this opportunity and endeavor to force a conclusion upon the public mind that the law is a failure. This is unfair and premature. The law has not yet proved a failure, nor has it proved an entire success. Reason and justice dictate such action as will give the law a fair trial. A fair trial implies not only that the law should remain upon our statute books for a sufficient time to test its constitutionality and the rights of parties before the courts, but that an honest and determined effort should be made to secure obedience to it.

It is the duty of all good people who desire the welfare of the state, and especially is it the duty of those who advocated the adoption of the law with so much confidence, to make a faithful and earnest effort to prove its efficiency.

Stability is an essential of good government. A continual change even of good measures is inconsistent with prudence and every prospect of success. The individual who is vacillating in his methods, or carries on his business without any definite plan, is soon marked by prudent people as likely to become a speedy victim to his own inconstancy. Self-respect imposes the obligation upon us to ascertain whether the saloon and Liquor League are stronger than the state government, and whether these elements shall be permitted to treat the laws of Iowa with contempt. The question now is not between prohibition and license, but whether law or lawlessness shall rule. In any event, whatever may become necessary to do must not be done at the dictation of the enemies of law and good order.

True Americans are law-abiding, and recognize the right of the majority to rule, and the duty of the minority to yield obedience. In

the large cities and in communities where public sentiment is opposed to the law, it is openly and flagrantly violated. The honor of the state compels us to vindicate its majesty. Private individuals and private contributions cannot be relied upon to enforce a law which the ill-gotten money of the saloon and the partisan intrigue of the demagogue constantly aid to defy.

It is, under such circumstances, clearly the duty of the state to come to the rescue of the individual. Public funds should be appropriated and, if necessary, the whole power of the state should be brought into requisition to secure obedience. Whatever authority may be vested in me will be unhesitatingly exercised.

The law as it affects the business of druggists and those authorized to sell intoxicating liquors should be carefully considered, and any of its provisions found not to be in harmony with the purposes of the law should be amended.

There is a proper demand for alcoholic liquors, which should be supplied, and those authorized to sell such liquors should neither be subjected to unreasonable and vexatious restrictions nor harassed by unjust and obnoxious requirements. It would be an unfortunate policy that would drive competent and conscientious druggists out of an honorable and legitimate business.

Senators and Gentlemen of the House of Representatives:

There exists no more responsible trust than that of the legislator. The duties before you are grave and earnest. Good laws are the best legacy which one generation can leave to another, and on your action may depend the woes and blessings of millions yet unborn. You were not sent here to serve your own interests, or those of any party, or class, or sect, but solely the interests and the welfare of the State. You should never forget that the people are the source of all power, and that while you make the laws for them as their representatives, a moral and intelligent public sentiment should be the law to you.

You should place the burdens of taxation equitably upon the shoulders of all, and, while making sufficient appropriations for the constantly growing demands of the State, should dispose of the public funds with the utmost scrupulousness and vigilance. You should be prudent managers for the State, carefully regulating its expense by its income, and should refuse to yield when besieged to make appropriations for purposes to which to give State aid would be beyond your legitimate sphere of action. The various State institutions have a claim on your sympathy and liberality, and should receive that generous support to which their cause entitles them.

I cannot close without endorsing the timely recommendations made by my predecessor regarding your legislative action. Assuring you of my hearty co-operation in your arduous duties, I earnestly hope that our united exertions may be crowned with success, and that we may deliver the State to our successors even more vigorous and prosperous than we have received it out of the hands of those who have preceded us.

May we all be guided in the performance of our duties by wisdom and justice, ever remembering that "righteousness exalteth a nation."

Music by the band.

The minutes of the joint convention were then read.

On motion the reading of that portion of the minutes pertaining to the inaugural Address was dispensed with, and the minutes approved as read.

Senator Duncan moved that the joint convention be dissolved.

Carried.

At 4:30 P. M. the Senate re convened after joint convention.

Senator Woolson moved that a committee of two be appointed to escort the Lieut.-Governor to the chair

Carried.

The chair named as committee, Senators Woolson and Henderson.

The committee returned with the Lieut. Governor and escorted him to the chair.

President pro tempore, Senator Sweney, introduced J. A. T. Hull, as the Lieutenant Governor of Iowa and he was received with applause.

The Lieutenant-Governor then addressed the Senate and at the conclusion of his remarks handed the Secretary the appointment of standing committees to be read to the Senate as follows :

STANDING COMMITTEES.

Ways and Means—Senators Hutchison, Burdick, Stephens, Barrett, Deal, Chambers, Parrott, Poyneer, Scott, McCoy, Sutton, Duncan, Henderson and Bloom.

Judiciary—Senators Robinson, Miles, Woolson, McCoy, Glass, Sweney, Clark, Reiniger, Carson, Gatch, Wilkin, Doud, Knight, Wolfe and Casey.

Appropriations—Senators Sutton, Burdick, Woolson, Young, Donnan, Hutchison, Glass, Robinson, Barrett, Scott, Chambers, Bolter and Schmidt.

Railroads—Senators Sweney, Young, McCoy, Chambers, Poyneer, Burdick, Parrott, McDonough, Glass, Deal, Doud, Miles, Chesebro, Dodge and Gault.

Insurance—Senators Glass, Deal, Young, Miles, Parrott, Carson, Henderson and Earle.

Suppression of Intemperance—Senators Clark, Glass, Sweney, Chambers, Underwood, Donnan, Caldwell, Woolson, Chubb, Schmidt and Johnson.

Schools—Senators Glass, Woolson, Stephens, Clark, McCoy, Deal, Doud, Carson, Chambers, Bayless and Henderson.

Agriculture—Senators Poyneer, Duncan, Chubb, Scott, McDonough, Reiniger, Chambers, Deal, McCoy, Whiting, Hendrie, Chesebro and Carr.

Highways—Senators Duncan, Barrett, Gatch, Scott, Poyneer, McDonough, Parrott, Deal, Doud, Earle and Ryder.

Mines and Mining—Senators Miles, Young, McCoy, Gatch, Doud, Scott, Hutchison, Sweney, Cassatt, Gault and Dooley.

Commerce—Senators Young, Woolson, Clark, Poyneer and Bloom.

Elections—Senators Woolson, Gatch, Wilkin, McCoy and Johnson.

Banks—Senators Burdick, Chambers, Whaley, Deal, Sweney, Hutchison, Reiniger, Cassatt and Bloom.

Municipal Corporations—Senators Parrott, Gatch, Carson, McCoy, Hutchison, Doud, Sutton, Knight, Dodge, Schmidt and Bloom.

Normal Schools—Senators Barrett, Caldwell, Stephens, Cassatt and Hendrie.

County and Township Organizations—Senators McCoy, Clark, Wilkin, Chambers, Weber, Bolter and Wolfe.

Judicial Districts—Senators Carson, Miles, Barrett, Clark, Robinson, McCoy, Sutton, Woolson, Gatch, Glass, Reiniger, Knight and Johnson.

Congressional Districts—Senators Caldwell, Clark, Hutchison, Parrott and Casey.

Manufactures—Senators Stephens, McCoy, Hutchison, Sutton and Henderson.

Federal Relations—Senators Chubb, Scott, Wilkin, Weber, Doud, Johnson and Schmidt.

Medicine, Surgery and Hygiene—Senators Caldwell, Underwood, Glass, Bolter and Earle.

Printing—Senators Parrott, Young, Doud, Gault and Dodge.

Library—Senators Bloom, Knight and Robinson.

Military—Senators Whaley, Sweney, Reiniger, Deal and Johnson.

State University—Senators Weber, Barrett, Burdick, Wilkin and Knight.

Agricultural College—Senators Young, Parrott, Carson, Poyneer and Whiting.

Hospitals for the Insane—Senators Caldwell, Underwood, Stephens, Reiniger and Bolter.

Institution for Deaf and Dumb—Senators Wilkin, Whaley, Hutchison and Gault.

College for the Blind—Senators Deal, Duncan, Sweney, Stephens, and Dodge.

Asylum for Feeble-Minded Children—Senators Underwood, Barrett, McDonough, Bolter and Bloom.

Orphans' Home—Senators Reiniger, McDonough, Parrott, Doud and Dooley.

Penitentiary—Senators Doud, Gatch, Chubb, Whaley and Chesebro.

Reform Schools—Senators Stephens, Whaley, Sweney, Weber and Johnson.

Fish and Game—Senators Whaley, Doud, Poyneer, Deal and Dooley.

Senatorial Districts—Senators Barrett, Burdick, Stephens, Wilkin and Dooley.

Representative Districts—Senators Chubb, Deal, Weber, Miles and Cassatt.

Claims—Senators Wilkin, Woolson, Burdick, Bloom and Henderson.

Constitutional Amendments—Senators Chambers, Underwood, Clark, Glass, Hendrie, Bolter and Earle.

Retrenchment—Senators Donnan, Barrett, Reiniger, Wilkin, Weber, Deal, Schmidt, Cassatt and Ryder.

Public Buildings—Senators Scott, Gatch, Carson, Woolson, McCoy, Ryder and Bloom.

Compensation Public Officers—Senators Gatch, Barrett, Sutton, Chubb and Dodge.

Private Corporations—Senators Miles, Stephens, Wilkin, Whaley, Weber, Caldwell, Wolfe, Bolter and Dodge.

Horticulture and Forestry—Senators Scott, Whiting and Hendrie.

Internal Improvements—Senators Ryder, Carr and Reiniger.

Public Lands—Senators Whiting, Barrett and Bolter.

Rules—Senators Woolson, Donnan, Young, Clark and Knight.

Engrossed Bills—Senators Johnson, Underwood and Weber.

Enrolled Bills—Senators Deal, Parrott and Cassatt.

Senator Wilkin introduced the following resolution:

Resolved, That the thanks of the Senate be and are hereby tendered to the Hon. J. H. Sweney, Hon. A. M. Whaley, for the able and impartial manner in which they have performed the duties of President *pro tem.* of the Senate.

The resolution was adopted by a unanimous rising vote.

Senator Parrott introduced the following resolution:

Resolved by the Senate, the House concurring, That five thousand copies, additional to the number now provided by law, of the Governor's inaugural address, be printed, and that fifty copies of such address be furnished each member of this General Assembly, the balance to be distributed under the direction of the Secretary of State.

Adopted.

Senator Donnan asked to be excused from serving on the following committees:

On Ways and Means and Insurance.

Excused.

INTRODUCTION OF BILLS.

By Senator Wilkin, Senate File No. 12, a bill for an act to punish walking upon railroad tracks.

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

Senator Donnan moved reference of papers on table in contested election case of Senator from 44th district to Committee on Elections.

So ordered.

On motion of Senator Scott the Senate adjourned to 10 A. M., Friday, January 15, 1886.

SENATE CHAMBER,
DES MOINES, IOWA, January 15, 1896. }

The Senate met in regular session at 10 A. M.

The minutes of the previous day were read and approved.

PETITION.

Senator Clark presented a petition of thirteen teachers of public schools of Shenandoah asking for enactment of a law requiring instruction in reference to effects of alcoholic liquors.

Referred to Committee on Schools.

INTRODUCTION OF BILLS.

By Senator Miles, Senate File No. 13, a bill for an act to regulate the weighing and screening of coal at mines, and to establish a just and uniform system of weights of coal between employers and employes.

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

Two hundred extra copies were ordered printed.

By Senator Whiting, Senate File No. 14, a bill for an act to amend certain sections of the Code relating to county officers.

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

By Senator Sutton, Senate File No. 15, a bill for an act to provide for better government of cities and incorporated towns.

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

By Senator Glass, Senate File No. 16, a bill for an act to legalize certain acts of the Mason City Cemetery Association, of the renewal of the same, and to relinquish an escheat.

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

By Senator Dodge, Senate File No. 17, a bill for an act to amend section 3077, title 18, chapter 11, of the Code, by providing that the exemptions of debtors shall not prevail against the wages and earnings of a laborer.

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

By Senator Dodge, Senate File No. 18, a bill for an act to amend section 7, chapter 100, relating to mechanics' lien.

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

By Senator Scott, Senate File No. 19, a bill for act amendatory of section 1923 of the Code of Iowa.

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

By Senator Wolfe, Senate File No. 20, a bill for an act to amend section 3641 of the Code, relating to evidence.

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

By Senator Donnan, Senate File No. 21, a bill for an act to provide for a prison commission for the further regulation of prisons and the reformation of criminals.

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

By Senator Carson, Senate File No. 22, a bill for an act to require children between seven and fifteen years of age to attend school and to provide for the appointment of truant officers to compel attendance.

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

By Senator Woolson, Senate File No. 23, 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 Woolson, Senate File No. 24, a bill for act to amend section 1419, chapter 2, (concerning care of the insane) relating to discharge of non-residents.

Read a first and second time and referred to the Committee on Hospitals for Insane.

By Senator Dodge, Senate File No. 25, a bill for an act to abolish corporal punishment in public or private schools.

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

By Senator Dodge, Senate File No. 26, a bill for an act to provide for the liability of mine owners and manufacturers for injuries done employes and laborers.

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

By Senator Carson, Senate File No. 27, a bill for an act to amend chapter 64, acts of the Fifteenth General Assembly, relating to industrial exhibitions in public schools and to provide for an industrial department to be the course of study.

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

Senator Burdick moved that the Senate now take up House messages.

Carried.

HOUSE MESSAGES.

Informing the Senate that the House has concurred in Senate concurrent resolution No. 8, relating to Senate and House Appropriation Committees.

Also, concurrent resolution No. 10, relative to the appointment of a committee to apportion committee rooms.

Also, concurrent resolution No. 6, in relation to the purchase of Codes, with amendment.

Which amendment was rejected by the Senate.

Also, concurrent resolution No. 3, relative to appointment of post-mistress and assistant.

Also, that the House has concurred in Senate concurrent resolution relative to appointment of mail carrier.

RESOLUTIONS.

Senator Weber offered the following resolution:

Resolved, That the committee of the Senate, known as Medicine, Surgery and Hygiene, shall be entitled Medicine, Surgery, Hygiene and Pharmacy, and that the President be empowered to add two (2) more members to the committee.

Adopted.

CONCURRENT RESOLUTION.

Senator Burdick offered the following resolution:

Resolved by the Senate, the House concurring, That there be printed in addition to the number now provided by law, one thousand copies of the Governor's Inaugural address in the Norwegian language, and that the same be distributed under the direction of the Secretary of State.

Amendments were offered to include 1,000 copies in the German language, 1,000 copies in the Holland language, 1,000 copies in the Swede language.

Senator Donnan moved that the resolution be laid on the table, and called for the ayes and noes.

The yeas were:

Senators Bayless, Bolter, Casey, Cassatt, Chambers, Chesebro, Chubb, Deal, Donnan, Dooley, Duncan, Earle, Gault, Henderson, Hendrie, Hutchison, Johnson, McDonough, Robison, Ryder, Scott, Underwood, Whaley, Whiting, Wolfe and Young—26.

The nays were:

Senators Barrett, Bloom, Burdick, Caldwell, Carr, Carson, Clark, Dodge, Doud, Gatch, Glass, McCoy, Miles, Parrott, Poyneer, Reiniger, Schmidt, Stephens, Sutton, Sweney, Weber, Wilkin and Woolson—23.

Absent or not voting:

Senator Knight—1.

Senator Caldwell submitted report as follows:

MR. PRESIDENT—Your joint committee to whom was assigned the duty of selecting a mail carrier for the Twenty-first General Assembly beg leave to report that they have selected for that position Peter Bell of Dallas county.

CALDWELL,
SUTTON,

Com. on part of Senate.

Senator Johnson moved to take up House messages as follows:
Concurrent resolution relative to adjournment.

Senator Schmidt offered a joint memorial and resolution in relation to internal revenue tax on substance in semblance of butter and cheese.

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

Senator McCoy 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 Representatives at two o'clock P. M. on Wednesday, January 27, 1886, to elect Wardens of the Penitentiary at Ft. Madison and the Additional Penitentiary at Anamosa, State Printer and State Binder.

Adopted.

REPORT OF MILEAGE COMMITTEE.

MR. PRESIDENT—Your special committee, to whom was referred the question of mileage of Senators, respectfully submit the following report of the number of miles traveled and the amount due each Senator in pursuance of the statute, to-wit:

NAMES.	Miles.	Amount
Barrett.....	8:0	\$ 30.00
Bayless.....	680	34.00
Bloom.....	242	12.10
Bolter.....	344	17.20
Burdick.....	558	27.90
Caldwell.....	50	2.50
Carr.....	250	12.50
Carson.....	280	14.00
Casey.....	324	16.20
Cassatt.....	94	4.70
Chambers.....	314	15.70
Chesebro.....	272	13.60
Chubb.....	246	12.30
Clark.....	418	20.90
Deal.....	208	10.40
Dodge.....	350	17.50
Donnan.....	258	12.90
Dooley.....	218	10.90
Doud.....	70	3.50
Duncan.....	861	43.05
Earle.....	764	38.20
Gatch.....	2	.10
Gault.....	200	10.00
Glass.....	350	17.50
Henderson.....	300	15.00
Hendrie.....	320	16.00
Hutchison.....	172	8.60
Johnson.....	500	25.00
Knight.....	562	28.10
McCoy.....	130	6.50
McDonough.....	132	6.60
Miles.....	152	7.60
Parrott.....	208	10.40
Poyneer.....	184	9.20
Reiniger.....	482	24.10
Robinson.....	284	14.20
Ryder.....	300	15.00
Schmidt.....	350	17.50
Scott.....	92	4.60
Stephens.....	232	11.60
Sutton.....	160	8.00
Sweney.....	400	20.00
Underwood.....	344	17.20
Weber.....	210	10.50
Whaley.....	510	25.50
Whiting.....	450	22.50
Wilkin.....	84	4.20
Wolfe.....	350	17.50
Woolson.....	292	14.60
Young.....	82	4.10

A. P. STEPHENS, *Ch'n.*

JOHN RYDER,

C. C. CHUBB,

Committee.

Adopted.

Senator Stephens moved to reconsider report of Committee on Mileage.

Carried.

Senator Stephens moved to amend by striking out report of mileage of Senator from Butler and inserting "510" miles.

Carried.

Upon motion the report of the Committee on Mileage was adopted.

Peter Bell appeared and was sworn in as mail carrier of the Twenty-first General Assembly.

Upon motion Senator Robinson was excused until after adjournment.

Moved by Senator Miles that a committee of three be appointed to assign rooms to which the committees may be adjudged entitled by the joint committee.

Adopted.

Chair appointed Senators Miles, Bolter and McCoy.

Senator Wilkin moved to take up House message.

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 concurrent resolution relative to committees to visit State institutions.

J. K. POWERS, *Chief Clerk.*

Not concurred in.

Senator Donnan moved that when the Senate adjourn it be until as provided in the concurrent resolution previously adopted.

Carried.

RESOLUTION.

Senator Gault 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, not to exceed two dollars per week each.

Motion to refer the matter to a committee of three.

Carried.

Senator Johnson moved to adjourn to 2 P. M.

Carried.

AFTERNOON SESSION.

The Senate met at 2 o'clock P. M. pursuant to adjournment, Lieutenant-Governor Hull in the chair.

The chair announced as member of Ways and Means Committee, in place of Senator Donnan, Senator Whiting.

Also as Senators additional to Committee on Medicine, Surgery, Hygiene and Pharmacy, Senators Wilkin and Sutton.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform you that the House has concurred in Senate concurrent resolution No. 9, relative to visiting committees.

Also that the House has concurred in resolution No. 11, relative to joint convention January 27, 1886, to elect Wardens, State Printer and State Binder.

Also that the House has concurred in the correction of the mistake in Senate Resolution relative to appointment of a committee to apportion committee rooms.

JOINT VISITING COMMITTEES.

The chair announced the following Senators as the Senate members of Joint Visiting Committees:

State University—Senator Sweney.

Agricultural College—Senator Gault.

Deaf and Dumb—Senator Barrett.

College for the Blind—Senator Scott.

Orphans' Home—Senator Stephens.

Insane Asylum at Mt. Pleasant—Senator Caldwell.

Insane Asylum at Independence—Senator Underwood.

Insane Asylum at Clarinda—Senator Parrott.

Normal School—Senator Deal.

Penitentiary at Ft. Madison—Senator Young.

Penitentiary at Anamosa—Senator Whaley.

Asylum for Feeble-Minded Children—Senator Glass.

Fish Houses—Senator Poyneer.

Reform School at Eldora—Senator Doud.

Reform School at Mitchelville—Senator Sutton.

INTRODUCTION OF BILLS.

By Senator Weber, Senate File No. 28, a bill for an act to repeal section 2, chapter 77, acts of the Seventeenth General Assembly and providing for the election of railroad commissioners.

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

RESOLUTIONS.

Senator Doud offered the following resolution:

Resolved, That there be a special committee of five Senators appointed by the President on the question of a soldiers' home, to which all matters in reference thereto shall be referred, and which shall be called the "Committee on Soldiers' Home."

Senator Johnson moved to amend by striking all that relates to the creation of a special committee and insert Military Committee.

Resolution as amended adopted.

Senator Sutton offered the following resolution which was adopted:
Resolved, That the concurrent resolution relative to the appointment of visiting committees and their duties be printed.

INTRODUCTION OF BILLS.

By Senator Sutton, Senate File No. 29, a bill for an act providing for changes of venue in criminal cases in district courts on behalf of the State.

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

By Senator Sutton, Senate File No. 30, a bill for an act providing that persons may be held to answer indictments presented by district attorneys or the attorney general.

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 providing for giving parts of fines imposed by mayors and police court to cities and towns.

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

By Senator Sutton, Senate File No. 32, a bill for an act providing for trials before mayors and police courts of offenses committed in cities and incorporated towns and within two miles of the limit thereof.

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

Senator Wolf was excused.

The chair announced Senator McCoy as chairman of Committee on Insurance to fill vacancy caused by resignation of Senator Donnan.

CONCURRENT RESOLUTION.

Senator Sutton offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That a committee consisting of one from the Senate and two from the House be appointed to visit the Benedict Home, and report as to the expenditure of the appropriation made therefor by the Twentieth General Assembly.

Adopted.

The chair appointed Senator Sutton as such committee.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, January 28, 1886. }

The Senate met in regular session at 2 P. M.

Lieutenant-Governor Hull in the chair.

Prayer by Rev. Bartholomew.

The journal of the last session was read and approved.

A message was received from House informing the Senate of concurrence in resolution relative to visiting committee to Benedict Home.

PETITIONS AND MEMORIALS.

Senator Donnan presented petition of R. L. Wright, and others, asking law prohibiting sale of adulterated product of cream and appointment of Dairy Commission.

Referred to Committee on Agriculture.

Senator Woolson presented petition of S. C. Smith and 167 other citizens of Thornburg asking that laws for suppression of intemperance be amended so as to secure their better enforcement.

Referred to Committee on Suppression of Intemperance.

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 No. 11, relative to meeting in joint convention to elect State Officers.

Also, Senate Resolution relating to the appointment of visiting committee to the Benedict Home.

J. K. POWERS, Chief Clerk.

Also, petitions by Senator Woolson, from citizens of What Cheer, Coal Creek, Keswick, asking for amendment of prohibitory law.

Referred to same committee.

Senator Weber presented petition of J. D. Denison and others asking enactment of a law to prohibit sale as butter and cheese of adulterated products.

Referred to Committee on Agriculture.

Senator Clark presented petition of school directors of Shenandoah asking enactment of a law requiring instruction in reference to effects of alcoholic stimulants.

Referred to Committee on Schools.

Senator Scott presented petition of State Agricultural Society in reference to appropriation made by 20th General Assembly to purchase lands.

Read and referred to committee on agriculture.

Senator Wilkin made the following report:

MR. PRESIDENT—Your committee appointed under concurrent resolution to examine and recommend what committee rooms shall be assigned for the use of committees of the Senate, and what rooms for

the use of the committees of the House, report that they have performed that duty and recommend that the rooms numbered as follows be assigned to the use of the Senate committees, to wit: Nos. 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 28 and 29; and that the rooms numbered as follows be assigned to the use of the House committees, to wit: Nos. 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 27.

Respectfully submitted,

ELI WILKIN,

A. P. STEPHENS.

C. E. WHITING.

On part of Senate.

S. M. WEAVER, Cha'n.

On part of House.

Adopted.

Senator Chubb offered petition of Engineers and Surveyors Association of Iowa.

Referred to Committee on Compensation of Public Officers.

RESOLUTIONS.

Senator Sutton offered the following resolution:

Resolved, That the records of the Senate be daily copied into a bound volume and read therefrom each day for correction by the Senate.

Referred to Committee on Rules.

Senator Wilkin offered the following resolution:

Resolved, That the Committee on Rules are hereby instructed to report to the Senate a code of rules defining the duties of the officers and employes of the Senate.

Adopted.

Senator Johnson offered joint resolution relative to charges reported against State Auditor John L. Brown.

Joint resolution number 2.

Be it resolved by the General Assembly of the State of Iowa, the Senate and House concurring, That whereas grave and serious charges are made against one John L. Brown, now discharging the duties of Auditor of State, as more fully appears in the annexed copy of an affidavit, purporting to have been made by one Bruce Reid, as to facts occurring while said "Reid" was in the employ of said Brown, as assistant examiner of fire insurance companies.

I, Bruce Reid, being duly sworn, say that I was employed by H. S. Vail on the 16th of May, 1884, to assist said Vail in examining fire insurance companies in Iowa, under the instruction of Auditor Brown of that State. The price to be paid me, Bruce Reid, was agreed upon at sixty dollars (\$60) per month, and I at once entered upon my duties. I was engaged in assisting in the examinations of the following companies: The Hawkeye, State, Monarch and Des Moines, up to the 17th of August, 1884. On the 18th of August, 1884, the examination of the Burlington Insurance Company was begun, and on the following day, while I was in Burlington, my pay was raised to seventy-five dollars (\$75) per month, and the raise was to include the previous month, and I received during the

examination of other Iowa companies, the said seventy-five dollars per month, and I remained in the employ of said Vail until the first of December, 1884, when my salary was again increased to \$83.33 per month, and I remained in the employ of said Vail until 1st of March, 1885. I now positively know that said Vail, during the whole of the time, until, say the 1st of January, 1885, charged the several insurance companies of Iowa for my services at the rate of five dollars (\$5.00) per day, and two dollars and half (\$2.50) per evening, when employed at night or in case of extra work.

At said Vail's request, I signed vouchers at the latter rate and received a check in full for same, which again at Vail's request was endorsed by me, and immediately returned to said Vail. He then paid me at the rate stated above, viz: \$60 and \$75 a month. This was done to cover up his method of getting the difference between what was paid me and what he collected from the companies for my services, which Vail told me was to be turned over to Auditor Brown for election campaign purposes.

In the case of the examination of the Burlington Insurance Company, I received for my services not too exceed one hundred dollars (\$100) at the rate of \$75 per month, and said Vail collected for said services the sum of two hundred and seventy-five dollars and sixty-three cents (\$275.63) from the said Burlington Insurance Company.

(Signed),

BRUCE REID.

STATE OF ILLINOIS, }
County of Cook. } ss.

Personally appeared Bruce Reid, signer of the foregoing affidavit, who made solemn oath to the truth of the same before me this 20th day of March, A. D. 1885.

(Signed),

ALLEN W. PECK,
Notary Public.

And that,

WHEREAS, It is charged that said Brown has extorted large sums of money from the banking institutions and the insurance companies of this State as examining fees, by himself and his appointees, which fees he has refused and failed to turn over to Treasurer of State although commanded to do so by the chief executive of State; and

WHEREAS, The Ex Attorney General, the Hon. Smith McPherson, and the present Attorney General have each furnished the Executive, the Hon. Buren R. Sherman, their written opinion that said fees were not perquisites of the office of State Auditor; that said Brown has, and still refuses to account to the State for the same, and for such refusal to so account, the late Governor refused to approve the official bond of said Brown as Auditor of State, and appointed an Auditor of State who qualified as such Auditor; and

WHEREAS, His Excellency, Wm. Larrabee, Governor of the State, has removed the appointee of his predecessor and installed said Brown in the office as Auditor of State without investigating the charges against said Brown heretofore narrated. Therefore be it

Resolved, That a committee of five (5) be appointed, two (2) from the Senate and three (3) from the House, which committee shall consist of at least one (1) democrat from each branch of the General As-

sembly who are instructed to examine into the conduct and acts of said Brown, his employes and appointees in the examinations of the fire insurance companies and banking institutions of this State and the fees collected for the same and the charges made in said copy of said affidavit and report their findings at as early date as practicable to this General Assembly.

That said committee when appointed shall have the power to compel the attendance of witnesses, administer oaths, and shall have access to all of the records in the office of Auditor of State, and shall be authorized to employ such clerical force as in their judgment may seem necessary.

Senator Wolson moved that consideration of the joint resolution be postponed and made special order for Thursday at 3 o'clock P. M.

Senator Johnson made point of order that a motion is already pending.

The chair ruled point not well taken.

The joint resolution was postponed and made special order.

INTRODUCTION OF BILLS.

By Senator Wilkin, Senate File No. 33, a bill for an act further defining power and duties of clerks of circuit court.

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

By Senator Wilkin, Senate File No. 34, a bill for an act to amend section 1827 of Code, in relation to condemning real estate for school house sites.

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

By Senator Glass, Senate File No. 35, a bill for an act making void all sales of household goods without concurrence of both husband and wife.

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

By Senator Clark, Senate File No. 36, a bill for an act to require the study and teaching of physiology and hygiene with special reference to effects of alcoholic drinks, stimulants and narcotics on human system.

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

By Senator Clark, Senate File No. 37, a bill for an act to amend section 3396 of Code in regard to proceedings in civil actions.

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

By Senator Caldwell, Senate File No. 38, a bill for an act to repeal chapter 188, acts Twentieth General Assembly in relation to underground tile drainage.

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

By Senator Miles, Senate File No. 39, a bill for an act requiring prompt, faithful and impartial delivery of telegraph messages and limiting compensation therefor.

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

By Senator Miles, Senate File No. 40, A bill for an act amending Sec. 16, Chap. 21, Acts Twentieth General Assembly, relating to filing of charges for removal of State Mine Inspectors.

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

By Senator Miles, Senate File No. 41, a bill for an act amending Secs. 10 and 18, Chap. 77, Acts of Seventeenth General Assembly prohibiting railroad companies from discrimination in furnishing cars or in transportation of property and extortionate charges for transportation of persons and property.

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

By Senator Weber, Senate File No. 42, a bill for an act to establish the Supreme Court at the capital of the State, fixing terms thereof and providing officers and bailiffs therefor.

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

By Senator Stephens, Senate File No 43, a bill for an act to prohibit traffic in hogs infested with swine plague or hog cholera and to prevent spreading of same.

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

By Senator Woolson, Senate File No. 44, a bill for an act making appropriations for a hospital for the insane at Mt. Pleasant.

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

By Senator Woolson, Senate File No. 45, a bill for an act making appropriation for erecting an additional wing to Iowa Hospital for Insane at Mt. Pleasant for female patients.

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

By Senator Schmidt, Senate File No. 46, a bill for an act to amend Sec. 595, Code of Iowa, 1873, in relation to registration of voters.

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

By Senator Schmidt, Senate File No. 47, a bill for an act to appropriate funds to furnish buildings, buy lands and make improvements for Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa.

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

By Senator Casey, Senate File No. 48, a bill for an act to amend chapter 5, title 3, Code of 1873, relating to district and circuit courts.

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

Two hundred extra copies ordered printed.

By Senator Gatch, Senate File No. 49, a bill for an act to amend sections 2962 and 2965 relating to attachments.

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

By Senator Gatch, Senate File No. 50, a bill for an act to amend section 2117, Code of Iowa, relating to assignment for benefit of creditors.

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

By Senator Gatch, Senate File No. 51, a bill for an act to amend section 4419, Code of Iowa, relating to continuance in criminal cases.

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

By Senator Bolter, Senate File No. 52, a bill for an act to amend section 3177 of the Code.

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

By Senator Henderson, Senate File No. 53, a bill for an act to establish a separate insurance department to include supervision of banks and provide for appointment of commissioners thereof and define his duties.

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

By Senator Scott, Senate File No. 54, a bill for an act to appropriate funds to aid State Agricultural Society in improvement of permanent fair grounds.

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

By Senator Chubb, Senate File No. 55, a bill for an act to amend section 3844 of the Code and making provisions in relation to county surveyors.

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

By Senator Hutchison, Senate File No. 56, a bill for an act to provide for a report at the beginning of each General Assembly of the condition of various State institutions by committees constituted at preceding General Assembly.

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

By Senator Hutchison, Senate File No. 57, a bill for an act to regulate the organization and operation of mutual benefit assessment associations.

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

By Senator Carson, Senate File No. 58, a bill for an act for relief of Geo. Bennett.

Moved by Senator Sutton to refer to Committee on Appropriations.

Lost.

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

By Senator Gatch, Senate File No. 59, a bill for an act to amend section 4369, Code of Iowa, relating to change of venue in criminal cases.

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

By Senator Gatch, Senate File No. 60, a bill for an act to amend

sections 2783 and 4423, Code of Iowa, relative to restricting counsel as to time in argument in both civil and criminal cases.

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

By Senator Bayless, Senate File No. 61, a bill for an act regulating the settlement of estates of decedents.

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

By Senator Weber, Senate File No. 62, a bill for an act to amend section 2956, Code of 1873, relating to attachments.

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

By Senator Wilkin, Senate File No. 63, a bill for an act to appropriate money to pay Calvin Ballard, surviving partner of Smith & Ballard, for clothing and livery hire for certain Iowa soldiers.

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

Senator Sutton offered the following resolution:

Resolved, That the biennial message be referred to the various committees as follows:

State Finances, to Committee on Ways and Means.

Insurance, to Committee on Insurance.

State Trustees, to Committee on Ways and Means.

Educational, to Committee on Schools.

Railroad Commissioners, to Committee on Railroads.

Public Charities and Penitentiaries, to Committee on Penitentiary.

Pardons, to Committee on Penitentiary.

Temperance, to Committee on Suppression of Intemperance.

Judiciary, to Committee on Judiciary.

Insane, to Committee on Hospitals for the Insane.

State University, to Committee on State University.

Benedict Home, to Committee on Reform Schools.

College for the Blind, to Committee on College for the Blind.

Institution for Deaf and Dumb, to Committee on Deaf and Dumb.

Feeble-Minded Institution, to Committee on Feeble Minded.

Industrial Schools, to Committee on Reform Schools.

Labor Bureau, to Committee on Labor.

Coal Mines, to Committee on Mines and Mining.

Pharmacy Commission, to Committee on Medicine, Surgery, Pharmacy and Hygiene.

Fish Commission, to Committee on Fish and Game.

National Guard, to Committee on Military.

Board of Health, to Committee on Medicine, Surgery, Hygiene and Pharmacy.

State Land Office, to Committee on Public Lands.

State Library, to Committee on Library.

Oil Inspector, to Committee on Medicine, Surgery, Hygiene and Pharmacy.

State Veterinarian, to Committee on Agriculture.

Agricultural, to Committee on Agriculture.

Dairy, to Committee on Agriculture.

London Exhibition, to Committee on Federal Relations.

New Capitol, to Committee on Public Buildings.

State Improvement, to Committee on Federal Relations.

United States Court House at Keokuk, to Committee on Federal Relations.

World's Exposition, to Committee on Federal Relations.

Soldiers' Home, to Committee on Appropriations.

Constitutional Convention, to Judiciary.

Adopted.

Senator Young moved that the chair be authorized to appoint two additional members on Committee on Commerce.

Carried.

The chair announced the following Committee on Labor:

Senators Woolson, Young, Poyneer, Caldwell, Dodge, Parrott, Chesebro, Miles and Hendrie.

Chair announced as Committee on Reporter's Stationery: Senators Gault, Wilkin and Scott.

The chair announced as additional members of Committee on Commerce: Senators Wilkin and Bolter.

Senator Duncan presented a communication and petition which was referred to Committee on Railroads.

The chair announced that the Secretary of the Senate would have printed a corrected list of Standing Committees.

Senator Woolson asked that Senate File No. 1 be taken from table and referred to Committee on Labor.

The Senate adjourned to 1:45 P. M. to-morrow.

SENATE CHAMBER, }
DES MOINES, IOWA, January 27, 1885. }

The Senate met at 1:45 P. M.

President of the Senate in the chair.

Prayer by Rev. H. O. Breedy.

The journal of previous day was read and approved.

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 No. 12, relative to printing 5,000 additional copies of the Governor's Inaugural Address.

Also :

The House has passed the following concurrent resolution :

Relative to printing additional copies of the Governor's Inaugural Address in the German, Bohemian and Norwegian languages.

J. K. POWERS, *Chief Clerk.*

Senator Donnan offered the following resolution :

Resolved, That the Janitor of the Senate be authorized to place a barber's chair in the cloak room, and to employ a barber, at his own

expense, for the convenience of the officers, members and employes of the Senate.

Adopted.

The President of the Senate submitted the following:

The chair asks the indulgence of the Senate to make an explanation. When making up the committees of the Senate it was understood that there would be a Committee on Pharmacy added to the standing committees of the Senate, and the Senator from Clayton being a practical and educated pharmacist was to have been on that committee. By action of the Senate the pharmacy business was added to the Committee on Medicine, Surgery and Hygiene, and an injustice has been done the Senator from Clayton by the chair. I have no pride of opinion to cause me to hesitate in making this explanation and apologizing to the Senator from Clayton for the seeming neglect and injustice. I ask permission of the Senate to add Senator Bayless of Clayton county, to the Committee on Medicine, Surgery, Hygiene and Pharmacy.

The Senate gave unanimous consent and the Senator was added to the committee.

Senator Miles made the following report:

To HON. J. A. T. HULL, *President of the Senate*:

Your committee appointed to recommend the assignment of committee rooms to the several committees of the Senate as follows:

Room 16—Insurance, Banks, County and Township Organization, Penitentiary, Reform Schools.

Room 17—Mines and Mining, Private Corporations, Representative Districts, Orphans' Home.

Room 18—Highways, Suppression of Intemperance, Compensation of Public Officers, Rules.

Room 19—Schools, Municipal Corporations, Normal Schools, Retrenchment, Federal Relations, Constitutional Amendments.

Room 20—Congressional Districts, Senatorial Districts, Public Buildings, Manufactures.

Room 21—Railroads, Commerce, Asylum for Feeble Minded Children.

Room 22—Judiciary, Judicial Districts.

Room 23—Labor, Elections, Agriculture, Claims.

Room 24—Enrolled Bills, Engrossed Bills.

Room 26—Medicine, Surgery, Pharmacy and Hygiene, Hospital for the Insane, Public Lands, Internal Improvement, Horticulture and Forestry, Fish and Game.

Room 28—Ways and Means, Appropriations.

Room 29—Printing, Military, State University, Agricultural College, College for the Blind, Institution for Deaf and Dumb.

Library—Library.

LEWIS MILES,
L. R. BOLTER,
BEN MCCOY,
Committee.

Adopted.

Senator Sutton offered the following resolution :

Resolved, That one member be added to the Committee on Appropriations.

Adopted.

Senator Wilkin offered the following resolution :

Resolved, That the Committee on Library are hereby instructed to investigate and report to the Senate as to the necessity, advisability and probable expense of getting the catalogue of the State Library revised and printed to enable the public to get a better use of the contents of the Library.

Adopted.

A committee from the House announced that the House was ready to meet the Senate in joint convention.

The Chair appointed Senator Doud teller on the part of the Senate.

Senator Woolson moved that the Senate now proceed in regular order to meet the House in joint convention.

Carried.

The Lieut. Governor, accompanied by the Senators, proceeded to the House at 2 P. M.

JOINT CONVENTION.

The Joint Convention was called to order by President J. A. T. Hull.

Roll call showed all present but seven.

Senator Doud was appointed teller on the part of Senate. Mr. Schee was appointed teller on the part of the House.

On the election of Warden of the penitentiary at Ft. Madison the roll was called with the following result:

Whole number of votes cast.....	187
Necessary to a choice.....	69
Of which Geo. W. Crosley received.....	90
Of which T. S. Jackson received.....	47

Those voting for Geo. W. Crosley were:

Messrs. Agnew, Anderson of Hamilton, Anderson of Warren, Bailey, Barrett, Berryhill, Boggs, Bradley, Brown, Bruce, Burdick, Butler of Cherokee, Butler of Page, Caldwell, Carson, Chambers, Chubb, Clarke of Page, Coie, Coleman, Converse, Cousins, Culbertson of Carroll, Custer, Deal, Densmore, Dobson, Donnan, Doud, Duncan, Finn, Gatch, Gates, Glass, Greenlee, Hayzlett, Head, Hutchison, LaForce, Larson, Lathrop, Lyons of Guthrie, Lyons of Mahaska, McCarthy, McCoy, McDonough, Meservey, Miles, Mitchell, Moore, Nelson, Overholzer, Parrott, Pattee, Poynear, Redhead, Redman, Reynolds, Riley, Roach, Robinson Rustad, Schaller, Schee, Scott, Shaw, Smith, Spencer, Stephens, Storey, Sutton, Sweney, Sweet, Teale, Thompson of Linn, Tipton, Underwood, Walker, Weaver, Weber, Welch, Whaley, Wilbur, Wiley, Wilkin, Wilson of Butler, Wilson of Cass, Withrow, Woolson and Young—90.

Those voting for T. S. Jackson were :

Messrs. Baldwin, Ball, Barnum, Bayless, Bloom, Bolter, Burgess, Carr, Casey, Cassatt, Chamberlin, Chesebro, Clark of Scott, Craig, Culbertson of Des Moines, Deitz, Dent, Dodge, Dooley, Garrett, Hamilton, Hammond, Harris, Hart of Clinton, Hart of Pottawatta-

mie, Henderson, Hendrie, Holbrook, Hotchkiss, Keatley, Kent, Kline, Linehan, Manderchied, Montgomery, Penny, Peterson, Ramsey, Robb, Roberts, Schmidt, Stiger, Thompson, of Clayton, Whiting, Wolfe, Wright and Wyland—47.

Absent or not voting :

Messrs. Benson, Dabney, Earle, Gault, Johnson, Killen, Knight, Natchwey, Ranck, Reiniger, Rice, Russell and Ryder—13.

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 joint convention then proceeded to elect a warden for the Penitentiary at Anamosa. The roll call showed the following result :

Whole number of votes cast.....	183
Necessary to a choice.....	67
Of which Marquis Barr received.....	86
Of which George W. Benton received.....	47

Those voting for Marquis Barr were:

Messrs. Agnew, Anderson of Hamilton, Anderson of Warren, Bailey, Barrett, Berryhill, Boggs, Bradley, Brown, Bruce, Burdick, Butler of Cherokee, Butler of Page, Caldwell, Carson, Chambers, Chubb, Clark of Page, Coie, Coleman, Converse, Cousins, Culbertson of Carroll, Custer, Deal, Densmore, Dobson, Donnan, Doud, Duncan, Finn, Gatch, Gates, Glass, Greenlee, Hayzlett, Head, Hutchison, LaForce, Larson, Lathrop, Lyons of Guthrie, Lyons of Mahaska, McCarthy, McCoy, McDonough, Meservey, Miles, Mitchell, Moore, Nelson, Overholtzer, Parrott, Pattee, Poyneer, Redhead, Redman, Riley, Roach, Robinson, Rustad, Schaller, Schee, Scott, Smith, Spencer, Stephens, Sutton, Sweney, Sweet, Teale, Thompson of Linn, Tipton, Underwood, Walker, Weber, Welch, Whaley, Wilbur, Wiley, Wilkin, Wilson of Butler, Wilson of Cass, Withrow, Woolson and Young—86.

Those voting for Geo. W. Benton, were :

Messrs. Baldwin, Ball, Barnum, Bayless, Bloom, Bolter, Burgess, Carr, Casey, Chamberlin, Chesebro, Clark of Scott, Craig, Deitz, Dent, Dodge, Dooley, Garrett, Hamilton, Hammond, Harris, Hart of Clinton, Hart of Pottawattamie, Henderson, Hendrie, Holbrook, Hotchkiss, Keatley, Kent, Kline, Manderschied, Montgomery, Penny, Peterson, Ramsey, Robb, Roberts, Russell, Schmidt, Shaw, Stiger, Thompson of Clayton, Whiting, Wolfe, Wright and Wyland—47.

Absent or not voting :

Messrs. Benson, Cassatt, Dabney, Earle, Gault, Johnson, Killen, Knight, Linehan, Natchwey, Ranck, Reiniger, Reynolds, Rice, Ryder, Storey and Weaver—17.

Marquis Barr having received a majority of all the votes cast for the office of Warden for the Penitentiary at Anamosa 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 joint convention then proceeded to elect a State Printer.

The roll was called with the following result:

Whole number of votes cast.....	134
Necessary to a choice.....	68
Of which George E. Roberts received.....	87
Of which Dr. A. C. Roberts received.....	47

Those voting for George E. Roberts were:

Messrs. Angnew, Anderson of Hamilton, Anderson of Warren, Bailey, Barrett, Berryhill, Boggs, Bradley, Brown, Bruce, Burdick, Butler of Cherokee, Butler of Page, Caldwell, Carson, Chambers, Chubb, Clark of Page, Coie, Coleman, Converse, Cousins, Culbertson of Carroll, Custer, Deal, Densmore, Dobson, Donnan, Doud, Duncan, Finn, Gatch, Gates, Glass, Greenlee, Hayzlett, Head, Hutchison, LaForce, Larson, Lathrop, Lyons of Guthrie, Lyons of Mahaska, McCarthy, McCoy, McDonough, Meservey, Miles, Mitchell, Moore, Nelson, Overholtzer, Parrott, Pattee, Poyneer, Redhead, Redman, Riley, Roach, Robinson, Rustad, Schaller, Schee, Scott, Smith, Spencer, Stephens, Storey, Sutton, Sweney, Sweet, Teale, Thompson of Linn, Tipton, Underwood, Walker, Weber, Welch, Whaley, Wilbur, Wiley, Wilkin, Wilson of Butler, Wilson of Cass, Withrow, Woolson and Young—87.

Those voting for Dr. A. C. Roberts, were:

Messrs. Baldwin, Ball, Barnum, Bayless, Bloom, Bolter, Burgess, Carr, Casey, Chamberlin, Chesebro, Clark of Scott, Craig, Culbertson of Des Moines, Deitz, Dent, Dodge, Dooley, Garrett, Hamilton, Hammond, Harris, Hart of Clinton, Hart of Pottawattamie, Henderson, Holbrook, Hotchkiss, Keatley, Kent, Kline, Linehan, Manderscheid, Montgomery, Penny, Peterson, Ramsey, Robb, Roberts, Russell, Schmidt, Shaw, Stiger, Thompson of Clayton, Whiting, Wolfe, Wright and Wyland—47.

Absent or not voting:

Messrs. Benson, Cassatt, Dabney, Earle, Gault, Hendrie, Johnson, Killen, Knight, Nachtwey, Ranck, Reiniger, Reynolds, Rice, Ryder and Weaver—16.

George E. Roberts having received a majority of all the votes cast for the office of State Printer, 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 joint convention then proceeded to elect a State Binder.

The roll call showed the following result:

Whole number of votes cast.....	132
Necessary to a choice.....	67
Of which L. S. Merchant received.....	85
Of which James Lee received.....	47

Those voting for L. S. Merchant were:

Messrs. Angnew, Anderson of Hamilton, Anderson of Warren, Bailey, Barrett, Berryhill, Boggs, Bradley, Brown, Bruce, Burdick, Burgess, Butler of Cherokee, Butler of Page, Caldwell, Carson, Chambers, Chubb, Clark of Page, Coie, Coleman, Converse, Cousins, Culbertson of Carroll, Deal, Densmore, Donnan, Doud, Duncan, Finn, Gatch, Gates, Glass, Greenlee, Hayzlett, Head, Hutchison, La Force, Larson, Lyons of Guthrie, Lyons of Mahaska, McCarthy, McCoy,

McDonough, Meservey, Miles, Mitchell, Moore, Nelson, Overholtzer, Parrott, Pattee, Poynear, Redhead, Redman, Riley, Roach, Robinson, Rustad, Schaller, Schee, Scott, Smith, Spencer, Stephens, Storey, Sutton, Sweney, Sweet, Teale, Thompson of Linn, Tipton, Underwood, Walker, Weber, Welch, Whaley, Wilbur, Wiley, Wilkin, Wilson of Butler, Wilson of Cass, Withrow, Woolson and Young—85.

Those voting for James Lee were:

Messrs. Baldwin, Ball, Barnum, Bloom, Bolter, Carr, Casey, Chamberlin, Chesebro, Clark of Scott, Craig, Custer, Dabney, Deitz, Dent, Dodge, Dooley, Garrett, Hamilton, Hammond, Harris, Hart of Clinton, Hart of Pottawattamie, Henderson, Holbrook, Hotchkiss, Keatley, Killen, Kline, Linehan, Manderschied, Montgomery, Nachtwey, Penny, Peterson, Ramsey, Robb, Russell, Ryder, Schmidt, Shaw, Stiger, Thompson of Clayton, Whiting, Wolfe, Wright and Wyland—47.

Absent or not voting:

Messrs. Bayless, Benson, Cassatt, Culbertson of Des Moines, Dobson, Earle, Gault, Hendrie, Johnson, Kent, Knight, Lathrop, Ranck, Reiniger, Reynolds, Rice, Roberts and Weaver—18.

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 shall be elected and qualified.

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

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, January 27, 1886. }

This is to certify that an election held by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Wednesday the 27th day of January, A. D. 1886, 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 27th day of January, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

M. P. DOUD,
Teller of the Senate.

GEO. W. SCHUB,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, January 27, 1886. }

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 27th day of January, A. D. 1886, for the purpose of electing a State Printer, George 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 27th day of January, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

M. P. DOUD,
Teller of the Senate.

GEO. W. SCHEE,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, January 27, 1886. }

This is to certify that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on the 27th day of January, A. D. 1886, for the purpose of electing a Warden for the Penitentiary at Ft. Madison, Iowa, Geo. W. Crosley having received a majority of all the votes cast for said office, was declared duly elected Warden of the Penitentiary at Ft. Madison, for the term of two years from and after the expiration of the term of the present incumbent, and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 27th day of January, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

M. P. DOUD,
Teller of the Senate.

GEO. W. SCHEE,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, January 27, 1886. }

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 27th day of January, A. D. 1886, for the purpose of electing a Warden for the additional Penitentiary at Anamosa, Iowa, Marquis Barr having received a majority of all the votes cast for said office, was declared duly elected Warden of the State Penitentiary at Anamosa, Iowa, 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 27th day of January, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

M. P. DOUD,
Teller of the Senate.

GEO. W. SCHEE,
Teller of the House of Representatives.

On motion the the Joint Assembly was dissolved.

3:50 O'CLOCK P. M.

At 3:50 o'clock P. M. the Senate reconvened.
 Lieutenant-Governor Hull in the chair.

INTRODUCTION OF BILLS.

By Senator Clark, Senate File No. 64, a bill for an act to suppress circulation, advertising and vending of obscene literature, and articles of immoral and indecent use and to confiscate such property.

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

By request by Senator Burdick, Senate File No. 3, a bill for an act to establish a Soldiers' Home was withdrawn from committee on appropriations and referred to committee on military.

By Senator Clark, Senate File No. 85, a bill for an act to appoint police commissioners, define duties and powers.

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

By Senator Sweney, Senate Fille No. 86, a bill for an act to require foreign corporations to file their articles of incorporation with Sec-

retary of State, and imposing conditions upon such corporations transacting business in this State.

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

Senator Donnan called for

PETITIONS AND MEMORIALS.

Senator Donnan presented petition of Adam Keifer and others, asking for a law against sale of adulterated products of milk and cream, and asking appointment of dairy commissioner.

Referred to Committee on Agriculture.

Senator Sweney presented petition for enactment of law against adulterated products of dairy, and to create office of dairy commissioner.

Referred to Committee on Agriculture.

Senator Burdick presented petition of A. K. Bailey and 125 others relating to manufacture and sale of butterine, and asking appointment of dairy commissioner.

Referred to Committee on Agriculture.

Chair submitted petition against Sunday traffic on railroads.

Referred to Committee on Railroads.

INTRODUCTION OF BILLS.

By Senator Donnan, Senate File No. 67, a bill for an act to amend section 1381, Code of 1873, relating to support of poor.

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

By Senator Hutchison, Senate File No. 68, a bill for an act to repeal section 28, chapter 60, laws of 1874, and sections 814, 819, 828, 832, 833, 834 and 836 and part of section 812 of the Code and to enact substitute therefor providing for an equal, definite, accurate, equitable taxation of moneys and credits, incorporated State and National banks and private banks, merchandise and manufactured goods, real and personal property.

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

Two hundred extra copies ordered printed.

By Senator Deal, Senate File No. 69, a bill for an act to amend section 837, title 6, chapter 1, Code of Iowa.

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

By Senator Wilkin, Senate File No. 70, a bill for an act to amend sections 857, 890 and 969 of the Code.

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

By Senator Wilkin, Senate File No. 71, a bill for an act providing for the levy of writs of attachments and executions upon mortgaged chattels in certain cases.

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

By Senator Wilkin, Senate File No. 72, a bill for an act to amend section 3814 of Code, in relation to witness fees.

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

By Senator Caldwell, Senate File No. 73, a bill for an act to protect against steam boiler explosions.

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

By Senator Caldwell, Senate File No. 74, a bill for an act for the protection of human life and health from diseased animals.

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

By Senator Caldwell, Senate File No. 75, a bill for an act supplementary to chapter 180, laws Twentieth General Assembly.

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

By Senator Caldwell, Senate File No. 76, a bill for an act to regulate the practice of medicine in Iowa.

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

By Senator Duncan, Senate File No. 77, a bill for an act to amend section 3327, chapter 4, title 20 of Code.

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

By Senator Wolfe, Senate File No. 78, a bill for an act to provide for election of county attorney; defines his duties, fix his salary and repeal chapter 8, title 3 of Code.

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

By Senator Wolfe, Senate File No. 79, a bill for an act to amend section 595 of Code, relating to registration of voters.

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

By Senator Poyneer, Senate File No. 80, a bill for an act to amend section 1551, chapter 6, title 11, relating to sale of intoxicating liquors.

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

By Senator Bayless, Senate File No. 81, a bill for an act to repeal chapter 80, laws Seventeenth General Assembly, relating to propagation of fish.

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

By Senator Gatch, Senate File No. 82, a bill for an act providing for exemptions of homesteads after 1887 from ordinary taxation to the value of \$1,000.

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

One hundred extra copies ordered printed.

By Senator McDonough, Senate File No. 83, a bill for an act to encourage manufactures and exempt them from taxation for five years.

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

By Senator McDonough, Senate File No. 84, a bill for an act to repeal section 4276 of the Code of 1873 and enact a substitute therefor, relative to statement of defendants before grand jury.

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

By Senator Casey, Senate File No. 85, a bill for an act to amend chapter 1, title 11 of the Code, in reference to relief of the poor and manner of obtaining the same, and providing criminal punishment for violation of this act.

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

By Senator Weber, Senate File No. 86, a bill for an act to grant suffrage to women at municipal elections.

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

By Senator Weber, Senate File No. 87, a bill for an act to amend section 853 of the Code, relating to the collection of taxes.

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

By Senator Glass, Senate File No. 88, a bill for an act providing for a separate apartment in common jails for the retention of females.

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

By Senator Schmidt, Senate File No. 89, a bill for an act to amend section 9, chapter 60, acts of the 15th General Assembly, relating to savings banks.

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

By Senator Woolson, by request, Senate File No. 90, a bill for an act to prevent the manufacture and sale of adulterated food or drugs.

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

By Senator Carson, by request, Senate File No. 91, a bill for an act for control of the traffic in intoxicating liquors and suppression of intemperance, and an act to amend chapter 6, title 11 of the Code, relating to intoxicating liquors, and providing for the right and privilege of cities of the State of Iowa to license or prohibit the sale of intoxicating liquors therein, and to repeal all acts or parts of acts contravening with the provisions of this act.

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

By Senator Stephens, Senate File No. 92, a bill for an act to amend chapter 24, acts of the 19th General Assembly, in relation to superior courts.

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

RESOLUTIONS.

Senator Donnan offered the following resolution:

Resolved, That there be added to the standing committees of the Senate a Committee on Suffrage.

Referred to Committee on Rules.

Senator Johnson offered the following resolution:

Resolved, That the Appropriations Committee be required to report all general appropriation bills to the Senate on or before March 1st.

Moved by Senator Donnan that the resolution be referred to Committee on Appropriations, with instructions to report at an early day.

Lost.

Moved by Senator Woolson that the word "required" be stricken out of the resolution and the word "requested" be substituted.

Carried.

Senator McDonough moved to insert March 5th in place of March 1st.

Lost.

Senator Donnan moved to insert after the word "appropriation" "and all other standing committees of the Senate."

Lost.

Senator McCoy moved to amend by striking out date and insert March 18.

Accepted.

The question recurring on the resolution of Senator Johnson, as amended, it was adopted.

Senator Dooley offered joint resolution relative to Chinese labor.

Be it resolved by the General Assembly of the State of Iowa, That our Senators and Representatives in Congress be and they are hereby requested to use their influence in having the anti-Chinese law so amended as to make it more effective, that the Chinese may be prevented from coming to this country as competitors with American labor in the labor market, as it tends to degrade the laboring men of America, disturbs the peace of American citizens on the Pacific slope and will in time that of the country at large.

Resolved, That the Secretary of State be authorized to send a copy of the above resolution to each of our Senators and Representatives in Congress immediately.

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

Senator Weber offered the following resolution:

Resolved, That committee to whom bills have been referred shall report back the same to the Senate within ten days from the receipt of the bills, except appropriation bills.

Referred to Committee on Rules.

Senator Johnson offered the following resolution which was adopted:

Resolved, That the Committee on Judicial Districts be instructed to present a bill revising the judiciary of the State and to report a bill creating the office of county attorney and fixing compensation for his services, and that all bills relating thereto be referred to Committee on Judicial Districts.

Senator Wilkin offered the following resolution:

Resolved, That the Secretary of the Senate is hereby instructed to procure telephone service, at the expense of the State, for the use of the Senate during the present session, and have instrument placed in cloak room.

Senator Sweney offered the following amendment:

“Provided cost shall not exceed regular price for such service.”

Adopted.

The resolution as amended was adopted.

Senator Sutton offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That the Secretary of State be and he is hereby instructed to furnish the President and Secretary of the Senate, and the Speaker and Chief Clerk of the House, each, with one copy of Miller or McClain's Annotated Code, as they may select.

Adopted.

HOUSE MESSAGE.

House message relative to printing additional copies of Governor's message in foreign languages was taken up.

Senator Woolson moved to amend by adding: “and 2,000 copies in the Swedish language.”

Adopted.

Senator Doud moved to amend by adding: “and 2,000 copies in the Holland language.”

Adopted.

Senator Donnan moved to lay the subject on the table, and called for the yeas and nays.

The yeas were:

Senators Bayless, Bolter, Caldwell, Carr, Carson, Cassatt, Chambers, Donnan, Dooley, Duncan, Earle, Henderson, Hendrie, Hutchison, Johnson, Knight, McDonough, Miles, Ryder, Scott, Sutton, Underwood, Whaley, Wilkin, Whiting, Wolfe and Young—27.

The nays were:

Senators Barrett, Bloom, Burdick, Chesebro, Chubb, Dodge, Doud, Gatch, McCoy, Parrott, Poyneer, Robinson, Schmidt, Stephens, Sweney, Weber and Woolson—17.

Absent or not voting:

Senators Casey, Clark, Deal, Gault, Glass and Reiniger—6.

So the motion was carried.

The chair announced Senator Whiting as additional member of standing committee on appropriations.

The Senate adjourned to 2 P. M. to-morrow.

SENATE CHAMBER,
DES MOINES, IOWA, January 28, 1886. }

The Senate met in regular session at 2 P. M.

The President in the chair.

Prayer by the Rev. C. M. Brink.

The journal of the previous day was read, corrected and approved.

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

Concurrent resolution relative to placing telephones in the rooms of the Secretary of the Senate and Chief Clerk of the House.

Also concurrent resolution relative to printing the journal of the House and Senate daily.

J. K. POWERS, *Chief Clerk.*

PETITIONS.

Senator Duncan presented three petitions of citizens of Washington county asking for enactment of law against circulation of sensational literature.

Referred to Committee on Judiciary.

Senator Wilkin presented a petition of J. H. Peberly and citizens of Warren county asking enactment of a law compelling railroads to fence their tracks.

Referred to Committee on Railroads.

Senator Sweney presented a petition of Adam Hahn and eighteen other citizens of Mitchell county concerning Sunday traffic on railroads.

Referred to Committee on Railroads.

INTRODUCTION OF BILLS.

By Senator Robinson, by request, Senate File No. 93, a bill for an act to create the office of Insurance Commissioner and to define the duties thereof.

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

By Senator Wilkin, Senate File No. 94, a bill for an act to provide for and require trimming of certain hedge fences.

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

By Senator Donnan, Senate File No. 95, a bill for an act to amend section 593, Code of 1873, relating to the election of justices of the peace and constables.

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

By Senator Caldwell, Senate File No. 96, a bill for an act requiring railway companies to fence their tracks.

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

By Senator Caldwell, by request, Senate File No. 97, a bill for an act to provide for general vaccination in public schools.

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

By Senator Caldwell, by request, Senate File No. 98, a bill for an act to amend section 4045 of the Code, relating to the sale of milk.

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

By Senator Caldwell, by request, Senate File No. 99, a bill for an act to regulate house drainage and plumbing in cities of the first class.

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

By Senator Caldwell, Senate File No. 100, a bill for an act to amend chapter 151, laws 1880, relating to the Board of Health.

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

By Senator Caldwell, Senate File No. 101, a bill for an act to regulate the exit doors of public buildings.

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

By Senator Burdick, Senate File No. 102, a bill for an act to amend section 4062, Code of Iowa, relating to Canada thistles.

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

By Senator McCoy, Senate File No. 103, a bill for an act amending chapter 3, title 15, of the Code of Iowa, making incurable insanity a ground for divorce.

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

By Senator Chubb, Senate File No. 104, a bill for an act to amend certain sections of the school laws of 1884.

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

By Senator Gatch, Senate File No. 105, a bill for an act to repeal section 4421, of the Code of Iowa, relative to notice by district attorneys as to witnesses not before the grand jury.

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

By Senator Gatch, Senate File No. 106, a bill for an act to amend section 4413, of the Code of Iowa, relating to peremptory challenges of jurors in criminal cases.

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

By Senator Knight, Senate File No. 107, a bill for an act exempting cemeteries from assessment for local improvements.

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

By Senator Knight, Senate File No. 108, a bill for an act in relation to the labor of convicts and others confined in State institutions.

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

By Senator Knight, Senate File No. 109, a bill for an act to amend section 2246 of the Code.

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

By Senator Knight, Senate File No. 110, a bill for an act to amend sections 2623 and 2624 of the Code.

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

By Senator Parrott, Senate File No. 111, a bill for an act amending sections 8327 and 3792 of the Code and requiring satisfaction of mortgages in margin of record to be attested by the county recorder and providing a fee therefor.

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

By Senator Schmidt, Senate File No. 112, a bill for an act to bar the claims of absent heirs, devisees and legatees.

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

By Senator Wolfe, Senate File No. 113, a bill for an act to repeal section 2, chapter 57, Laws 1874, and to enact a substitute.

Read a first and second times and referred to the Committee on County and Township Organizations.

CONCURRENT RESOLUTION.

Senator Robinson offered the following concurrent resolution :

Resolved by the Senate, the House concurring, That the Secretary of State be and he is hereby authorized and directed to furnish to each member of this General Assembly for their use during the session a copy of the Sixteenth, Seventeenth, Eighteenth, Nineteenth and Twentieth General Assemblies of Iowa.

Adopted.

PETITIONS.

Senator Hutchison presented petition of citizens of Wapello county against the circulation of sensational literature.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Weber, Senate File No. 114, a bill for an act to amend section 1539 of the Code of 1873.

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

By Senator Weber, Senate File No. 115, a bill for an act to amend section 4044 of the Code of 1873.

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

By Senator Earle, Senate File No. 116, a bill for an act for the protection of agricultural societies.

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

By Senator Donnan, Senate File No. 117, a bill for an act making an appropriation for the Hospital for the Insane at Independence.

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

HOUSE MESSAGE.

House message relative to telephones was taken up and concurred in.

Also, House message relative to printing daily journals of session, which on motion of Senator Woolson was referred to Committee on Rules.

SPECIAL ORDER.

The President announced that the hour for the special order had arrived, it being joint resolution introduced by Senator Johnson relative to charges against John L. Brown, Auditor of State, and matters relating thereto.

Senator Woolson offered as a substitute for joint resolution No. 2, the following

JOINT RESOLUTION.

WHEREAS, Upon January 9, 1885, Hon. B. R. Sherman, as Governor of Iowa, appointed a commission to investigate the State offices, on whose report said Governor suspended Hon. J. L. Brown from the office of Auditor of State, and appointed Hon. J. W. Cattell as acting Auditor; and,

WHEREAS, Upon March 3, 1885, said Governor issued an executive order in which he declared said Cattell to have been appointed Auditor of State to fill the vacancy caused by the failure of said Brown to qualify as Auditor of State for the term commencing upon the first Monday of January, 1885; and,

WHEREAS, Upon January 23, 1886, Hon. Wm. Larrabee, Governor of Iowa, having received from the Attorney-General of the State, his official opinion on the *status* of the case, issued an executive order in which he declared the bond of said Brown, for the term last above named, to have been approved by him and directed said Cattell to turn over to said Brown the public funds and property belonging or pertaining to the office of State Auditor, and did also certify that said Brown had accounted for the public funds and property which as said Auditor said Brown had had in his control during said term; and,

WHEREAS, There have appeared in the public prints of the State various charges affecting the correctness and integrity of said Auditor's office during said term ending on the first Monday of January,

1885, and that excessive and illegal fees had by said office been demanded and received from insurance and banking companies, and that funds have been retained by said office or those connected with it, which should have been paid into the State Treasury, and that other irregularities existed in connection with said Auditor's office; Therefore,

Be it resolved by the General Assembly of the State of Iowa, that a committee of six, consisting of three from the Senate and three from the House, be appointed, who shall examine and report as to, if any inaccuracies, irregularities or want of integrity, existing in the said Auditor's office during term ending on the first Monday of January, 1885, or since said date, as to any vouchers pertaining to the business of that office which have been lost or destroyed or not properly kept—as to any excessive or illegal fees or payments demanded or received by said Auditor, or any person employed in his office or under him, as to any moneys received and retained by said Auditor, or persons under him, which should have been paid into the State Treasury, as to what grounds, existed in the acts of the said Auditor or the condition of his said office, justifying the said suspension of said Brown, as to what warrants have been issued and moneys paid out of the State Treasury because of said suspension or because of litigation connected therein or arising therefrom and to whom and for what purposes paid, and by whom ordered or audited, and that said committee examine and report as to said Auditor's office since January 1, 1883, in any other respects said committee may deem proper, and that said committee be and hereby is authorized and empowered to compel the attendance of witnesses, administer oaths, employ a clerk and a stenographer to send for persons and papers, to sit during the session of either branch of the General Assembly and report by bill or otherwise at any time.

Resolved further, That the Governor is hereby requested to furnish said committee with full copies of all records, correspondence, files and papers within his office, in anywise relating to any of the matters above enumerated; and the Auditor of State is hereby required to submit to said committee for its examination such of the records, books, files and papers of his office as said committee may request.

Senator Johnson moved to amend that the substitute be printed and made a special order for Monday at 3 P. M.

Senator Young called for the yeas and nays.

The yeas were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Earle, Gault, Hendrie, Johnson, Knight, Ryder, Schmidt, Whiting and Wolfe—18.

The nays were:

Senators Barrett, Burdick, Caldwell, Carson, Chambers, Chubb, Clark, Deal, Donnan, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber Whaley Wilkin, Woolson and Young—29.

Absent or not voting:

Senators Doud, Henderson, and Reiniger,—3.

So the motion did not prevail.

Senator Bolter offered the following as an amendment:

Insert after the word "House" the following: "not less than one on the part of the Senate and one on the part of the House shall be Democrats."

Senator Wolfe moved to lay on the table, and called for the yeas and nays.

The yeas were:

Senators Casey, Chesebro, Clark, Donnan, Earle, Knight, McDonough, Scott, Sutton, Underwood, Whiting and Wolfe—12.

The nays were:

Senators Barrett, Bayless, Bloom, Bolter, Burdick, Caldwell, Carson, Cassatt, Chubb, Deal, Dodge, Dooley, Duncan, Gatch, Gault, Glass, Hendrie, Hutchison, Johnson, McCoy, Miles, Parrott, Robinson, Ryder, Schmidt, Stephens, Sweney, Weber, Wilkin, Woolson, and Young—31.

Absent or not voting:

Senators Carr, Chambers, Doud, Henderson, Poyneer, Reiniger, and Whaley—7.

The motion was lost.

Senators Doud and Whaley were excused for the day.

Senator Reiniger was granted an indefinite leave of absence.

The question recurring upon the amendment by Senator Bolter the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bolter, Carr, Carson, Cassatt, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Gault, Glass, Hendrie, Johnson, Poyneer, Schmidt, Stephens, Sutton, Underwood, Weber and Whiting—23.

The nays were:

Senators Bloom, Burdick, Caldwell, Casey, Chambers, Chesebro, Earle, Gatch, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Robinson, Ryder, Scott, Sweney, Wilkin, Wolfe, Woolson and Young—23.

Absent or not voting:

Senators Doud, Henderson, Reiniger and Whaley—4.

The vote being a tie the President voted yeas.

So the amendment was 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 concurrent resolution, in which the concurrence of the Senate is asked:

Relative to committee to investigate the suspension of Auditor Brown.

J. K. POWERS, *Chief Clerk.*

Senator Gault moved to lay subject on the table.

The yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Carr, Casey, Chambers, Clark, Donnan, Duncan, Earle, Gault, Knight, Poyneer, Robinson, Underwood, Whiting and Wolfe—16.

The nays were:

Senators Bloom, Burdick, Bolter, Caldwell, Carson, Cassatt, Chesebro, Chubb, Deal, Dodge, Dooley, Gatch, Glass, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Parrott, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Weber, Wilkin, Woolson and Young—30.

Absent or not voting:

Senators Doud, Henderson, Reiniger and Whaley—4.

So the motion did not prevail.

Senator Johnson moved that substitute be printed and made special order for Tuesday at 2 o'clock p. m.

Lost.

Senator Scott moved that the matter be referred to the committee in view of the message from the House on said matter.

The yeas and nays were called for.

The yeas were:

Senators Burdick, Caldwell, Carson, Chambers, Clark, Deal, Donnan, Duncan, Glass, McCoy, McDonough, Parrott, Robinson, Scott, Sutton, Underwood, Wilkin, Woolson and Young—18.

The nays were:

Senators Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Chubb, Dodge, Dooley, Earle, Gatch, Gault, Hendrie, Hutchison, Johnson, Knight, McCoy, Miles, Poyneer, Ryder, Schmidt, Stephens, Sweney, Weber and Whiting—25.

Absent or not voting:

Senators Barrett, Bayless, Doud, Henderson, Reiniger, Whaley and Wolfe—7.

So the motion did not prevail.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, January 29, 1886. }

The Senate met in regular session at 2 o'clock p. m., and was called to order by the President.

Prayer by Rev. W. A. Cain.

The minutes of the previous day were read and approved.

PETITIONS.

Senator Dooley presented petition of four hundred miners asking for the passage of the Cassatt mining bill and other bills of importance to miners of the State of Iowa.

Referred to Committee on Mines and Mining.

Senator McCoy presented petition of J. B. McCurdy and others asking enactment of law amendatory of sections 2008 and 2371 of Code.

Referred to Committee on Judiciary.

Senator Burdick presented petition of Leonard Soandring and sev-

enty-five other citizens of Winneshiek county for the regulation of the manufacture and sale of adulterated butter.

Referred to Committee on Agriculture.

Senator Earle presented petition of five hundred and forty-seven citizens of Allamakee and Fayette counties asking the Twenty-first General Assembly:

First—To prohibit by law the sale of butter or cheese of any substance not the unadulterated product of pure milk or cream.

Second—To enact suitable penalties for the violation thereof.

Third—To appoint a dairy commissioner for Iowa, charged with the enforcement of the law, and to appropriate ample funds for this purpose.

Referred to Committee on Agriculture.

Senator Bayless presented petition asking the enactment of stringent laws prohibiting the sale and circulation of sensational, obscene and corrupting publications in Iowa, signed by twenty-three women and twenty-three gentlemen, citizens of Clayton county.

Referred to Committee on Judiciary.

Senator Robinson presented petition signed by 109 citizens of Shelby county asking that a stringent law be enacted prohibiting the sale and circulation of all sensational, obscene and corrupting literature within the State of Iowa.

Referred to Committee on Judiciary.

Senator Robinson presented petition signed by 221 citizens of Buena Vista county asking for authority to erect fish barriers across the outlets of lakes of Iowa.

Referred to Committee on Fish and Game.

Senator Underwood presented petition signed by 39 citizens of Hardin county for the adoption of such measures as are necessary to amend the constitution of the State so as to remove all discriminations on account of sex in the exercise of the elective franchise.

Referred to Committee on Suffrage.

Senator Chesebro presented petition signed by 360 citizens of Muscatine county asking that the Twenty-first General Assembly adopt such measures as are necessary to amend the constitution of our State so as to remove all discrimination on account of sex in the exercise of the elective franchise.

Referred to Committee on Suffrage.

Senator Robinson presented petition signed by 146 citizens.

First—To prohibit by law the sale as butter or cheese of any substance not the unadulterated product of pure milk or cream.

Second—To enact suitable penalties for the violation thereof.

Third—To appoint a Dairy Commissioner for Iowa, charged with the enforcement of the law, and appropriate ample funds for this purpose.

Referred to Committee on Agriculture.

Senator Robinson presented petition of 5,000 citizens of Iowa of same character.

Referred to Committee on Agriculture.

Senator Woolson, from the Committee on Rules, submitted the following report:

MR. PRESIDENT—Your Committee on Rules, to whom was referred

the resolution relating to adding to the list of standing committees a committee of suffrage, beg leave to report 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 adopted.

WOOLSON, *Chairman*.

On motion of Senator Donnan the report of the committee was adopted.

INTRODUCTION OF BILLS.

By Senator Donnan, Senate File No. 118, a bill for an act to vacate a public square in the village of Fairbank, in Buchanan county.

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

Also, Senate File No. 119, 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.

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

Also, Senate File No. 120, a bill for an act establishing the interest of husband and wife in property acquired during marriage.

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

By Senator Robinson, Senate File No. 121, a bill for an act to prevent deception in the manufacture and sale of imitations of butter and cheese.

Five hundred extra copies ordered printed.

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

By Senator McCoy, Senate File No. 122, a bill for an act to provide for the greater protection of the property of minors.

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

By Senator Scott, Senate File No. 123, a bill for an act making appropriations for repairs and improvements on the Iowa State Agricultural College and Farm.

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

Also Senate File No. 124, a bill for an act to amend chapter 189 of the Acts of the Twentieth General Assembly and to prevent contagious diseases from being brought into the State of Iowa.

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

By Senator Bloom, Senate File No. 125, a bill for an act to provide a tax of one-eighth of a mill as a permanent income for the State University of Iowa and to amend sections 835 and 796, chapter 1 title 6 of the Code.

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

Also Senate File No. 126, a bill for an act for an appropriation for support of State University of Iowa.

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

By Senator Doud, Senate File No. 127, a bill for an act to amend section 2745 of the Code so as to make actions to restrain nuisances triable at the first term.

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

By Senator Whaley, Senate File No. 128 a bill for an act making an appropriation to reimburse expenses incurred by the captors of certain fugitives from justice.

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

By Senator Hutchison, Senate File No. 129, a bill for an act to provide for ascertaining the citizens who shall be entitled to vote in all incorporated cities; to repeal section 618 of the Code, and to repeal chapter two, title five of the Code.

Read a first and second times and referred to the Committee on Municipal Corporation.

By Senator Carson, Senate File No. 130, a bill for an act making appropriations for the Institution for Deaf and Dumb.

Read a first and second times and referred to the Committee on Institution for Deaf and Dumb.

By Senator Doud, Senate File No. 131, a bill for an act amending sections 1922 and 1923 Code 1873 in relation to mortgages on personal property.

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

By Senator Parrott, Senate File No. 132, a bill for an act amending section 611 Code relative to hour of opening and closing the polls at all general elections.

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

By Senator Weber, Senate File No. 133, a bill for an act to amend section 2584 of the Code of 1873, relating to where Insurance companies shall bring certain actions.

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

Senate file No. 134, a bill for an act relating to evidence in Insurance cases.

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

By Senator Carr, Senate File No. 135, a bill for an act to amend section 514 of the Code, relating to selecting officers for incorporated towns.

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

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

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 16, a bill for “an act to legalize certain acts of Mason City Cemetery Association, and the renewal of the same, and to relinquish an escheat,” beg leave to report 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 blank in section 2, with the words, "Iowa State Register," and by adding to the same section the words, "such publication to be without expense to the State," and that as thus amended it do pass.

G. S. ROBINSON, *Chairman.*

On motion of Senator Glass the report was considered now.

Amendments were adopted.

Senator Glass 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, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sweney, Underwood, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—44.

The nays were, none.

Absent or not voting :

Senators Chesebro, Knight, Parrott, Reiniger, Sutton and Weber—6.

So the bill passed and the title was agreed to.

Senator Robinson from the Committee on Judiciary submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 21, a bill for an act to provide for a prison commission for the further regulation of prisons and the reformation of criminals, beg leave to report that they 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.

G. S. ROBINSON, *Chairman.*

The report was adopted.

Senator Sutton offered the following resolution which was adopted:

Resolved, That the chairman of the Committee on Engrossed Bills, and the chairman of the Committee on the State University be each authorized to employ a clerk for their respective committees.

Senator Duncan offered the following resolution:

Resolved, That the Saturday sessions of the Senate do begin at 10 o'clock A. M.

Senator Clark moved to strike out "beginning with Saturday, 30th."

Adopted.

The question recurring upon the resolution it was lost.

Senator Miles offered the following resolution which was adopted:

Resolved, That the Sergeant-at-Arms of the Senate is directed to have the numbers of the rooms to which the Senate committees have been assigned so changed and corrected on the black board in the

cloak room as to correspond with the rooms assigned to the several committees.

Senator Sutton offered the following concurrent resolutions:

Resolved by the Senate, the House concurring, That a committee of two from the House and two from the Senate be appointed to investigate and report as to the expenditure of the appropriation made to the State Agricultural Society by the Twentieth General Assembly of Iowa.

Adopted.

Also:

Resolved by the Senate, the House concurring, That a committee of two from the House and two from the Senate be appointed to investigate and report as to the expenditure of the appropriation made with reference to the State Capitol and grounds and adjoining streets by the Twentieth General Assembly.

Adopted.

HOUSE MESSAGES.

The Senate took up and considered the House concurrent resolution relative to charges against Hon. John L. Brown.

The resolution was adopted.

Senator Scott requested that Senate File No. 54 be withdrawn from Committee on Appropriations and referred to Committee on Agriculture.

So ordered.

Senator Weber requested that Senate File No. 86 be withdrawn from Judiciary Committee and referred to Committee on Suffrage.

So ordered.

Senator Woolson moved that the petitions this day offered and relating to woman suffrage and referred to Committee on Constitutional Amendments, be referred to Committee on Suffrage.

Carried.

Senator Woolson moved that joint resolution relative to an investigation of certain charges against John L. Brown, with substitute pending at hour of adjournment yesterday do lie upon the table.

Motion prevailed.

The Chair appointed as committee on the part of the Senate to investigate the affairs in Auditor of State's office, Senators Glass, Burdick and Whiting.

Senate adjourned to Monday, February 1st, 2 P. M.

SENATE, CHAMBER,
DES MOINES, IOWA, February 1, 1893. }

The Senate met in regular session at 2 o'clock p. m. and was called to order by the President.

Prayer by Rev. Mr. Henry.

Journal of previous day read and approved.

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 memorial and joint resolution in which the concurrence of the Senate is asked :

Memorial and joint resolution, relating to internal revenue tax on any substance of butter or cheese not made from pure dairy products

Also :

That the House has concurred in Senate resolution relating to Codes for President and Secretary of the Senate and Speaker and Chief Clerk of the House.

Also :

That the House has concurred in Senate resolution relating to the appointment of a committee to investigate expenditures on State Capitol and grounds under the appropriations of the Twentieth General Assembly.

Also :

That the House has concurred in Senate resolution relating to Session laws of Sixteenth to Twentieth General Assembly, with amendment.

Also :

That the House has concurred in Senate concurrent resolution relative to appointing joint committee to investigate as to the expenditures of the appropriation of State Agricultural Society.

Also :

Concurrent resolution relative to appointment of joint committee to ascertain the mileage and expenses of Visiting Committees.

J. K. POWERS, *Chief Clerk.*

The Chair announced the following committees:

Committee on Suffrage—Senators McDonough, Clark, Barrett, Chubb, Chambers, Stephens, Wolfe, Casey and Bayless.

Committee to Investigate Expenditures on Capitol Building—Senators Scott and Wolfe.

Committee to Investigate Expenditures on State Fair Grounds—Senators Deal and Bayless.

PRESENTATION OF PETITIONS.

Senator Earle presented petition of J. O. Hoover and 52 others of Fayette county asking that suffrage be extended to women on the

same terms as men in all municipal elections; also, to enact a law extending suffrage to women on the same terms as men in the appointment of Electors of President and Vice-President of the United States under the power conferred on Legislature by Art. 2, section 1, paragraph 2 of Constitution of United States.

Referred to Committee on Suffrage.

Senator Weber presented petition of R. E. Train and 83 other citizens of Wright and Franklin counties, 21 years of age and upwards, of same character.

Referred to same committee.

Senator Henderson presented petition of faculty of Cornell College asking Legislature to enact laws requiring instruction in the character of alcohol and its effects upon the physical, mental and moral nature, to be given in the schools supported by public money or under State control.

Referred to Committee on Schools.

Also petition on same subject by G. P. Cunningham and others of Linn county.

Referred to same committee.

Senator Scott presented memorial of J. H. Ebersole, county auditor of Boone county, and A. M. Mullinix, county surveyor of same county in relation to the transfer of certain duties from the office of county auditor to that of county surveyor, accompanied by similar memorials from same officers in the counties of Ida, Woodbury, Decatur, Hamilton, Floyd, Marshall, Lee, Mills, Lucas, Union, Louisa and other counties.

Referred to Committee on Highways.

Senator Dodge presented petition of G. W. Elliott and others of Elliott's Business College, Burlington College and by Burlington College Faculty asking for the enactment of laws requiring instruction in the character of alcohol and its effects upon the physical and moral nature to be given in all schools supported by public money or under State control.

Referred to Committee on Schools.

Senator Glass presented a petition of 109 citizens of LeMars asking legislation upon the subject of railway traffic upon the Sabbath.

Referred to Committee on Railroads.

Senator Woolson presented petition of W. B. Martin and 62 other citizens of Henry county asking that instruction in the public schools may be required as to the character of alcohol and its effects upon the human system.

Referred to Committee on Schools.

Senator Wilkin presented petition of E. L. Parks and 7 other professors and teachers in Simpson College, at Indianola, Ia., of same character.

Referred to same committee.

Senator Casey presented a petition signed by the faculty of Denmark Academy of the same character.

Referred to the same committee.

Senator Duncan presented a petition of teachers of Eastern Iowa Normal School relating to same subject.

Referred to same committee.

Senator Chubb presented petition of twenty-four teachers of Humbolt county, of same character.

Referred to same committee.

Senator Poyneer presented petition signed by the Faculty of Iowa College, of same character.

Referred to same committee.

Senator Miles presented petition of George McBroom and fifty-five other citizens of Wayne county, of same character.

Referred to same committee.

Senator Robinson presented petition of thirty-two teachers of Cherokee county, of same character.

Referred to same committee.

Senator Hutchison presented petition of citizens of Ottumwa asking that a law be enacted extending suffrage to women on the same terms as men in all municipal elections and in the appointment of Electors of President and Vice-President of the United States under the power conferred on the Legislature by article 2, section 1, paragraph 2, of the Constitution of the United States.

Referred to the Committee on Suffrage.

Senator Burdick presented petition of Mrs. M. J. Cameron, M. D., and 250 men and women of Winneshiek county, asking for the enactment of a law requiring instruction in public schools as the effect of alcohol in the human system.

Referred to Committee on Schools.

Also :

Petition of J. Breckenridge, president of the Decorah Institute, of same character.

Referred to same committee.

Senator McCoy presented petition of R. H. Johnson and 150 other citizens of Mahaska county, of same character.

Referred to same committee.

Senator Chesebro presented petition of Charles Miller and other citizens of Muscatine county, of same character.

Referred to same committee.

Also :

Petition of C. W. Pilgrim and 136 other citizens of Winneshiek county, asking that the manufacture and sale of bogus butter be prohibited.

Referred to the Committee on Agriculture.

Senator Cassatt presented petition of D. N. Aldridge and 387 other citizens of Iowa, asking for the enactment of a law to prohibit the sale as butter or cheese of any substance not the unadulterated product of pure milk or cream and to appoint a Dairy Commissioner.

Referred to Committee on Agriculture.

Senator Chubb presented petition by citizens of Kossuth county asking that suffrage be extended to women the same as men in municipal elections and in the appointment of Electors of President and Vice President of the United States, under the power conferred on the Legislature by article 2, section 1, paragraph 2, of the Constitution of the United States.

Referred to Committee on Suffrage.

Senator Carr presented petition of A. W. Mendershon and 114

others of Davis county, in favor of woman suffrage at municipal elections.

Referred to Committee on Suffrage.

INTRODUCTION OF BILLS.

By Senator Donnan, Senate File No. 186, a bill for an act to facilitate transportation by the better protection of railways against blockades by snow.

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

By Senator Bayless, Senate File No. 187, a bill for an act to repeal section 2, chapter 68, of the acts of the Fifteenth General Assembly and enacting a substitute therefor.

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

By Senator Duncan, Senate File No. 188, a bill for an act to amend certain sections and to enact a new section of chapter 200 laws of 1884.

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

Also :

Senate File No. 189, a bill for an act to amend section 976 of the Code.

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

By Senator McCoy, Senate File No. 140, a bill for an act to amend section 1078 of the Code, regarding corporations for pecuniary profit.

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

Also :

Senate File No. 141, a bill for an act to amend section 3804 of the Code, and giving additional fees to justices of the peace.

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

Also,

Senate File No. 142, a bill for an act to amend section 1265, Code of Iowa, and to compel railway companies to fence and build cattle guards.

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

By Senator Robinson, by request, Senate File No. 143, a bill for an act to amend section 1923, of the Code, relating to mortgage of personal property.

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

Also,

Senate File No. 144, a bill for an act establishing the Supreme Court at the seat of government and providing officers therefor.

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

By Senator Clark, Senate File No. 145, a bill for an act to provide

for the carrying on the work and building the additional hospital for the insane in southwestern Iowa, and to appropriate funds therefor.

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

By Senator Carson, Senate File No. 146, a bill for an act to require fire escapes to be attached to buildings in certain cases.

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

By Senator Doud, Senate File No. 147, a bill for an act to amend section 7, chapter 123, Eighteenth General Assembly, in relation to catching fish.

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

By Senator Dodge, Senate File No. 148, a bill for an act requiring the transportation of bodies of persons dead of certain diseases in a hermetically sealed and air-tight metallic case, casket or anti-septic interment sack.

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

By Senator Chubb, Senate File No. 149, a bill for an act to amend chapter 80, acts Twentieth General Assembly, relating to the bonding of county indebtedness.

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

Also,

Senate File No. 150, a bill for an act establishing a uniform inch or gauge of cream.

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

Also, Senate File No. 151, a bill for an act to establish a normal school for teachers.

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

By Senator Cassatt, Senate File No. 152, a bill for an act to amend chapter 161, laws Eighteenth General Assembly, relating to election of township officers.

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

By Senator Carr, by request, Senate File No. 153, a bill for an act to amend section 1498 of the Code, in relation to partition fences.

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

By Senator Gatch, Senate File No. 154, a bill for an act to regulate the organization and operation of mutual benefit associations.

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

Also, Senate File No. 155, a bill for an act to amend section 1061, title 9, chapter 1, Code 1873, relating to indebtedness of incorporations.

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

Also, Senate File No. 156, a bill for an act appropriating money to defray expenses of the inauguration ceremonies.

Read a first and second time.

On motion of Senator Gatch it was taken up and considered.

Senator Gatch moved that the rules 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 Bayless, Bloom, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hutchison, Johnson, McCoy, McDonough, Miles, Poyneer, Ryder, Schmidt, Scott, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—41.

The nays were, none.

Absent or not voting:

Senators Barrett, Cassatt, Chambers, Hendrie, Knight, Parrott, Reiniger, Robinson and Stephens—9.

So the bill passed and the title was agreed to.

Senators Chambers and Stephens were, on motion, excused for the day.

INTRODUCTION OF BILLS.

By Senator Sweney, Senate File No. 157, a bill for an act to repeal chapter 162 of the acts of the Twentieth General Assembly and to enact a substitute therefor.

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

By Senator Sutton by request, Senate File No. 158, a bill for an act to amend section 3793 of the Code.

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

By Senator Sutton, Senate File No. 159, a bill for an act to permit garnishees to interpose defenses in certain cases.

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

By Senator Earle, by request, Senate File No. 160, a bill for an act to repeal section 449 of the Code and dismissal of all suits commenced thereunder for tax accruing subsequent to July 4, 1884.

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

Also, by request, Senate File No. 161, a bill for an act to prohibit the employment of certain persons as teachers in public schools.

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

By Senator Hutchison, by request, Senate File No. 162, a bill for an act to amend section 3777 concerning fees of shorthand reporters.

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

By Senator Young, Senate File No. 163, a bill for an act to create

a board of arbitration and defining their duties, powers and jurisdiction.

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

Also, by request, Senate File No. 164, a bill for an act providing for the inspection and sale of illuminating oil.

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

By Senator Weber, Senate File No. 165, a bill for an act to compel notice of pendency of an action relating to real property.

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

By Senator Woolson, Senate File No. 166, a bill for an act to repeal section 3641 of the Code, in relation to evidence, and to enact a substitute therefor.

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

Senator Wilkin asked leave, by unanimous consent, that the Senate reconsider a resolution by which, on the 27th of January, a telephone was ordered put in the cloak room.

Carried.

Senator Wilkin moved that the resolution be indefinitely postponed.

Carried.

CONCURRENT RESOLUTIONS.

Senator Sutton offered the following resolution:

Resolved by the Senate, the House concurring, That the commissioners of the additional Hospital for the Insane in southwestern Iowa be required to make an additional report, showing:

First—A detailed statement of all expenditures, giving dates, names, amounts, and the purpose and object of such sum paid out.

Second—The capacity and estimated cost of the hospital when completed.

Third—The necessity of the contemplated corridors and their estimated cost.

Fourth—The purpose, estimated cost and capacity, and size of each different building and structure, in the plan adopted.

Fifth—The order in which the different buildings are to be constructed.

Sixth—Full and detailed explanation to which each building, when completed is to be put.

Seventh—The size of the buildings now begun, together with a full description of the work on such buildings, the condition the same are now in, the estimated cost of completing and furnishing the same, and the capacity of such buildings when so completed for the relief of the insane.

Eighth—All materials now on hand for said buildings and what portion, if any, are not paid for.

Adopted.

Senator Sutton offered the following concurrent resolution:

WHEREAS, A number of the committee rooms in the capitol building are each occupied by two or more standing committees; and

WHEREAS, In many cases each of the several committees occupying the same room have drawn from the Secretary of State, stationery and supplies including ink and mucilage in pint and quart bottles; and

WHEREAS, The result is that many of said committee rooms are encumbered among other things with two or more pint or quart bottles of ink and mucilage, greatly endangering the furniture and carpets from the spilling of such liquids; therefore

Resolved by the Senate, the House concurring, That the Secretary of State is directed to take up all ink and mucilage in large bottles in such committee rooms and to keep the ink and mucilage stands in such rooms properly filled to meet the necessities of such committees.
Adopted.

HOUSE MESSAGES.

The Senate took up and considered House message amending concurrent resolution relative to session laws of 16th, 17th, 18th, 19th and 20th General Assemblies and concurred in House amendment.

Also, took up and considered memorial and joint resolution in relation to internal revenue tax on substance in semblance of butter and cheese not made exclusively of milk or cream.

On motion of Senator Scott it was referred to Committee on Agriculture.

Also, House concurrent resolution relating to committee on mileage and expenses to which the members of the various visiting committees are entitled.

Concurred in by the Senate.

REPORT OF COMMITTEE.

Senator Gault of the Committee on Reporters' Stationery, reported as follows:

MR. PRESIDENT—Your committee to whom was referred resolution instructing Secretary of State to furnish regular representatives of the press in the Senate, the necessary stationery not to exceed two dollars per week each, have had the same under consideration and have instructed me to report the same back, with the recommendation that it do pass.

EDW. J. GAULT, *Chairman.*

Senator Duncan moved to amend that "one dollar" be substituted for "two dollars."

Lost.

The report of the committee was then adopted.

On motion the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 2, 1888. }

The Senate met at in regular session at 2 P. M., and was called to order by the President.

Prayer by Rev. J. W. Geiger.

The journal of previous day was read, corrected and approved.

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. 132, a bill to legalize the organization of school district of Bertram in Linn county, Iowa.

Also, has concurred in concurrent resolution relating to revisiting the Deaf and Dumb Asylum at Council Bluffs.

J. K. POWERS, *Chief Clerk.*

PETITIONS.

Senator Glass presented a petition signed by 60 teachers of Cerro Gordo county asking that the teaching of the effect of alcohol upon the mental and moral nature be taught in public schools.

Referred to Committee on Schools.

Senator Poyneer presented a petition signed by 55 citizens of Tama county asking that suffrage be granted to women.

Referred to Committee on Suffrage.

Senator Whaley presented petition signed by 125 voters and 127 women asking that instruction be given in schools on the effects and character of alcohol on the physical, mental and moral nature.

Referred to Committee on Schools.

Senator Gault presented petition on same subject.

Referred to same committee.

Senator Doud presented petition signed by 240 citizens of Clarke, Jasper and Decatur counties asking that suffrage be granted to women in municipal elections and in the selection of presidential electors.

Referred to Committee on Suffrage.

Senator Duncan presented petition signed by 26 citizens of Columbus Junction, Louisa county, on same subject.

Referred to same committee.

Senator Duncan presented petition and memorial asking that a law be passed requiring cars owned and operated in this State be furnished with some form of automatic car coupling by means of which cars may be coupled and uncoupled without necessity of breakmen passing between them.

Referred to Committee on Railroads.

Senator Doud presented memorial from E. D. Duncan Post No. 253, G. A. R., 94 members, in relation to soldiers' home.

Referred to Committee on Military.

Senator Weber presented a petition signed by thirty-eight citizens of Webster county, asking that municipal suffrage be granted to women.

Referred to Committee on Suffrage.

Senator Sweney presented a petition signed by twenty-one citizens of Bremer and Black Hawk counties, on same subject.

Referred to same committee.

Senator Underwood presented a petition signed by sixty-three persons, relative to Sunday traffic on railways.

Referred to Committee on Railroads.

Senator Underwood presented a petition signed by sixty-four petitioners, from Hardin county, asking that suffrage in municipal elections be granted to women.

Referred to Committee on Suffrage.

Senator Chubb presented a petition signed by thirty-nine citizens of Iowa, asking that a law prohibiting the sale of butter or cheese of any substance not the unadulterated product of pure milk or cream, and a penalty for violating the same; and to appoint a dairy commissioner.

Referred to Committee on Agriculture.

Senator Robinson presented a petition on same subject, signed by fifty-eight citizens of Cherokee county.

Referred to same committee.

Senator Dodge presented a petition of physicians of Des Moines county and others, asking that the effect of alcohol upon the mental and moral nature be taught in the public schools.

Referred to Committee on Schools.

Senator Donnan presented a petition signed by citizens of Delaware county, upon same subject.

Referred to same committee.

Senator Casey presented a petition signed by citizens of Lee county, on same subject.

Referred to same committee.

Senator Wilkin presented a petition signed by seventy-five citizens of Warren county, asking that suffrage at municipal elections be granted to women.

Referred to Committee on Suffrage.

Senator Scott presented a petition a memorial of John L. Cunningham and 71 others, in relation to Des Moines river lands.

Referred to Committee on Federal Relations.

INTRODUCTION OF BILLS.

By Senator Henderson, Senate File No. 167, a bill for an act to provide for appointment of short hand reporter in the superior courts of the State.

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

By Senator Sutton, Senate File No. 168, a bill for an act to pro-

vide for collection of statistics relating to manufactures in this State.

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

By Senator Parrott, by request, Senate File No. 169, a bill for an act providing penalties for the employment by railroad companies of persons in the habit of becoming intoxicated, and providing for punishment of certain railroad employes for being intoxicated while in the discharge of their duties.

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

By Senator Doud, Senate File No. 170, a bill for an act to repeal section 3396, chapter 9, title 20, Code of 1878, and to enact a substitute therefor, in relation to injunctions.

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

By Senator Poyneer, Senate File No. 171, a bill for an act to amend section 5, chapter 171, laws of the Nineteenth General Assembly, relating to the sale of indemnity lands.

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

Also, Senate File No. 172, a bill for an act to amend section 967, chapter 2, title 7, of the Code of Iowa, relating to the powers and duties of township trustees.

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

By Senator Robinson, by request, Senate File No. 173, a bill for an act to amend chapter 56, Nineteenth General Assembly, and chapter 18, acts Twentieth General Assembly, relating to circuit judge.

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

By Senator Underwood, Senate File No. 174, a bill for an act authorizing the Board of Trustees of the Iowa Industrial School to use funds appropriated for changing mansard roof of main building to repairing and strengthening the same.

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

By Senator Wolfe, Senate File No. 175, a bill for an act to punish the crime of sodomy or buggary.

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

By Senator Gatch, Senate File No. 176, a bill for an act to amend section 3791, of the Code of Iowa, relating to compensation of county supervisors.

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

By Senator Gatch, by request, Senate File No. 177, a bill for an act to amend section 5, of chapter 168, of laws of Twentieth General Assembly, relative to admitting attorneys from other States to practice in the courts of this State.

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

By Senator Gatch, by request, Senate File No. 178, a bill for an

act in relation to the satisfaction of mortgages by foreign executors.

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

By Senator Cassatt, Senate File No. 179, a bill for an act relating to conductors on steam railways.

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

By Senator Robinson, Senate File No. 180, a bill for an act to authorize administrators, executors and guardians appointed in other states or countries to release judgments, mortgages and deeds of trust.

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

RESOLUTIONS.

Senator Woolson offered following resolution, and by request it was referred to Committee on Judiciary.

WHEREAS, Our grand jury system, as the same is now constituted, is cumbrous, frequently unwieldy, and a matter of unnecessary expense to the public, and the business coming before that body can be more rapidly and economically performed by a smaller body, without detriment to the public interest, or the persons whose cases are to be investigated by it; and

WHEREAS, As now in operation in the various counties, the sheriffs of said counties in filling vacancies with bystanders, have the power by such selections to determine in advance the complexion of said jury, as to any cases coming before it; therefore

Resolved, That the Committee on Judiciary examine and report by bill or otherwise, and at the earliest opportunity,

First—As to the practicability of providing for the trial of all criminal actions of a lower degree than felony without presentment or indictment at the hands of a grand jury,

Second—As to the practicability of providing that the grand jury shall consist of seven members and requiring the vote of five members to find an indictment.

Third—As to the practicability of providing that the grand jury shall appear at the first term of the district court in each county and shall not be called to appear thereafter during the year, except upon the order of the district judge.

Fourth—As to the practicability of repealing that part of the present law which authorizes the sheriff to fill vacancies in the grand jury from the bystanders and thereby enables the sheriff to determine in advance the complexion of the grand jury on any matters coming before it, and enacting in its stead a bill providing that there shall be drawn for said first term twelve or more names from among whom said grand jury shall be empanelled.

Senator Scott offered the following resolution, which was adopted and referred to the Committee on Public Buildings:

Resolved, That the custodian of the capitol building is hereby instructed, at the request of any Senator, to have the Senate chamber

lighted until 10 o'clock P. M. on the evening of any day except Sunday, during the present session of the General Assembly.

Senator Scott offered the following, which was adopted with same reference:

Resolved by the Senate, the House concurring, That the custodian of the capitol building is hereby instructed in addition to the present time of running, to have one of the elevators kept running until 10 o'clock P. M. each evening except Sunday during the session of the General Assembly, and that both elevators be kept running during the evening sessions of either House.

Senator Carson offered the following memorial and joint resolution relative to the establishment of an additional military academy in the northwest:

WHEREAS, The capacity of the military academy at West Point is wholly inadequate to impart military knowledge to the youth of the nation; and,

WHEREAS, The most powerful and efficient armies have always been found to be composed of men possessed of a higher degree of knowledge; and,

WHEREAS, The distinction now made between officers and enlisted men, both as to emoluments and appointments for promotion is too great; and,

WHEREAS, Our soldiers in the ranks should have the right and opportunity to be promoted upon meritorious service; therefore,

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

SECTION 1. That our Senators and Representatives in Congress be requested to use all honorable means to secure the passage of an act establishing a military academy in the northwest, and when so established, if found practicable that such academy be located in this State, and that the course of study in such military academies be of such character that instructions therein will enable the cadets to adopt themselves to either civil or military life, and that those choosing the military service be requested to enter the service as non-commissioned officers and serve as such not less than two years before such cadets be promoted to rank of a commissioned officer, except in the event of an emergency requiring the services of the volunteer forces of the Union.

SEC. 2. The Secretary of State is hereby instructed to send a copy of the foregoing resolution to each of our Senators and Representatives in Congress.

Senator Sutton offered following resolution:

WHEREAS, In certain Judicial Districts and in certain counties in other districts it is believed that certain penal laws are ignored by the grand juries and the district attorneys, therefore

Resolved, That the Judiciary Committee be requested to report upon the practicability of providing that offenses against all penal laws be presented to the District Court upon indictment by district attorneys, and also by the Attorney General, without the intervention of the grand jury.

Referred to Committee on Judiciary.

HOUSE MESSAGE.

House File, No. 132, a bill for an act to legalize the organization of Independent School District of Bertam, in Linn county, Iowa, was taken up.

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

House resolution in relation to management of institution for Deaf and Dumb, at Council Bluffs.

Referred to Committee of Institution for Deaf and Dumb.

REPORTS OF COMMITTEES.

Senator Caldwell from the Committee on Hospitals for the Insane, submitted the following report :

MR. PRESIDENT—Your Committee on Hospital for the Insane to whom was referred Senate File No. 24, a bill for an act to amend section 1419, chapter 2, concerning care of the insane, relating to discharge of non-residents, beg leave to report that they have 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 Robinson from the Committee on Judiciary submitted the following report :

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 33, a bill for an act further defining the powers and duties of the clerks of the circuit court, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that section 2, thereof be amended by inserting after the word "sufficient" in the twelfth line the words "be if the sureties shall not re-qualify on being by him so required to do."

And that section 3, be amended by substituting the words, "Des Moines Leader" for the words, "Iowa State Leader" and that as thus amended the bill do pass.

G. S. ROBINSON, *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 provide for the election of county attorneys, define their duties and fix their salaries and repeal chapter 8, title 3 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 referred to the Committee on Judicial Districts.

ROBINSON, *Chairman.*

Ordered so referred.

Senator Poyneer from the Committee on Agriculture submitted the following report :

MR. PRESIDENT—Your Committee on Agriculture to whom was referred Senate File No. 102, a bill for an act to amend section 4062 of

the Code of Iowa, relating 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.

A. N. POYNEER, *Chairman.*

Also:

MR. PRESIDENT:—Your Committee on Agriculture to whom was referred House memorial and joint resolution No. 3, in relation to internal revenue tax on all and any substance in semblance of butter and cheese not made exclusively from milk or cream, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be adopted.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Senator Robinson from the Committee on Judiciary submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 48, a bill for an act to create county 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 referred to the Committee on Judicial Districts.

ROBINSON, *Chairman.*

So referred.

BILLS ON SECOND READING.

Senate File No. 24, a bill for an act to amend section 1419, chapter 2 of Code, concerning care of the insane, relating to discharge of non-residents, with report of committee that it do pass, was taken up and considered that it do pass.

Senator Woolson 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 Bayless, Bloom, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Doolley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, Johnson, Knight, McCoy, McDonough, Parrott, Poyneer, Robison, Schmidt, Scott, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Woolson—43.

The nays were, none.

Absent or not voting:

Senators Barrett, Cassatt, Miles, Rieniger, Ryder, Stephens and Young—7.

So the bill passed and the title was agreed to.

Senate File No. 33, a bill for an act providing and further defining the powers and duties of the clerks of the circuit court, with report of committee recommending amendments and that the bill pass, was taken up and considered.

The amendments reported by the committee were 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 Bayless, Bloom, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Sutton, Sweeney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—45.

The nays were, none.

Absent or not voting:

Senators Barrett, Cassatt, Reiniger, Ryder and Stephens—5.

So the bill passed and the title was agreed to.

On motion of Senator Weber, Senate File No. 62, a bill for an act to amend subdivision 2, of section 256, of the Code of 1873, relating to attachments, with report of committee, recommending amendments and that it do pass, was taken up and considered, and the amendments were agreed to.

Senator Weber 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 Bayless, Bloom, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb Clark, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Sutton, Swene, Underwood, Weber Whaley, Whiting, Wilkin, Wolfe and Woolson—41.

The nays were, none.

Absent or not voting:

Senators Barrett, Cassatt, Deal, Dooley, Knight, Reiniger, Ryder, Stephens and Young—9.

So the bill passed and the title was agreed to.

Senate File No. 72, a bill for an act to amend section 3814 of the Code in relation to witness fees, with report of committee recommending amendments was taken up, considered, and the report of the committee was adopted.

The amendments reported by the committee were agreed to.

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 Bayless, Bloom, Bolter, Burdick, Caldwell, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Glass, Henderson, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Parrott, Poyneer,

Robinson, Schmidt, Scott, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin and Wolfe—41.

The nays were, none.

Absent or not voting :

Senators Barrett, Carr, Gault, Knight, Reiniger, Ryder, Stephens, Woolson and Young—9.

So the bill passed and the title was agreed to.

On motion of Senator Poyneer, Senate File No. 78, a bill for an act to provide for the election of a county attorney, define his duties, fix his salaries, and to repeal chapter 8, of title 8, of the Code of 1878, with report of committee recommending that it be indefinitely postponed, was taken up, and the report of the committee was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

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

Relating to the printing of daily calendar.

Also, House File No. 57.

J. K. POWERS, *Chief Clerk.*

HOUSE MESSAGE.

The Senate took up and considered House joint resolution in relation to internal revenue tax on all substances in semblance of butter and cheese, not made exclusively of milk or cream, and it was adopted.

The Chair announced as member of joint committee to ascertain mileage and expenses of visiting committee to State Institutions: Senator Gatch.

Senator Sutton moved to reconsider the vote by which the concurrent resolution of the House relative to revenue tax on substances in semblance of butter and cheese, not made exclusively from milk and cream.

On motion of Senator Scott it was laid on the table.

On motion of Senator Duncan, House File No. 57, a bill for an act to legalize the proceedings of boards of supervisors, of Muscatine and Louisa counties, in locating and constructing a levee on Muscatine Island, in said counties, and to provide for a re-assessment of the cost thereof on the lands benefited thereby, was read first and second time.

Referred to Committee on Judiciary.

On motion of Senator Woolson, House concurrent resolution relative to printing daily calendar, was taken up and concurred in.

Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, February 3, 1886. }

The Senate met in regular session at 2 P. M.
The President of the Senate in the chair.
Prayer by Rev. R. H. Hartley.
The journal of the previous day was read, corrected and approved.

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

That the Secretary of State be directed to have 5,000 copies of the Rules of the Twenty-first General Assembly printed.

Also, that the House has concurred in Senate resolution relating to Commissioners of Additional Hospital for Insane.

Also, concurrent resolution relating to ink and mucilage in committee rooms.

Also, the House has passed concurrent resolution extending time for visiting committees to make report.

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

House File No. 7, relating to bonded indebtedness of counties.

House File No. 28, legalizing acts of town council of Le Mars.

House File No. 45, legalizing the incorporation of Bayard, Guthrie county.

House File No. 80, legalizing the incorporation of Ruthven, Palo Alto county.

House File No. 266, to legalize acts of board of supervisors of Potawattamie county.

J. K. POWERS, *Chief Clerk.*

PETITIONS AND MEMORIALS.

Senator Sweney presented a petition signed by Esther D. Fanele and 310 other citizens of Mitchell county, asking that suffrage at municipal elections be conferred on women.

Referred to Committee on Suffrage.

Senator Wilkin presented petition signed by eighteen citizens of Warren county on same subject.

Referred to same committee.

Senator Chubb presented a petition signed by twenty citizens of Clay county on same subject.

Referred to same committee.

Senator Caldwell presented a petition signed by forty citizens of Dallas county on same subject.

Referred to same committee.

Senator Miles presented petition signed by S. D. Hickman and 125 other citizens of Chariton, Lucas county, on same subject.

Referred to same committee.

Senator Whiting presented a petition signed by W. H. H. Avery and 65 other citizens of Crawford county on same subject.

Referred to same committee.

Senator Chesebro presented a petition signed by citizens of Muscatine county on same subject.

Referred to same committee.

Senator McCoy presented a petition signed by 17 citizens of Mahaska county, asking that a law be enacted requiring instruction in the character of alcohol and its effects upon the physical, mental and moral nature, to be given in all schools supported by public money or under State control. Also the evil effects of tobacco and narcotics.

Referred to Committee on Schools.

Also a petition signed by members of Tom Conner Post No. 399, G. A. R., of Rose Hill, Iowa, asking an appropriation for a soldiers' and sailors' home for Iowa.

Referred to Committee on Military.

Senator Clark presented a petition signed by citizens of Page and Marshall counties asking suffrage be granted to women.

Referred to Committee on Suffrage.

Senator Earle presented a petition from citizens of Fayette county, asking the enactment of laws requiring instruction in the character of alcohol and its effects upon the physical, mental and moral nature, to be given in all schools supported by public money or under State control.

Referred to Committee on Schools.

Senator Underwood presented a petition signed by 18 voters and 15 women of Hardin county on same subject.

Referred to same committee.

Senator Whaley presented a petition signed by citizens of Butler county on same subject.

Referred to same committee.

Senator Bloom by request presented a petition signed by citizens of Johnson county and Iowa City on same subject.

Referred to same committee.

Senator Chambers presented a petition signed by 43 citizens of Jones and Cedar counties on same subject.

Referred to same committee.

Senator Whiting presented a petition of auditor and surveyor of Monona county, asking for transfer of certain duties relating to work of auditor's office on highways to surveyor's office.

Referred to Committee on Highways.

Senator Doud introduced a memorial signed by 220 miners of Jasper County in favor of the Cassatt bill.

Referred to Committee on Mines and Mining.

INTRODUCTION OF BILLS.

By Senator Donnan, Senate File No. 181, a bill for an act to amend chapter 4, title 11 of the Code of 1873 in relation to fences.

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

By Senator Robinson Senate File No. 182, a bill for an act to repeal the first sub-divisions of sections 2193, Code, and to enact a substitute therefor relating to marriage.

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

By Senator Hutchison, Senate File No. 183, a bill for an act to authorize the creation and to provide for the operation of tribunals of voluntary arbitration to adjust disputes between employers and employed in the industries of the State.

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

By Senator Chambers, Senate File No. 184, a bill for an act to enlarge the 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 Wilkin, Senate File No. 185, a bill for an act to amend section 982 of Code relating to highways.

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

By Senator Casey, Senate File No. 186, 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.

By Senator Hendrie, Senate File No. 187, a bill for an act to repeal section 1214, chapter 2, title 10 of the Code in delation to drains and ditches and to enact a substitute therefor.

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

By Senator Underwood, Senate File No. 188, a bill for an act making appropriations for boys' department of Iowa Industrial School.

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

By Senator Chambers, Senate File No. 189, a bill for an act requiring banking corporations other than savings banks to incorporate the word "State" in their corporate name and to prohibit certain other associations, partnerships or individuals engaged in banking business, buying or selling exchange, receiving deposits, discounting notes, etc., from adopting or using the word "State" in connection with such association, partnership or individual name.

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

By Senator Gatch, Senate File No. 190, a bill for an act providing for the investigation of the official conduct of city officers of cities of the first-class containing a population of over thirty thousand and for removals from office.

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

By Senator McCoy, by request, Senate File No. 191, a bill for an

act to regulate mines and mining, and to repeal chapter 21, of Act 20, General Assembly.

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

By Senator McCoy Senate File No. 192, a bill for an act to amend section 797 and to exempt from taxation certain homesteads.

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

By Senator Scott, Senate File No. 193, a bill for an act to appropriate money to defray the indebtedness incurred and to be incurred in making an exhibit of the resources and industries of Iowa at the World's Industrial and Cotton Centennial Exposition and at the North, Central and South American Exposition.

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

By Senator Young, Senate File No. 194, a bill for an act to amend section 327, of the code in relation to the order of payment of county warrants.

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

RESOLUTION.

Senator Miles offered the following resolution which was adopted :

Resolved, That committee room 16 be assigned to the Committee on Suffrage as a committee room.

REPORT OF COMMITTEE.

Senator Woolson from the Committee on Rules submitted the following report :

MR. PRESIDENT—Your Committee on Rules to whom was referred House concurrent resolution in regard to printing journals of the House and Senate, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out all after the word "concurring" and inserting the accompanying amendment and that as so amended it do pass :

That the members of the Committee on Rules of the House and Senate be appointed a joint committee with instructions to examine and report upon the propriety and practicability of printing the journals of the House and Senate daily, and placing copies thereof daily upon the desks of the members.

WOOLSON, *Chairman.*

The amendment reported by the committee was adopted.

The Senate concurred in the House resolution as amended.

Senate Knight offered the following resolution:

Resolved, That the Secretary of State be authorized, at the expense of the State, to procure a badge or insignia of office for the use of the Sergeant-at-Arms of the Senate, which badge shall be a shield having on it the coat of arms of the State, and the words: "Sergeant-at-Arms, Senate."

Adopted.

JOINT RESOLUTION.

Senator Chambers offered the following joint resolution:

Be it resolved by the General Assembly of the State of Iowa, That the following amendment to the constitution of the State of Iowa be and the same is hereby proposed: To strike out the word "male" from section one (1) article two (2) of said constitution. Resolved, further, that the foregoing proposed amendment to the constitution be and the same is hereby referred to the legislature to be chosen at the next general election for members of the General Assembly and that the Secretary of State cause the same to be published for three months previous to the day of said election as provided by law.

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

Senator Robinson offered the following :

Resolved by the Senate, the House concurring, That the State printer is hereby authorized and directed to print, and return to the proper custodians the printed copies of all bills, in the order in which they are received.

Adopted.

HOUSE MESSAGES.

The Senate took up and concurred in House concurrent resolution relative to extending time for report of visiting committees.

Also, took up and referred to Committee on Rules, House concurrent resolution, to provide 5,000 copies of rules of Twenty-first General Assembly.

On motion of Senator Caldwell House File No. 45, a bill for an act to legalize the incorporation of the town of Bayard in Guthrie county, Iowa, the election of officers and all acts done and ordinance passed by council of said town, was taken up.

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

House File No. 7, a bill for an act to amend chapter 58, of the acts of the Seventeenth General Assembly, relating to the refunding of outstanding bonded debt of counties, cities and towns at lower rates of interest was taken up, read a first and second time and referred to the Committee on Ways and Means.

House File No. 28, a bill for an act legalizing the act of the council of the city of LeMars in the county of Plymouth and State of Iowa, and legalizing the ordinance passed and adopted for the government of the said city was taken up, read a first and second time and referred to the Committee on Judiciary.

House File No. 80, a bill for an act to legalize the incorporation of the town of Ruthven, Palo Alto county, Iowa, the election of its officers and the acts done and ordinances passed by the council of said town, was taken up, read a first and second time and referred to the Committee on Judiciary.

House File No. 266, a bill for an act to legalize certain acts of the board of supervisors of Pottawattamie county and the mayor, and city council of the city of Council Bluffs, in relation to certain real

estate, was taken up, read a first and second time and referred to the Committee on Judiciary.

REPORT OF COMMITTEES.

Senator Robinson, 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 providing for changes of venue in criminal cases in district courts in behalf of the State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *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 providing for the exemption, after the year 1887, of homesteads from ordinary taxation to the value of \$1,000, beg leave to report that they 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.

G. S. ROBINSON, *Chairman*.

Ordered so referred.

Also :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 51, a bill for an act to amend section 4419 of the Code of Iowa, relating to continuances 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 the bill be amended by striking out the first two lines and the first four words in the third line, and inserting instead the words, "In all applications for continuances in both civil and criminal cases," and that the same be further amended by inserting after the word "continuance" in the fourth line the words, "and rebuttal affidavits may be permitted to be filed by the court," and that the title be amended so as to read, "A bill for an act to provide, in applications for continuances, for counter affidavits, and examination of affidavits, and impeachment of absent witnesses in both civil and criminal cases," and that as so amended, the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 34, 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 be amended by adding another section, as follows:

"SEC. 2. Whenever a site shall cease to be used for school pur-

poses, and the title thereto revert to the owner of the fee, the county superintendent shall at once note such fact upon the margin of the record in the office of the county recorder, and date and sign the same officially."

And that as so amended it do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Senator Sweeney from the Committee on Railroads submitted the following report:

MR. PRESIDENT—Your Committee on Railroads to whom was referred Senate File No. 41, a bill for an act amending sections 10 and 13, of chapter 77, of the acts of the Seventeenth General Assembly, and prohibiting railroad companies from discriminating in furnishing cars or in transportation of property and extortionate charges for transportation of persons and property, beg leave to report that they have had the same under consideration and recommend the following amendments: After word "of" in first line of section one, insert the words "chapter seventy-seven." Strike out the word "extortionate" in section two and insert in lieu thereof the word "unreasonable." Strike out section three. Amend the title by striking out "transportation of" and inserting "transporting;" also, by striking out the word "extortionate" and inserting the words "prohibiting unreasonable," and so amended do pass.

J. H. SWENEY, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 36, a bill for an act to provide for the teaching and study of physiology and hygiene with special reference to the effects of alcoholic drinks, stimulants and narcotics upon the human system, in the public schools and educational institutions of the State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

Insert after the word "taught" in line eight the word "to." Strike out in line eight the words "in all grades;" and in lines nine and ten strike out the words "all departments of," and in line eleven insert the word "and" before the words "in all," and strike out after the word "institutes" in line eleven the remainder of the section, and when so amended that the bill do pass.

JOHN D. GLASS, *Chairman.*

Ordered passed on file.

Senator Wilkin, from the Committee on Institutions for the Deaf and Dumb, submitted the following report:

MR. PRESIDENT—Your Committee on Institutions for the Deaf and Dumb, to whom was referred House concurrent resolution authorizing an investigation into the management of the Institution for Deaf and Dumb at Council Bluffs, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the Senate concur in the same.

ELI WILKIN, *Chairman.*

Senator Wilkin moved to consider now House concurrent resolution authorizing an investigation into the management of the Institution for the Deaf and Dumb at Council Bluffs.

The resolution was so taken up and concurred in by the Senate.

Senator Wilkin from the Committee on Claims submitted the following report:

MR. PRESIDENT—Your Committee on Claims to whom was referred Senate File No. 63, a bill for an act to appropriate money to pay Calvin Ballard, surviving partner of Smith & Ballard, for clothing and livery hire for certain Iowa soldiers, beg leave that they have 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.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate File No. 119, 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, beg leave to report that they 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 "the officer" in the second line of section 2, and inserting in lieu of the same the words, "F. C. Merrill, then captain." And that section 3 (the publication clause) be stricken out. And when so amended that it do pass.

ELI WILKIN, Chairman.

Ordered passed on file.

Senator Parrott from the Committee on Municipal Corporations, submitted the following report.

MR. PRESIDENT—Your Committee on Municipal Corporations to whom was referred Senate File No. 118, a bill for an act to vacate the public square in the village of Fairbank in Buchanan 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.

MATT PARROTT, Chairman.

Ordered passed on file.

On motion of Senator Donnan, Senate File No. 118, a bill for an act to vacate the public square in the village of Fairbank, in Buchanan county with report of committee recommending that it do pass, was taken up and considered.

On motion of Senator Robinson, referred to Committee on the Judiciary.

Senator Chubb, 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, relative to the construction of a canal from the Mississippi river to the Illinois river, at Hennepin, in the State of Illinois, beg leave to report 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 word joint in the

title be stricken out and the word concurrent be inserted in its stead, and that when thus amended the resolution be adopted.

C. C. CHUBB, *Chairman.*

Senator Hutchison presented a report from the Committee on Ways and Means and six hundred copies 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 passed the following concurrent resolution, in which the concurrence of the Senate is asked:

Relative to appropriation for monument for Wilson A. Scott.

Also, the House has concurred in Senate resolution relative to operating elevator.

Also:

That the House has passed the following concurrent resolutions, in which the concurrence of the Senate is asked:

Relating to capitol commissioners purchasing furniture for supreme court judges' chambers.

Concurrent resolution relating to printing 5,000 copies official register and rules by the Secretary of State.

J. K. POWERS, *Chief Clerk.*

Senate File No. 29, a bill for an act to provide for change of venue in criminal cases in district courts on behalf of the State, with report of committee recommending that it be indefinitely postponed, was taken up and considered.

Senator Weber moved that the bill be recommitted to the Committee on Judiciary.

Lost.

On motion the report of the committee was adopted.

On motion of Senator Schmidt memorial and concurrent resolution No. 3, relative to the construction of a canal from the Mississippi river to the Illinois river at Hennepin, in the State of Illinois, with report of committee recommending amendments, and that it be adopted, was taken up, considered, and the amendment adopted.

The resolution was then passed.

MEMORIAL AND CONCURRENT RESOLUTION.

WHEREAS, The agricultural, manufacturing, and commercial interests, not only of the Northwest, but 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 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 cheaper routes of transportation,

since without such a connection there can be no real use by the Northwest of a water-route to the East, nor by the East to the Northwest; and

WHEREAS, The General Assembly of the State of Iowa did in 1864, in 1870, again in 1874, and still again in 1882, and in 1884, memorialize congress for the construction of a canal to connect the Mississippi river with the Illinois river, on a line running eastward from or near Rock Island; and

WHEREAS, Various boards of trade and commercial bodies, both east and west, together with the legislatures of numerous States, are urging upon Congress the construction of said canal; and

WHEREAS, The Congress of the United States, by act of August 2, 1882, authorized the Secretary of War to cause a survey to be made for the purpose of ascertaining the most practicable route for such proposed canal, which survey has been made and an official report thereof transmitted to Congress; therefore,

Be it resolved by the Senate, the House concurring, That our senators and representatives in congress be requested to vote for and use their active influence to effect such legislation in congress as will secure the construction at an early day of said canal, for commercial purposes, from Hennepin, on the Illinois river, to or near Rock Island, on the Mississippi river, and to vote a liberal appropriation therefor, to the end that said canal may be completed and opened to the commerce of the country at the earliest date possible.

Resolved, That the Secretary of State be, and he is hereby instructed to forthwith transmit a duly certified copy hereof to each of our representatives and senators in congress.

On motion the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 4, 1886. }

The Senate met in regular session at 2 P. M.

The President of the Senate in the chair.

Prayer by Rev. Rabbi L. Froudenthal.

The journal of the previous day was read, corrected and approved.

PETITIONS AND MEMORIALS.

Senator Donnan presented petition of auditor and surveyor of Buchanan county, asking for the enactment of a law placing the supervision of roads and work on highways in the hands of county surveyors.

Referred to Committee on Highways.

INTRODUCTION OF BILLS.

By Senator Weber, Senate File No. 195, a bill for an act to amend section 1146, Code of 1873, relating to insurance notes.

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

By Senator Weber, Senate File No. 196, a bill for an act to compel insurance companies to insert in the application for insurance the conditions of the policy and deliver to the assured a copy of the application at the time of making the same.

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

By Senator Whiting, Senate File No. 197, a bill for an act to amend section 996 of Code of Iowa.

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

By Senator McCoy, Senate File No. 198, a bill for an act to repeal sections 1, 2, 3, 4, 5 and 6 of chapter 21, acts of Twentieth General Assembly, and to enact a substitute therefor relating to mines and mining.

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

By Senator Gatch, Senate File No. 199, a bill for an act to amend section 3125 of the Code of Iowa, relating to sales on execution.

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

By Senator Johnson, Senate File No. 200, a bill for an act to provide a penalty for disposing of personal property upon which there is unpaid delinquent taxes.

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

By Senator Stephens, by request, Senate File No. 201, a bill for an act to amend section 1, chapter 139 of the laws of the Eighteenth General Assembly relative to independent school districts.

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

By Senator Stephens, Senate File No. 202, a bill for an act to amend section 1507, chapter 4, title 11 of the Code concerning partition fences.

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

By Senator Doud, Senate File No. 203, a bill for an act to amend section 6, chapter 70 of the Sixteenth General Assembly.

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

By Senator Young, Senate File No. 204, a bill for an act to provide for the formation and regulation of co-operation societies of working men.

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

By Senator Young, Senate File No. 205, a bill for an act to repeal

section 2, chapter 68, acts of the Fifteenth General Assembly and to enact a substitute therefor.

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

RESOLUTIONS.

Senator Whiting offered the following resolution :

Resolved, That the Senate and House committees on Mines and Mining be permitted to use the Senate Chamber on Tuesday evening February 9th next, for the purpose of holding a joint session of joint committees.

Senator Gault offered the following amendment :

Provided that none but members of the joint committee, or witnesses be admitted.

Senator Wilkin moved to lay on the table.

Carried.

Senator Schmidt offered the following :

Resolved, That the Secretary of State be, and he is hereby authorized to procure, at the expense of the State, a badge similar in form and inscriptions to that allowed the Sargeant-at-Arms, with the name of door keeper properly thereon inscribed, for the door keeper of the Senate.

Adopted.

HOUSE MESSAGES.

The Senate took up and considered House concurred resolution authorizing the Capitol Commissioners to purchase furniture for the chambers of the Judges of the Supreme Court.

On motion of Senator Woolson referred to Committee on Public Buildings.

Also, concurrent resolution authorizing the Secretary of State to have published (5,000) five thousand copies of the Official Register for distribution.

Referred to Committee on Rules.

Also, concurrent House resolution for printing rules of General Assembly.

Same reference.

Also, resolution relative to monument to W. A. Scott.

Senator Donnan moved reference to Committee on Appropriations.

It was so ordered.

The Senate took up and considered House File No. 27, a bill for an act to amend chapter 159, laws Twentieth General Assembly.

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

House File No. 92, a bill for an act to legalize the incorporation of the town of Rolfe.

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

House File No. 278, a bill for an act to legalize the incorporation of the town of Adair, in Adair county, Iowa, and the acts of the officers thereof.

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

Senator Doud was on motion excused for the day.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 84, a bill for an act to repeal section 4276 of the Code 1873, chapter 14, title 25, and to enact a substitute therefor, relating to statement of defendants before the grand jury, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 88, a bill for an act providing for a separate apartment in common jails for the detention of 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 it be referred to the Committee on Public Buildings.

G. S. ROBINSON, *Chairman.*

Ordered so referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 120, a bill for an act establishing the interest of husband and wife in property acquired during marriage, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 92, a bill for an act to amend chapter 24 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 section 2; and that the title be amended by adding thereto the words "relating to superior courts," and that as so amended the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 95, a bill for an act to amend section 593, Code of 1873, in relation to the election of justices of the peace and constables, beg leave to report that they 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 Elections.

G. S. ROBINSON, *Chairman*.

Ordered so referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 141, a bill for an act to amend section 3804, Code of Iowa, giving additional fees to justices of the peace, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Compensation of Public Officers.

G. S. ROBINSON, *Chairman*.

Ordered so referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 160, a bill for act to repeal section 449 of the Code and dismissal of all suits commenced thereunder for taxes accruing subsequent to July 4th, 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 it be indefinitely postponed.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 162, a bill for an act to amend section 3777, chapter 1, title 23 of the Code of Iowa, concerning fees of short-hand reporters, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Agriculture to whom was referred Senate Memorial and Joint Resolution No. 1, in relation to internal revenue tax on all and any substance in semblance of butter and cheese not made exclusively from milk or cream, beg leave to report that they have had 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.

BILLS ON SECOND READING.

Senate File No. 51, a bill for an act to amend section 4419 of the Code of Iowa, relating to continuance in criminal cases, with report of committee recommending amendments and that it do pass, was taken up, considered, and the amendments reported by the committee were 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 Barrett, Bayless, Burdick, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, McCoy, McDonough, Parrott, Poyneer, Robinson, Ryder, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—40.

The nays were.

Senators Johnson and Schmidt—2.

Absent or not voting :

Senators Bloom, Bolter, Cassatt, Doud, Knight, Miles, Reiniger and Sutton—8.

So the bill passed and the title was agreed to.

Senate File No. 34, a bill for an act to amend section 1827, relating to condemning real estate for school house sites, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

The amendments reported by the committee were 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 Bayless, Bloom, Burdick, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—41.

The nays were, none.

Absent or not voting :

Senators Barrett, Bolter, Cassatt, Dooley, Doud, Knight, Parrott, Reiniger, and Ryder—9.

So the bill passed and was agreed to.

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

Concurrent resolution in relation to investigation of the expenditure of the appropriation of the \$5,000 in defense of the barb wire suits.

Also :

That the House has concurred in Senate amendment in relation to Joint Committee on Rules, on printing daily journal.

Also, that the House has concurred in Senate concurrent resolution in relation to printing bills in order of introduction.

Also, the House has passed concurrent resolution relating to the pardon of Annie Taylor, and ask the concurrence of the Senate.

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

House File No. 27, to amend chapter 159, laws Twentieth General Assembly.

House File No. 92, to legalize incorporation of the town of Rolfe.

House File No. 278, to legalize incorporation of the town of Adair.

J. K. POWERS, *Chief Clerk.*

Senate File No. 41, a bill for an act amending sections 10 and 13 of chapter 77, acts Seventeenth General Assembly, prohibiting railroad companies from discrimination in furnishing cars, or in transportation of property, and extortionate charges for transportation of persons and property, with report of committee recommending amendments, and that it do pass, was taken up and considered.

Senator Woolson called for division of amendments as reported by committee.

The amendments were adopted seriatim as reported.

Senator Miles moved to amend to insert the word "unjust" before the word "discrimination" in the fourth line.

Senator Bolter moved to postpone consideration of bill and that it be made special order for Tuesday next and at 8 P. M.

Carried.

Senate File No. 36, a bill for an act to provide for the study and teaching of physiology and hygiene, with special reference to the effects of alcoholic drinks, stimulants, and narcotics upon the human system, with report of committee recommending amendments, and that it do pass, was taken up.

The amendments reported by the committee were adopted.

Senator Clark moved to insert after words "normal institutes," in the fifth line, section 1, the words "and normal and industrial schools, and the schools at the Soldiers' Orphans' Homes and Home for Indigent Children."

Carried.

Senator Clark moved that the rules be suspended, and the bill be considered engrossed, and read a third time now.

Pending this question Senator Johnson moved to adjourn.

The President of the Senate announced that he would be absent to-morrow.

The Senate adjourned.

SENATE, CHAMBER, }
DES MOINES, IOWA, February 5, 1886. }

The Senate met in regular session at 2 o'clock P. M.

The Secretary of the Senate called the Senate to order.

Senator Wilkin moved that Senator Scott act as temporary President of the Senate.

Carried.

Senators Wilkin and Bloom were appointed as a committee to conduct Senator Scott to the chair.

Prayer by Rev. Edward B. Heaton.

Senator Sweney placed in nomination Senator J. S. Woolson as President *pro tempore* of the Senate.

Senator Whiting placed in nomination Senator G. L. Johnson for the same position.

Senator Johnson declined the nomination and seconded the nomination of Senator Woolson.

Upon the call of the roll those voting for Senator Woolson were:

Senators Barrett, Bloom, Bolter, Burdick, Caldwell, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Doud, Duncan, Gatch, Gault, Henderson, Hutchison, Johnson, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Young—40.

Those voting for Senator Bolter were:

Senators Bayless, Dooley, and Earle—3.

Those voting for Senator Johnson were:

Senator Woolson—1.

Absent:

Senators Knight, Glass, Hendrie, Carr, Cassatt, and Reiniger—6.

Chair announced Senators Sweney and Johnson, as a committee to escort Senator Woolson to the chair.

The temporary president then introduced the president *pro tempore* elect.

Senator Woolson took the chair as president *pro tempore*, thanking the Senate for the honor in appropriate words.

The minutes of previous day were read and approved.

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 Senate File No. 16, with an amendment thereto.

Also, that the House has passed Senate File No. 156.

J. K. POWERS, *Chief Clerk.*

PETITIONS AND MEMORIALS.

Senator Weber presented petition signed by 56 voters of Marion county asking for the enactment of a law extending suffrage to women

on the same terms as men in all municipal elections, also in the appointment of electors of President and Vice-President of the United States under the power conferred on the legislature by article 2, section 1, paragraph 2, of the constitution of the United States.

Referred to Committee on Suffrage.

Senator Wolfe presented petition signed by R. W. Broley, and fifty-four other citizens of Clinton county on same subject.

Referred to same committee.

Senator Bayless presented petition of one hundred and four citizens of Clayton county on same subject.

Referred to same committee.

Senator Ryder presented petition of James Thompson and twenty-two other citizens of Benton county, on same subject.

Referred to same committee.

Senator Stephens presented petition signed by the school teachers of Ringgold county asking that a law be enacted requiring instruction in the character of alcohol and its effects upon the physical, mental and moral nature to be given in all schools supported by public money or under State control.

Referred to the Committee on Schools.

Senator Chubb presented a petition signed by citizens of Kossuth county in relation to the duties of county surveyors and their compensation.

Referred to the Committee on Compensation of Public Officers.

Senator Bloom presented petitions of citizens of Johnson County asking for a law to suppress the circulation of sensational publications.

Referred to the Committee on Judiciary.

Senator Duncan presented petitions signed by 112 citizens of Washington county, 11 citizens of Fayette county and 56 citizens of Iowa county on same subject.

Referred to the same committee.

INTRODUCTION OF BILLS.

By Senator Schmidt, Senate File No. 206, a bill for an act to repeal section 3327 of the Code of Iowa of 1873, and to enact a substitute therefor in relation to the release and satisfaction of mortgages.

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

By Senator Wilkin, Senate File No. 207, a bill for an act in relation to life and fire insurance policies.

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

By Senator Parrott, Senate File No. 208, a bill for an act making appropriations for the State Normal School at Cedar Falls.

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

By Senator Whaley, Senate File No. 209, a bill for an act to establish and maintain a Soldiers' and Sailors' Home in the State of Iowa and making an appropriation for the purchase of land and the construction of necessary buildings.

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

By Senator Young, Senate File No. 210, a bill for an act to establish a mode of screening and paying for the mining of coal and to prevent disputes among coal miners and coal operators.

Read a first time in full and second time by title and referred to the Committee on Mines and Mining.

By Senator Doud, Senate File No. 211, a bill for an act to amend chapter 188 of acts of Twentieth General Assembly in relation to drainage.

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

By Senator Sutton, Senate File No. 212, a bill for an act to amend section 506 of the Code, with reference to compensation of mayors when acting as magistrates.

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

By Senator Carson, Senate File No. 213, a bill for an act to amend chapter 2 of title 11 of the Code, relating to insane persons and to provide that habitual drunkards shall be committed for treatment as provided by law for insane persons.

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

By Senator Carson, Senate File No. 214, a bill for an act to repeal section 1548 of chapter 6 of title 11 of the Code, relating to the offense of intoxication and to enact a substitute therefor.

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

By Senator Gatch, Senate File No. 215, a bill for an act to appropriate the sum of twenty-five hundred dollars for the payment of five thousand copies of the publication entitled "Iowa Resources and Industries."

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

RESOLUTIONS.

Senator Parrott offered the following resolution:

Resolved, That a committee of five be appointed by the President as a standing committee on pardons, to whom shall be referred all questions relating to the pardon of convicts.

Senator Donnan moved reference to Committee on Penitentiary.

Carried.

Senator Bloom offered the following resolution:

Resolved, That during the session of the Twenty-first General Assembly the Senate hold one session on Saturdays, commencing at 10 A. M. and closing at 12 M.

Senator Johnson moved to amend by adding: "unless otherwise ordered."

Adopted.

Senator Sweney moved to lay on table.

Carried.

HOUSE MESSAGES.

House concurrent resolution in reference to pardon of Annie Taylor was taken up and on motion of Senator Wolfe referred to Committee on Penitentiary.

Also, House concurrent resolution relative to appointment of joint committee to investigate expenditure of appropriation for suits in barb wire cases.

The resolution was concurred in.

REPORTS OF COMMITTEES.

Senator Caldwell from the Committee on Medicine, Surgery, Hygiene and Pharmacy, submitted the following report:

MR. PRESIDENT—Your Committee on Medicine, Surgery, Hygiene and Pharmacy to whom was referred Senate File No. 74, a bill for an act for the protection of human life and health from diseased animals, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to Committee on Agriculture.

T. J. CALDWELL, *Chairman.*

So referred.

Also:

MR. PRESIDENT—Your Committee on Medicine, Surgery, Hygiene and Pharmacy, to whom was referred Senate File No. 100, a bill for an act to amend chapter 151, laws of 1880, 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 recommendation that it be indefinitely postponed.

T. J. CALDWELL, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Medicine, Surgery, Hygiene and Pharmacy, to whom was referred Senate File No. 90, a bill for an act to prevent the manufacture and sale of adulterated food or drugs, beg leave to report that they have had 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.*

Ordered passed on file.

Senator Robinson from the Committee on Judiciary submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 87, a bill for an act to amend section 853 of the Code of 1873, 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 referred to the Committee on Ways and Means.

G. S. ROBINSON, *Chairman.*

So referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was re-

ferred House File No. 132, a bill legalizing the organization of the independent school district of Bertram, in Linn 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 the title be amended by inserting after the words "a bill," the words "for an act," and as so amended the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Senator McCoy, 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. 113, a bill for an act to repeal section 2, chapter 57, laws of 1874, and enact a substitute, beg leave to report that they have 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.

BILLS ON SECOND READING.

Senate File No. 113, a bill for an act to repeal section 2, chapter 57, laws of 1874, and enact a substitute with report of committee recommending that it do pass was taken up and considered.

Senator Wolfe 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 Bayless, Bloom, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Henderson, Hutchison, Johnson, McCoy, McDonough, Miles, Parrott, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—42.

The nays were, none.

Absent or not voting:

Senators Barrett, Cassatt, Glass, Hendrie, Knight, Poyneer, Reinger and Robinson—8.

So the bill passed.

Senator Wolfe moved that vote whereby the bill passed be reconsidered.

Carried.

Senator Wolfe moved to reconsider the vote by which the rule was suspended, the bill considered engrossed and read a third time now.

Carried.

Senator Robinson moved to insert after the word "repealed" "and the following is enacted in lieu thereof."

Adopted.

Senator Wolfe 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, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Henderson, Hutchison, Johnson, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—44.

The nays were, none.

Absent or not voting:

Senators Cassatt, Glass, Hendrie, Knight, Reiniger and Ryder—6.

So the passed.

Senator Robinson moved that the words "relating to normal institute" be added to title of bill.

Carried.

So the title was agreed to.

PETITIONS AND MEMORIALS.

Senator Duncan presented petitions of citizens Louisa county asking for an act to legalize construction of levee.

Referred to Committee on Judiciary.

REPORTS OF COMMITTEES.

Senator Caldwell presented report of joint committee to visit asylum at Mt. Pleasant.

Passed on file.

Senator Deal presented report of joint committee to visit Normal School.

Passed on file.

Senator Scott presented report of visiting committee to College for the Blind.

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. 157, a bill for an act to repeal chapter 162 of the acts of the Twentieth 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 amended by adding as section 2, before the publication clause the following:

"Provided, That this shall not effect proceedings had, contracts made, nor taxes levied under said chapter 162 of acts of the Twentieth General Assembly," and when so amended that the bill do pass.

WHALEY, *Chairman.*

Ordered passed on file.

THIRD READING OF BILLS.

Senate File No. 16, a bill for an act to legalize certain acts of the Mason City cemetery association, and the renewal of the same, and to relinquish an escheat, as returned from the House with amendment, was taken up and considered.

On the question of adopting the House amendment

The yeas were:

Senators Barrett, Bayless, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Chesebro, Chubb, Clark, Dodge, Donnan, Dooley, Doud, Earle, Gatch, Gault, Henderson, Hutchison, Johnson, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—40.

The nays were, none.

Absent or not voting:

Senators Bloom, Cassatt, Chambers, Deal, Duncan, Glass, Hendrie, Knight, Reiniger and Ryder—10.

So the House amendment was agreed to.

The Senate resumed consideration of Senate File No. 36, a bill for an act to provide for the study and teaching of physiology and hygiene with special reference to the effects of alcoholic drinks, stimulants and narcotics on the human system.

The question being on the motion of Senator Clark that the rule be suspended, the bill considered engrossed and read a third time, now.

Senator Bolter raised the point of order that amendments were still in order.

Sustained by the chair.

Senator Bolter offered the following amendment:

Amend section 1 by inserting after the word "system" in the fifth line of said section the following: "and also the effect of the present high protective tariff or tax, and especially as to its effects upon the human system of the poor and laboring masses that are now required to pay a much higher per cent of tax on the common and actual necessities of life, than are the rich and opulent required to pay on wines, diamonds, silks, laces, and other luxuries.

Senator Clark raised the point of order that the amendment was not germane to the bill.

Overruled.

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. 185, relating to taxes as liens between vendor and vendee.

J. K. POWERS, *Chief Clerk.*

The question recurring on the amendment by Senator Bolter, the yeas and nays were demanded.

The yeas were :

Senators Bolter, Casey, Chesebro, Dooley, Ryder and Schmidt—6.

The nays were :

Senators Barrett, Burdick, Caldwell, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Gatch, Gault, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Scott, Stephens, Sutton, Sweney Underwood, Weber, Whaley, Wilkin, Wolfe, Woolson and Young—29.

Absent or not voting:

Senators Bayless, Bloom, Carr, Cassatt, Dodge, Duncan, Earle, Glass, Henderson, Hendrie, Hutchison, Johnson, Knight, Reiniger and Whiting—15.

So the amendment was lost.

Senator Bolter moved to strike the third section from the bill.

Senator Whiting moved to adjourn.

Lost.

The amendment of Senator Bolter was lost.

Senator Bolter moved to amend by adding to, at end of section three, " Provided that the provision of section three, of this chapter, shall not take effect until January 1st, 1887."

Lost.

Senator Robinson moved to amend by inserting in 15th line of section 3, after the word "not" the words "after the 1st day of January, 1887."

Senator Poyneer moved to amend the amendment to change date to "July 15th" instead of January 15th.

Carried.

The motion recurring upon the amendment by Senator Robinson, as amended, it was carried.

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 Barrett, Burdick, Caldwell, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Gatch, Gault, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Wolfe, Woolson and Young—29.

The nays were:

Senators Bayless, Bolter, Casey, Chesebro, Dodge, Dooley, Earle and Schmidt—8.

Absent or not voting:

Senators Bloom, Carr, Cassatt, Duncan, Glass, Henderson, Hendrie, Hutchison, Johnson, Knight, Reiniger, Ryder and Whiting—13.

So the bill passed and the title was agreed to.

RESOLUTION.

Senator Donnan offered the following resolution, and asked its reference to the Committee on Rules:

Resolved, That the following be adopted as Rule —:

That when a bill is reported back to the Senate by a committee with the recommendation that it do not pass, or that it be indefinitely

postponed, the indefinite postponement of the same shall be taken as the action of the Senate without a separate vote for that purpose; provided the author of the bill upon open statement in the Senate of his purpose, shall have the right to have the bill entered upon the calendar and have it considered by the Senate.

Ordered so referred.

Senator Poyneer was granted leave of absence for a week, to visit the State hatching-house.

Senator Duncan was granted leave of absence to Tuesday next.

Senator Bayless moved that the Senate adjourn.

Lost.

On motion of Senator Clark the Senate adjourned to Monday at 2 P. M.

SENATE CHAMBER,
DES MOINES, IOWA, February 8, 1886. }

The Senate met in regular session at 2 P. M.

The President in the chair.

Prayer by the Rev. S. S. Hunting.

The journal of the last regular session was read, corrected and approved.

Senator Hutchison asked permission to have his vote recorded as "aye" on roll call on Senate File No. 36.

Senator Duncan asked permission to have his vote recorded as "aye" on the roll call on Senate File No. 36.

On motion Senator Gault was excused for the day.

On motion Senator McDonough was excused for the day.

The Chair asked that Col. Moore, one of the doorkeepers, be granted leave of absence for tomorrow.

The Chair announced Senator Young as member of committee on investigation of appropriation for barb wire suits.

PETITIONS AND MEMORIALS.

Senator Duncan presented petition of Edna Savage and 47 other citizens of Washington county asking that a law be enacted preventing the circulation of sensational publications, illustrated or otherwise.

Referred to Committee on Judiciary.

Senator Robinson presented a petition of James M. Hawkins and 48 other citizens of Buena Vista county for the establishment of an Iowa soldiers' and sailors' home.

Referred to Committee on Military.

Senator Robinson presented petition of B. S. Taylor and 51 other citizens of Buena Vista county, for laws exempting railroad employes from labor on Sunday.

Referred to Committee on Railroads.

Senator Robinson presented petition of Hayes Township Farmers' Club of Buena Vista county, Iowa, asking: *First*—That the semi-annual tax law be not repealed. *Second*—To regulate the sale of imitation butter and cheese and for the appointment of Dairy Commissioners.

Referred to Committee on Ways and Means.

Senator Hutchison presented a petition from citizens of Wapello county asking that Senate File No. 77 be favorably considered.

Referred to Committee on Judiciary.

Senator Casey presented memorial of F. M. Deuel of Keokuk, Iowa, asking for the passage of Bill No. 1 in the House of Representatives and of the bill introduced in the Senate by Hon. T. W. Burdick.

Referred to Committee on Military.

Senator McCoy presented a petition of citizens of Mahaska county and others asking for a change in the duties and compensation of county surveyors.

Referred to Committee on Compensation of Public Officers.

Senator Scott presented petition of county auditors and county surveyors of the counties of Calhoun, Palo Alto, Emmet, Sioux, Wapello, Fayette, Van Buren, Ringgold, Webster, Wright, Greene, O'Brien, Buena Vista, Chickasaw, Worth, Adair, Guthrie, Clinton and Appanoose, asking for the transfer of the road department from the auditor's office to that of the county surveyor.

Referred to Committee on Compensation of Public Officers.

Senator Deal presented petition of citizens of Carroll county, asking him to support and vote for Senate File No. 77, relating to the satisfaction of mortgages.

Referred to the Committee on Judiciary.

Senator Scott presented petition of 70 citizens of Story county asking that the constitution be so amended as to remove all discrimination on account of sex in the exercise of the elective franchises.

Referred to Committee on Constitutional Amendments.

Senator Clark presented petition of E. R. Alexander and 30 other citizens of Fremont county, asking that a law be enacted prohibiting the circulation of sensational literature.

Referred to the Committee on Judiciary.

Senator Whiting, on same subject.

Senator Whaley presented petition and memorial of Green Post No. 200, requesting senators and representatives in the Twenty first General Assembly to vote for the bill asking an appropriation for the establishment of a soldiers' home.

Referred to Committee on Military.

Senator Donnan presented memorial of W. A. Roberts Post No. 409 of Hopkinton, on same subject.

Referred to Committee on Military.

Senator Wolfe presented petition of Clinton county asking that there be a law enacted with reference to the compensation and duties of county surveyor's office.

Referred to Committee on Compensation of Public Officers.

Senator Whiting presented petition of citizens of Woodbury

county, Iowa, asking that a law be enacted providing for the suppression of sensational literature illustrated and otherwise.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Johnson, Senate File No. 216, a bill for an act to amend section 1587 of the Code of 1873.

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

By Senator Johnson, Senate File No. 216, a bill for an act to repeal section 1591 of the Code of 1873, and enact a substitute therefor.

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

By Senator Robinson, Senate File No 217, a bill for an act to authorize cities and incorporated towns to enact and maintain fish dams across the outlets of meandered lakes, and to provide punishment for the injury or destruction of the same.

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

By Senator Miles, Senate File No. 219, a bill for an act repealing sections 10, 11, 12 and 13 of chapter 77, of the acts of the Seventeenth General Assembly, and prohibiting railroad companies from discriminating in furnishing cars or in transporting property and prohibiting unreasonable charges for transporting persons or property, and providing penalties and remedies for any violation of any of the provision of this act.

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

By Senator Casey, Senate File No. 220, a bill for an act to enlarge the powers of boards of supervisors under division ten of section 303, and to repeal section 913 of the Code of 1873, and to provide for more thorough and efficient settlements of county officers, and for their suspension and removal in certain cases and the effect to be given to such settlements and making certain duties of the board of supervisors mandatory, and providing a penalty for neglect therein.

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

By Senator Barrett, Senate File No. 221, a bill for an act to legalize highways in Sioux county, Iowa.

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

By Senator Barrett, Senate File No. 222, a bill for an act to repeal chapter 210, laws of Eighteenth General Assembly, and enact a substitute therefor.

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

By Senator Stephens, by request, Senate File No. 223, a bill for an act to prevent the intermarriage of white and colored persons.

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

By Senator Dodge, Senate File No. 224, a bill for an act to amend

chapter 118 of the Nineteenth General Assembly, relating to the boundaries of independent school districts in incorporated cities and towns.

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

By Senator Doud, Senate File No. 225, a bill for an act repealing section 2455, Code of 1873, and enacting a substitute therefor, and amending sections 2456 and 2458 of the Code of 1873, in regard to descent of intestate property.

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

By Senator Parrott, Senate File No. 226, a bill for an act to amend section 5, chapter 132, laws of the Twentieth General Assembly.

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

By Senator Young, by request, Senate File No. 227, a bill for an act to provide for the trial and determination of controversies arising between employers and employes.

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

By Senator Wilkin, Senate File No. 228, a bill for an act to amend section 3756 of the Code, in relation to fees to be charged for filing and recording articles of incorporation.

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

By Senator Dodge, Senate File No. 229, a bill for an act to amend chapter 44 of the laws of the session of the legislature of the territory of Iowa, approved December 18, 1843, incorporating the Aspen Grove Cemetery Association of Burlington, and conferring upon it authority to acquire real estate.

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

HOUSE MESSAGE.

House File No. 185, a bill for an act to amend section 853 in relation to lien of taxes between vendor and vendee.

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

BILLS ON SECOND READING.

Senate File No. 119, a bill for an act to provide for certain deficiencies to Company I, Fourth Regiment of the State militia for expenses incurred in preventing anticipated riots in 1877, with report of committee recommending amendments and 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 Bloom, Burdick, Caldwell, Chambers, Chesebro, Chubb,

Clark, Deal, Dodge, Donnan, Doud, Duncan, Henderson, Hutchison, McCoy, Miles, Parrott, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—30.

The nays were :

Senators Bolter, Carr, Johnson and Whiting—4.

Absent or not voting :

Senator Barrett, Bayless, Carson, Casey, Cassatt, Dooley, Earle, Gatch, Gault, Glass, Hendrie, Knight, McDonough, Poyneer, Reiniger and Wolfe—16.

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

Senator Donnan filed a motion to reconsider.

Senator Bolter raised the point of order that Senator Donnan had not voted with the prevailing side.

Sustained by the chair.

Senate File No. 84, a bill for an act to repeal section 4276 of the Code of 1873, and enact a substitute therefor, relating to statement of defendants before the grand jury, with report of committee recommending that be indefinitely postponed, was taken up, considered, and ordered passed on file.

Senate File No. 92, a bill for an act to amend chapter 24 of the acts of the Nineteenth General Assembly in relation to superior courts, with report of committee recommending amendments, 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 Barrett, Bayless, Bloom, Bolter, Burdick, Caldwell, Carr, Chambers, Chubb, Clark, Dodge, Donnan, Doud, Duncan, Gatch, Henderson, Hutchison, Johnson, McCoy, Miles, Parrott, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—36.

The nays were, none.

Absent or not voting:

Senators Carson, Casey, Cassatt, Chesebro, Deal, Dooley, Earle, Gault, Glass, Hendrie, Knight, McDonough, Poyneer and Reiniger—14.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Hutchison 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. 68, a bill for an act to repeal section 28, chapter 60, laws of 1874, and sections 814, 815, 816, 817, 818, 819, 828, 832, 833, 834, 836, part of section 812, of the Code, and to enact substitutes therefor, providing for an equal, definite, accurate and equitable assessment and taxation of moneys and credits, incorporated State and National and private banks, merchandise and manufacturers'

goods, real and personal 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 said bill be amended as follows; By striking out in lines 31 and 40 the word "without"; also, in line 134, by striking out the word "any" and substituting in lieu thereof the word "actual"; and in line 147, by striking out the word "stock" and substituting in lieu thereof the words "surplus or funds"; and in lines 149 and 150 by striking out the words "paid up capital stock" and substituting in lieu thereof the word "shares"; in line 154, by inserting after the word "property" the words "exclusive of such portion thereof as may be invested in real estate, otherwise taxed"; in line 160, by striking out the word "and" substituting in lieu thereof the word "or"; in line 162, by inserting after the word "State" the words "together with such explanations and instructions as he may deem proper" and that the said amendments be adopted and that the bill when so amended do pass.

J. G. HUTCHISON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means to whom was referred Senate File No. 69, a bill for an act to amend section 837, title 6, chapter 1, of the Code of Iowa, and Senate File No. 70, a bill for an act to amend sections 853, 890 and 969 of the Code, beg leave to report that they have had the same under consideration and have prepared a substitute for said bills 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.

J. G. HUTCHISON, *Chairman.*

Ordered passed on file.

Senator Gatch 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. 141, a bill for an act to amend section 3804, Code of Iowa, and giving additional fees to justices of the peace, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the word eight before the word cents in the last line and insert the word ten, and that it do pass.

C. H. GATCH, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers to whom was referred Senate File No. 176, a bill for an act to amend section 3791 of the Code of Iowa, relating to compensation of county supervisors beg leave to report that they have had the same under consideration and have instructed me the same back to the Senate with the recommendation that it do pass.

C. H. GATCH, *Chairman.*

Ordered passed on file.

Senator Woolson from the Committee on Rules submitted the following report :

MR. PRESIDENT—The joint committee composed of the Committee on Rules of the Senate and House to whom was referred House concurrent resolution as to the propriety and practicability of printing daily the journals of the Senate and House, beg leave to report that they have had the same under consideration, and respectfully report that in the opinion of a majority of the committee it is not practicable to print said journals daily at this stage of the present session. No provision had been made before the convening of this General Assembly for such printing, and quite a large amount of the journals record has already been made in each branch, and with the work now pressing upon the State Printer it is the opinion of the majority of the committee that it would be unwise to enter on the attempt to put into present execution the plan suggested in the resolution.

It is however the judgment of the joint committee that it is both proper and practicable to enact measures during the present session which shall provide for the daily printing for future General Assemblies of their journals.

The joint committee therefore recommend the chairman of said Committees on Rules be instructed to prepare and present for the consideration of the General Assembly a bill for an act looking to making provision in the direction suggested.

Respectfully submitted,

JNO. S. WOOLSON,
Chairman Senate Committee.
S. M. WEAVER,
Chairman House Committee.

Adopted.

CONCURRENT RESOLUTIONS.

Senator Underwood offered the following resolution:

WHEREAS, It is desirable that the journals of the General Assembly be published as soon as practicable after final adjournment, and

WHEREAS, It is also believed that the expense of copying said journals for publication, which has heretofore been not less than \$600 for each House, can be materially reduced, and

WHEREAS, Economy and promptness are desirable, witness, therefore be it

Resolved by the Senate, the House concurring, That the President of the Senate and the Speaker of the House, be severally empowered to employ one clerk at an expense of not to exceed (\$350) three hundred and fifty dollars each, whose duty it shall be to make such copy and have the same ready for publication promptly at the close of the session.

Referred to Committee on Printing.

Senator Johnson asked leave to file a motion to reconsider the vote by which Senate File 119 was lost.

Leave was granted.

Senator Woolson moved to take up report of House joint commit-

tee on printing daily journals, and resolutions presented by joint committee as follows:

Resolved by the Senate, the House concurring, That the chairman of the Committee on Rules of the Senate and House be instructed to prepare and present for consideration of this General Assembly a bill for an act providing for printing daily the journal of future General Assemblies.

Adopted.

BILLS ON SECOND READING.

Senate File No. 120, a bill for an act establishing the interest of husband and wife in property acquired during marriage, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Senate File No. 162, a bill for an act to amend section 3777 concerning fees of short-hand reporters, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Memorial and joint resolution No. 1, relative to internal revenue tax on all and any substance of butter and cheese not made exclusively from milk or cream, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Senate File No. 90, a bill for an act to prevent the manufacture and sale of adulterated food or drugs, with report of committee recommending indefinitely postponed was taken up, considered, and the report of the committee was adopted.

Senate File No. 100, a bill for an act to amend chapter 151, laws of 1880, relating to the State Board of Health, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

House File No. 132, a bill for an act to legalize the organization of the independent school district of Bertram, in Linn county, Iowa, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Wilkin moved to insert "Iowa State Register" in publication clause.

Carried.

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 Barrett, Bayless, Bloom, Bolter, Burdiok, Caldwell, Carr, Casey, Cassatt, Chambers, Chesebro, Chubb, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Henderson, Hutchison, Johnson, McCoy, Miles, Parrott, Robinson, Ryder, Schmidt, Scott, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young

—38.

The nays were, none.

Absent or not voting:

Senators Carson, Clark, Deal, Dooley, Gault, Glass, Hendrie, Knight, McDonough, Poyneer, Reiniger and Stephens—12.

So the bill passed and title was agreed to.

Senate File No. 157, a bill for an act to repeal chapter 162, acts of the Twentieth General Assembly, and enact a substitute therefor, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Bolter moved to strike out the word "authorized" and insert the word "empowered."

Carried.

Senator Wilkin moved to amend as follows:

Strike out, in the fourth and fifth lines of the first section, "on the court house square or public park at the county seat or elsewhere," and insert in lieu thereof "at such point or place."

Adopted.

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

On the question, shall the bill pass.

The yeas were:

Senators Bayless, Bloom, Bolter, Burdick, Caldwell, Carr, Casey, Chubb, Deal, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Gault, Hutchison, Johnson, McCoy, Miles, Parrott, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—36.

The nays were, none.

Absent or not voting:

Senators Barrett, Carson, Cassatt, Chambers, Chesebro, Clark, Dooley, Glass, Henderson, Hendrie, Knight, McDonough, Poyneer and Reiniger—14.

So the bill passed.

Senator Sweney moved to amend title by adding the words "and providing for the erection of memorial halls."

Carried.

So the title was agreed to.

Senate File No. 68, a bill for an act to repeal section 28, chapter 60, laws of 1874, and sections 814, 815, 816, 817, 819, 828, 832, 833, 834 and 836, part of section 812, of the Code, and to enact substitutes therefor, providing for an equal, definite, accurate and equitable assessment and taxation of moneys and credits, incorporated State and national banks and private banks, merchandise, and manufacturers' goods, real estate and personal property, with report of committee recommending amendments, and that it do pass, was taken up and considered.

Senator Young moved to consider the bill by sections in their regular order.

Carried.

Section one was taken up, considered and agreed to.

Senator Hutchison moved to make this bill special order for Wednesday afternoon at 3 o'clock.

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 bill in which the concurrence of the Senate is asked:

House File No. 96, relating to delivery of tax lists to county treasurer.

J. K. POWERS, *Chief Clerk.*

Senator Woolson, from Committee on Rules, presented the following report:

MR. PRESIDENT—The Committee on Rules have instructed me to report that they have had under consideration the rules as temporarily adopted at the beginning of the present session, and the duties of officers, which by resolution of the Senate such committee was directed to report, and hereby present the rules as by them revised, and which such committee recommend be adopted in lieu of the Senate rules now in force.

WOOLSON, *Chairman.*

The rules were taken up and considered *seriatim*, and on motion adopted as a whole.

RESOLUTION.

Senator Woolson offered the following resolution:

WHEREAS, The standing committees of the Senate as heretofore existing, and upon which the President of the Senate was required to form the list now in force, are large in membership and numerous, and there necessarily result therefrom conflicts in hours of meeting and consequent inability of members to attend, to such an extent that at times, it is only with much difficulty, meetings of various committees, as announced by their chairman can be obtained; therefore,

Resolved, That the Committee on Rules is hereby instructed to examine and report at the earliest time possible upon the propriety and practicability, when hereafter appointed, of reducing the number and membership of said standing committees, with a view to obviate the difficulties above suggested.

Senator Sutton asked leave to have correspondence relative to Senate File No. 215, printed. Granted.

Senator Woolson moved that 200 extra copies of rules be printed. Carried.

The Senate adjourned to 2 P. M. to-morrow.

SENATE CHAMBER, }
DES MOINES, IOWA, February 9, 1886. }

The Senate met in regular session at 2 P. M., the President of the Senate in the chair.

Prayer by Rev. L. A. Johnson.

The minutes of previous session were read, corrected and approved.

PETITIONS.

Senator Burdick presented the petition of John Stead and sixty-five other citizens of Winneshiek county, asking legislation regulating the manufacture and sale of adulterated butter.

Referred to Committee on Agriculture.

Senator Glass presented a petition of nineteen railway employes of Cerro Gordo county, Iowa, asking legislation to limit the Sunday railway traffic.

Referred to Committee on Railways.

Also, a petition on the same subject, signed by two hundred and seventy citizens of same county.

Same reference.

Senator Dooley presented an affidavit of fifteen citizens of What Cheer, Keokuk county, saying they were deceived when signing a petition against the passage of the Cassatt bill. Also, a petition of ten citizens of same place, asking that their names be withdrawn from this petition as to their expression on the Cassatt bill, and recommending a board of arbitration, to be appointed by the Governor. Also, a telegram from the same place saying that at a public meeting there, there were 548 votes for and eight votes against the Cassatt bill; and the Dooley bill was unanimously adopted.

Referred to Committee on Mines and Mining.

Senator Gault presented a memorial from citizen of District Township of Taylor, Appanoose county, asking for the repeal of an act known as chapter 118, laws of Nineteenth General Assembly, relating to taking of territory into independent school districts.

Referred to Committee on Schools.

Senator Scott presented a memorial of A. K. Webb and seventy-nine other citizens of Boone county, in relation to the liquor traffic.

Referred to Committee on Suppression of Intemperance.

Senator Clark presented a petition of county officers of Fremont county, asking for increase of compensation of county surveyors.

Referred to Committee on Compensation of Public Officers.

Senator Underwood presented a petition of citizens and county officers of Hardin county on same subject.

Same reference.

Senator Caldwell presented a petition of county officers of Dallas county, on same subject.

Same reference.

Senator Earle presented a petition of fourteen citizens Allamakee county, on same subject.

Same reference.

Senator Weber presented a petition of C. F. Peterson and eleven other citizens of Wright county, on same subject.

Same reference.

Senator Sweney presented a petition of N. C. Deering and others, asking for increase of compensation to county surveyors.

Same reference.

Senator Woolson presented a petition of Mort Hobart Post No. 280, G. A. R., of Winfield, asking that steps be taken by the present General Assembly to erect and maintain a soldiers and sailors' home in Iowa.

Referred to Committee on Military.

Also, a petition of W. H. Nugen and one hundred and fifty other citizens New Londen, Henry county, on same subject.

Same reference.

Also, a petition of Thomas Bell and sixty other soldiers, residents of Jefferson county, on same subject.

Same reference.

INTRODUCTION OF BILLS.

By Senator Hutchison, Senate File No. 290, a bill for an act to prevent persons from igniting and exploding dynamite and other explosives in rivers, creeks and streams near dams, embankments and other structures, and to provide a punishment therefor.

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

By Senator Casey, by request, Senate File No. 291, a bill for an act to amend an "act to provide for the organization and management of savings banks, approved March 21, 1884."

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

By Senator Casey, Senate File No. 292, a bill for an act to confer upon certain persons and members of committees therein named power to make arrests and have the authority of peace officers, as provided by chapter 11 of title 25 of the Code of 1873.

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

By Senator Dodge, Senate File No. 293, a bill for an act requiring both husband and wife to sign written instruments creating a lien or effecting the title of personal property exempt from execution.

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

By Senator Dodge, Senate File No. 294, a bill for an act to amend sections 2008 and 3271, Code of Iowa, and to make all the property of a decedent liable for reasonable funeral charges.

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

By Senator Deal, by request, Senate File No. 295, a bill for an act relating to the trial of equitable actions.

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

By Senator Deal, by request, Senate File No. 236, a bill for an act to provide for notice of pendency of actions affecting the title to real estate.

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

By Senator Wilkin, Senate File No. 237, a bill for an act to amend chapter 151, laws of the Eighteenth General Assembly, relating to the State Board of Health

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

By Senator Ryder, Senate File No. 238, 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 College for the Blind.

By Senator Parrott, Senate File No. 239, a bill for an act to provide uniform and cheap text-books for the public schools of Iowa.

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

By Senator Parrott, Senate File No. 240, a bill for an act to provide for the purchase or condemnation of sand, gravel and clay banks or beds by townships and cities and incorporated towns, for the purpose of improving highways and streets.

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

By Senator Weber, Senate File No. 241, a bill for an act to amend section 2, chapter 59, Seventeenth General Assembly of Iowa, requiring an additional statement from telegraph companies.

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

By Senator Doud, Senate File No. 242, a bill for an act to provide another method for taking depositions in civil and criminal cases.

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

By Senator Chubb, Senate File No. 243, a bill for an act to repeal chapter 160, laws of the Nineteenth General Assembly, relating to the restoration of territory in school districts.

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

By Senator Schmidt, Senate File No. 244, a bill for an act requiring notice to municipal corporations before suit for damage can be maintained.

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

Senator Robinson presented memorial and joint resolution No. 7, relating to a northwestern branch of the National Home for Disabled and Indigent Soldiers and Sailors.

Senator Robison moved that the rules be suspended, and memorial and joint resolution No. 7 be considered engrossed, and read a third time now, which motion prevailed, and it was so read a third time.

On the question, shall memorial and joint resolution No. 7 pass.

The yeas were:

Senators Barrett, Bayless, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Cubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—43.

The nays were, none.

Absent or not voting:

Senators Bloom, Cassatt, Hendrie, Johnson, Knight, Reiniger and Ryder—7.

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

On motion Senator Johnson was excused for the day.

RESOLUTIONS.

Senator Underwood presented the following resolution:

Resolved, That on Friday at 3 o'clock p. m., the Senate will consider resolutions of respect to the memory of Hon. E. Eastman, late a member of this Senate. That such proceedings shall be the special order for that time, and that the House be invited to participate therein.

Adopted.

HOUSE MESSAGE.

House File No. 96, a bill for an act relating to delivery of tax lists to county treasurer.

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

REPORT OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 7, a bill for an act to repeal section 3909 of the Code, and to enact a substitute therefor, defining and punishing 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 the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 52, a bill for an act to amend section 3173, of the Code, beg leave to report that they have had the same under consideration, and a majority of the committee has instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was re-

ferred Senate File No. 109, a bill for an act to amend section 2246 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 same be indefinitely postponed, a bill having already passed the Senate having the same object in view.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 45, a bill for an act to legalize the incorporation of the town of Bayard, in Guthrie county, Iowa, the election of officers, and all acts done and all 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 be amended by striking out the word "Daily" in the second section, and inserting in lieu thereof the word "Iowa"; and that as so amended the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 182, a bill for an act to repeal the first subdivision of section 2193 of the Code, and to enact a substitute therefor, relating to marriages, beg leave to report 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 do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

BILLS ON SECOND READING.

On motion of Senator Robinson Senate File No. 182, a bill for an act to repeal section 2193 of the Code, and to enact a substitute therefor relating to marriages, with report of committee recommending that it do pass was taken up and considered.

Senator Robison moved to amend by adding section 2 as publication clause.

The amendment was adopted.

As amended the report of the committee was 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 Barrett, Bayless, Bolter, Burdick, Caldwell, Garr, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—44.

The nays were, none.

Absent or not voting :

Senators Bloom, Hendrie, Johnson, Poyneer, Reiniger and Ryder—6.

So the bill passed and the title was agreed to.

The hour having arrived for special order, the Senate took up for consideration Senate File No. 41, the question pending being on Senator Miles' amendment.

Senator Miles moved that the bill be recommitted to Committee on Railroads.

Carried.

Senator Woolson presented report of Committee on Rules and asked leave that report be taken up and considered now.

Leave was granted and the report of the committee was adopted as follows:

MR. PRESIDENT—Your Committee on Rules beg leave to report that the committee has had under consideration the propriety and practicability of revising the committees and the number of their membership, as by the Senate resolution directed, and have directed me to present the following report:

The committee are of the opinion that it is practically impossible to avoid the conflicts attending committee meetings, while the list of the standing committees remains at the present number. In the opinion of your committee the list can be considerably reduced in number, with advantage in point of efficiency and rapidity of work. And also that the membership on the committees is capable of considerable reduction with like advantageous result.

Your committee would therefore respectfully recommend that the Senate recommend for the standing committees, after the present session the following list with membership as below stated, viz.:

Committees to consist of thirteen members each:

Ways and Means, Judiciary and Appropriations.

Committees to consist of eleven members each:

Agriculture, Railways and Congressional Districts.

Committees to consist of nine members each:

Schools, Educational Institutions, Charitable Institutions, Suppression of Intemperance, Cities and Towns, Mines and Mining and Labor.

Committees to consist of seven members each:

Federal Relations, Highways, R trenchment and Reform, Elections, Insurance, Banks, Commerce, Penitentiary and Pardons, Constitutional Amendments and Suffrage, and Senatorial and Representative Districts.

Committees to consist of five members each :

Claims, Public Buildings, Corporations, Manufactures, Public Health, Military Rules and Compensation of Public Officers.

Committees to consist of three members each :

Printing, Horticulture and Forestry, Public Lands, Library, Fish and Game, Engrossed Bills and Enrolled Bills.

This will make a list of thirty-eight standing committees, with a total membership of 266 members.

The list of present standing committees includes fifty committees with a total membership of 345.

In this list your committee has formed the new committee on "Educational Institutions" out of the present committees on State University, Agricultural College and Normal School. This new committee is intended to take the place of the three last named.

Your committee has also formed the new committee on "Charitable Institutions" out of the present committees on Hospitals for the Insane, Institutions for the Deaf and Dumb, College for the Blind, Asylum for Feeble Minded Children, Orphans' Home and Industrial School. This new committee is intended to take the place of the six committees last above named.

Your committee believes the remaining changes which are hereby recommended, will sufficiently appear on examination of the list.

Your committee recommends that the list above reported be adopted, so far as this Senate has the power to adopt the same, as the standing committees for future sessions, and that the Senate recommend such list to the next session, and that such list be printed in the forthcoming edition of rules, etc., of the present Senate, with such recommendation.

Your committee are constrained to suggest the above action, from the consideration that unless some action is by this Senate taken in the direction suggested, the president of the next Senate will find himself as the president of this Senate found himself, with the standing committee list as large in membership and number of committees as now, and with no authority in himself to revise the list; while the Senate in the opening days previous to the Lieutenant-Governor taking the chair, will scarcely have, even if it undertook the task, the opportunity to initiate and complete the revision in time for announcements of the committees.

Respectfully submitted,

JNO. S. WOOLSON, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Rules to whom was referred the resolution offered by Senator Donnan relating to bills reported with committee recommendations for indefinite postponement 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.

WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Rules to whom was referred resolution relating to copying daily into a bound volume the proceedings of the Senate, and that the reading for correction be from said bound volume beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WOOLSON, *Chairman.*

Ordered passed on file.

Senator Parrott from the Committee on Printing submitted the following report:

MR. PRESIDENT—Your Committee on Printing to whom was re-

ferred Senate File No. 226 a bill for an act to amend section 5, chapter 132, Laws of 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 with the recommendation that it do pass.

MATT PARROTT, *Chairman.*

Ordered passed on file.

BILLS ON SECOND READING.

Substitute for Senate Files Nos. 69 and 70 reported by Committee on Ways and Means, with report of committee recommending that it be adopted and when adopted that it do pass was taken up and considered.

On motion of Senator Glass the substitute was ordered printed.

Senate File No. 141, a bill for an act to amend section 3804 of the Code of Iowa, and giving additional fees to justices of the peace, with report of committee recommending amendment, and that it do pass, was taken up and considered.

On motion, the amendment reported by the committee was lost.

Senator McCoy moved that 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 Barrett, Bayless, Bloom, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Duncan, Earl, Gatch, Gault, Glass, Henderson, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—45.

The nays were, none.

Absent or not voting:

Senators Doud, Hendrie, Johnson, Reiniger and Ryder—5.

So the bill passed and the title was agreed to.

Senate File No. 176, a bill for an act to amend section 3791 of the Code of Iowa, relating to the compensation of county supervisors, with report of committee recommending that it do pass, was taken up and considered.

Ordered passed on file.

Senate File No. 63, a bill for an act to appropriate money to pay Calvin Ballard, surviving partner of Smith & Ballard, for clothing and livery hire for certain Iowa soldiers, with report of committee recommending that the bill do pass, was taken up and considered.

Senator Wilkin moved that 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 Bloom, Caldwell, Carson, Clark, Deal, Dodge, Donnan, Doud, Duncan, Gatch, Knight, McCoy, McDonough, Miles, Parrott, Robinson, Ryder, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wolfe, Woolson and Young—26.

The nays were:

Senators Bayless, Bolter, Carr, Casey, Chesebro, Dooley, Earle, Gault, Henderson, Hutchison, Poyneer, Scott, Whiting and Wilkin—14.

Absent or not voting:

Senators Barrett, Burdick, Cassatt, Chambers, Chubb, Glass, Hendrie, Johnson, Reiniger and Schmidt—10.

The bill having failed to receive a constitutional majority was declared lost.

Senate File No. 84, a bill for an act to repeal section 4276 of the Code of 1873, and enact a substitute therefor, relating to statement of defendants before the grand jury, with report of committee recommending that the bill be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate File No. 7, a bill for an act to repeal section 3909 of the Code, and enact a substitute therefor, punishing the crime of embezzlement, with report of committee recommending that the bill do pass, was taken up and considered.

Senator Wolfe 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, Bolter, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hutchison, Knight, McCoy, McDonough, Miles, Poyneer, Robinson, Schmidt, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Young—41.

The nays were, none.

Absent or not voting:

Senators Burdick, Cassatt, Hendrie, Johnson, Parrott, Reiniger, Ryder, Sutton and Woolson—9.

So the bill passed and the title was agreed to.

Senate File No. 52, a bill for an act to amend section 3173 of the Code, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Report of Committee on Rules on resolution by Senator Donnan, relating to bills reported for indefinite postponement, be indefinitely postponed, was taken up, considered, and report of the committee was adopted.

Senator Robinson moved to reconsider vote which Senate File No. 52, was adopted.

Carried.

Senator Sutton moved that the bill be amended by striking out all of section one thereof, after and including the word "afterwards" and inserting the following: "dollars" in the sixth line thereof, and before the word "but" in the ninth line thereof, and that the bill as so amended do pass.

DEATH OF GEN. HANCOCK.

Senator Sweney arose to announce that information had been received to the effect that the great soldier and patriot, General Winfield Scott Hancock, was dead, and in pursuance of which the other branch of this General Assembly had adjourned, he therefore moved that the Senate do now adjourn in honor of the illustrious dead.

So the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 10, 1886. }

The Senate met in regular session at 2 p. m., the President of the Senate in the chair.

Prayer by Rev. T. J. Kieth.

The journal of the previous day was read and approved.

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. 36, relating to the teaching of physiology and hygiene in the public schools.

J. K. POWERS, *Chief Clerk.*

Senator Dodge moved that Senate File No. 229, referred to Committee on Judiciary, be referred to Committee on Private Corporations.

Carried.

Senator Underwood presented the report of the visiting committee to Hospital for the Insane at Independence.

Placed on file and ordered printed.

Senator Underwood asked to be excused after 3 o'clock of this day. Granted.

PETITIONS AND MEMORIALS.

Senator Schmidt presented a memorial and resolutions of the Scott county bar, in opposition to the discontinuing of holding terms of the Supreme Court at Davenport, Dubuque and Council Bluffs.

Referred to Committee on Judiciary.

Senator Poyneer presented a petition of W. C. Brownlee and one hundred and seventy-five others, asking the enactment of a law to prohibit the sale as butter or cheese of any substance not the unadulterated product of pure milk or cream, and for penalties for same; and for appointment of a dairy commissioner.

Referred to Committee on Agriculture.

Senator Gatch presented a petition of citizens of Polk county, asking that a law be enacted prohibiting the circulation and sale of corrupt and sensational literature.

Referred to Committee on Judiciary.

Senator McCoy presented a petition of August Erickson and 407 other miners, of Mahaska county, asking opposition of their representatives in the Twenty-first General Assembly to screen bills, and asking for the enactment of an arbitration law.

Referred to Committee on Mines and Mining.

Senator Scott presented a petition and memorial of certain surveyors and others, relating to the office of county surveyor.

Referred to Committee on Compensation of Public Officers.

Senator Hendrie presented a petition and memorial of county officers and others of Mills county, on same subject.

Referred to same committee.

INTRODUCTION OF BILLS.

By Senator Gault, Senate File No. 245, a bill for an act to repeal section 2, chapter 77, acts of the Seventeenth General Assembly, providing for the election of railroad commissioners.

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

By Senator Gault, Senate File No. 246, a bill for an act to amend sub-division 3, of section 1606, title 12, chapter 3, of the Code, in relation to the State Agricultural College and Farm.

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

By Senator Clark, Senate File No. 247, a bill for an act to amend sections 3861, 3865 and 3866 of the Code of 1873, in relation to offenses against life and property.

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

By Senator Sutton, Senate File No. 248, a bill for an act to amend section 463 of the Code, with reference to taxing taverns, restaurants and eating houses.

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

By Senator Bayless, Senate File No. 249, a bill for an act to amend section 1725, chapter 9, title 12, Code of Iowa.

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

COMMUNICATION ON PRESIDENT'S TABLE.

DES MOINES, IOWA, February 10, 1886.

Iowa Pharmaceutical Association in session assembled.

Resolved, That His Excellency, the Governor of Iowa, Hon. Wm. Larrabee, the Executive Council, the Hon. J. A. T. Hull, President of the Senate, the Speaker of the House of Representatives, Hon. Albert Head, and each member of both branches of the Twenty-first General

Assembly are hereby tendered the courtesies of this floor during the sessions of this, our seventh annual meeting.

EMIL L. BOERNER, *Secretary.*

Senator Wilkin offered the following resolution :

Resolved, That the vote of the Senate whereby Senate File No. 63 failed to receive a constitutional majority on its final passage is hereby reconsidered and that the vote of the Senate whereby the rule was suspended and said bill placed upon its third reading be also reconsidered.

REPORTS OF COMMITTEES.

Senator Gault presented report of special committee to visit agricultural college and farm.

Placed on file and ordered printed.

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

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 103, a bill for an act amending chapter three, title fifteen, of the Code of Iowa, providing that incurable insanity shall be a ground for 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 the bill be indefinitely postponed.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 106, a bill for an act to amend section 4413 of the Code of Iowa relating to peremptory challenges of jurors in criminal cases beg leave to report that a majority of the committee has instructed me to report that the bill do pass.

G. S. ROBINSON, *Chairman.*

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 repeal section 3641 of the Code, in relation to evidence, and enact a substitute therefor, beg leave to report that they have had under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 175, a bill for an act to punish buggery or sodomy, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that section 1 be amended so as to read:

“Section 1. If any person shall commit the crime of buggery or

sodomy with mankind or with any animal he shall be punished by imprisonment in the penitentiary not exceeding ten years or by fine not more than one thousand dollars and imprisonment in the county jail not exceeding one year."

And that section 2 be so amended as follows :

"Section 2. Any person guilty of an attempt to commit the crime of buggery or sodomy shall be punished by imprisonment in the penitentiary not exceeding three years or by fine not more than three hundred dollars and imprisonment in the county jail not exceeding six months."

And that as thus amended the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 278, a bill for an act to legalize the incorporation of the town of Adair in Adair county, Iowa, and the 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 the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Senator Hutchison, 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. 149, a bill for an act to amend chapter 80 of the acts of the Twentieth 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.

J. G. HUTCHISON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 87, a bill for an act to amend section 853 of the Code of 1873, 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 for the reason that a substitute has been prepared for Senate File No. 69 and Senate File No. 70, embodying the same.

J. G. HUTCHISON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 67, a bill for an act to amend section 1381 of the Code of 1873, relating to the support of the poor; 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.

J. G. HUTCHISON, *Chairman.*

Ordered passed on file.

Senator Parrott, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred concurrent resolution in reference to copying and printing the journals of the two houses, beg leave to report that they have had the same under consideration, and finding said resolution directly in conflict with sections 4, 5 and 8, of chapter 9 of the Code, have instructed me to report the same back with the recommendation that it be indefinitely postponed.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Senator Caldwell, from the Committee on Medicine, Surgery, Hygiene and Pharmacy, submitted the following report:

MR. PRESIDENT—Your Committee on Medicine, Surgery, Hygiene and Pharmacy, to whom was referred Senate File No. 148, a bill for an act requiring the transportation of bodies of persons dead of certain diseases in a hermetically sealed and air-tight metallic case, casket or anti-septic interment sack, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: that the words "cotton or excelsior shavings" be added after the words "saw-dust" in section 2, and that section 6 be stricken out, and that when so amended it do pass.

CALDWELL, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 98, a bill for an act to amend section 4042 of the Code, relating to the sale of milk, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended in the 1st line of section 1 by striking out the figures "4045" and inserting "4042" in lieu thereof; that line 4 of section 1 be amended by striking out the words "eighty seven and one-half" and inserting the word "eighty-eight;" that the 5th line of the same section be amended by striking out the words "and one-half" after the word "twelve," and that the same line of said section be amended by inserting after the word "solids" the words "of which not less than three per cent shall be fats," and that section 2 be amended by striking out the words "or contagium" in the 2nd and 3d lines thereof, and as amended it do pass.

A. N. POYNEER, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 116, a bill for an act for the protection of 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 the bill be amended by inserting the words "not more than" between the word "of" and

the word "five" in the 3d line of the second section thereof, and as amended it do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture to whom was referred Senate File No. 150, 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 back to the Senate with the recommendation that it be amended by striking out the preambles to the same, and as amended it do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Senator Gatch, 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. 212, a bill for an act to amend section 506 of the Code, with reference to compensation of mayors when acting as magistrates, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. H. GATCH, *Chairman.*

Ordered passed on file.

Senator Scott, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your Committee on Public Buildings to whom was referred the House concurrent resolution, in relation to the judges of the supreme court, 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.

JOHN SCOTT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Public Buildings to whom was referred Senate File No. 88, a bill for an act providing for a separate apartment in common jails for the detention of females, beg leave to report that they have had the same under consideration and recommend amendments as in copy hereto appended, and have instructed me to report the same back to the Senate with the recommendation that it do pass; also, that the title be amended to read "A bill for an act providing for a separate apartment in jails and prisons for the detention of females, and making their detention otherwise unlawful."

JOHN SCOTT, *Chairman.*

Ordered passed on file.

BILLS ON SECOND READING.

The Senate resumed consideration of Senate File No. 52, a bill for an act to amend section 3173 of the Code, with report of committee recommending indefinite postponement.

The pending question being on the amendment by Senator Sutton. The hour for the special order on Senate File No. 68 having arrived, Senator Hutchison moved that the special order be deferred for the present.

Carried.

The question recurring on the amendment by Senator Sutton it was lost.

On motion, Senator Woolson was granted leave of absence until Monday.

On the question of adopting the report of the committee the yeas and nays were demanded.

The yeas were:

Senators Burdick, Chubb, Deal, Donnan, Doud, Duncan, Earle, Gatch, Gault, Glass, Hutchison, McCoy, McDonough, Parrott, Poyneer, Robinson, Scott, Sutton, Sweney, Whaley, Wilkin, Wolfe and Young—23.

The nays were:

Senators Barrett, Bayless, Bloom, Bolter, Caldwell, Carr, Carson, Casey, Cassatt, Chesebro, Clark, Dodge, Dooley, Henderson, Hendrie, Johnson, Knight, Miles, Ryder, Schmidt, Stephens, Weber and Whiting—23.

Absent or not voting:

Senators Chambers, Reiniger, Underwood and Woolson—4.

The vote being a tie the President voted aye.

So the report of the committee to indefinitely postpone was agreed to.

SPECIAL ORDER.

The Senate considered special order on Senate File No. 68.

The amendments reported by the committee to section 2 were agreed to.

Senator Hutchison offered following amendment to section 814:

Amend section 814 by striking out all after the word "cents," in the thirty-first line of the printed bill, to and including the word "any," in the thirty-fifth line; and by striking out all after the word "cents," in the fortieth line, to and including the word "any," in the forty third line.

Adopted.

Senator Sweney offered following amendment to section 2, which was adopted:

Amend by inserting in the fortieth line, after the word "cents," the following: "So far as I claim deduction from assessment therefor."

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 86, relating to regulations against fires.

J. K. POWERS, *Chief Clerk.*

Sections 815 and 816 were read and agreed to.

The Senate considered section 817.

Senator Burdick moved to strike out the word "Iowa," from the 126th and 127th lines, and that after the letter "I," in 123d line, a blank be left for name of affiant.

Carried.

Senator Johnson moved to strike out all of section 817.

Senator Donnan offered to amend the amendment by inserting immediately after the word "person," in the 115th line of section 817, the following: "not taxed in any other State or Territory"; and demanded the yeas and nays.

The yeas were :

Senators Bloom, Carson, Chambers, Donnan, Johnson and Schmidt—6.

The nays were:

Senators Bolter, Burdick, Caldwell, Carr, Casey, Cassatt, Chesebro, Deal, Dodge, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Hendrie, Hutchison, Knight, McCoy, McDonough, Parrott, Poyneer, Robinson, Ryder, Scott, Stephens, Sutton, Sweney, Weber, Whaley, Whiting, Wilkin and Wolfe—34.

Absent or not voting:

Senators Barrett, Bayless, Chubb, Clark, Henderson, Miles, Reinger, Underwood, Woolson and Young—10.

So the amendment was not agreed to.

Senator Glass offered the following amendment:

Amend by inserting after the word "same," in line 117 the following: "*Provided, however,* that if the money, notes, or credits belong to any resident of this State, the agent may give the residence of the owner thereof, and if the assessor ascertains that such property is properly assessed to the owner thereof at his place of residence, then it shall not be included or placed upon his books as assessor."

Senator Carson moved to amend the amendment: to insert after the word "State," "other States and Territories."

Lost.

The amendment of Senator Glass was lost.

Senator Hutchison offered the following amendment:

Add after the word "same," in line 117, as follows: "and shall have a lien on such money or property for such liability."

Carried.

The question recurring on the motion of Senator Bloom to strike out the section under consideration, it was lost.

Senator Wolfe moved that the word "to wit" be changed to "as follows."

Carried.

Senator Robinson moved that the words "or management" be struck from line 114 of said section.

Carried.

So the section was agreed to.

The Senate took up and considered section 818 and amendments.

The amendments were agreed to.

Senator Bloom offered the following amendment:

Add in line 134, after the word "surplus," the words "over and above ten per cent of the capital of said bank or body corporate."

Pending which, Senator Hutchison moved that this bill be made the special order from day to day after the regular call of business.

Adopted.

By leave, Senator Parrott presented the report of special committee appointed to visit the Additional Hospital for the Insane at Clarinda.

Placed on file and ordered printed.

By leave, Senator Stephens presented the report of special committee to visit the Soldiers' Orphans' Home.

Placed on file and ordered printed.

On motion the Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, February 11, 1896. }

The Senate met at in regular session at 2 P. M.

The President of the Senate in the chair.

Prayer by Rev. T. W. Kiplinger.

The journal of previous day was read and approved.

PETITIONS AND MEMORIALS.

Senator Whaley presented petition of 200 citizens of Parkersburg, Butler county, asking for a soldiers' home, also resolutions of John Braden Post 242, on same subject.

Referred to Committee on Military.

Senator Poyneer presented petition of 28 members of John G. Safely Post, G. A. R., asking for the establishment of soldiers' home.

Referred to Committee on Military.

Also by same, petitions of 207 citizens of Powesheik county, asking for a stringent law prohibiting the circulation of corrupting literature in Iowa.

Referred to Committee on Judiciary.

Senator Donnan presented petition of residents of Buchanan county asking the extending of suffrage to women on same terms as men, in all municipal elections; also in the appointment of electors of President and Vice President of the United States.

Referred to Committee on Suffrage.

Senator Cassatt presented petition of E. B. Hays and 200 other citizens of Union county, asking for an enactment of a law regulating the practice of medicine and surgery.

Referred to Committee on Medicine, Surgery, Hygiene and Pharmacy.

Senator Scott presented memorial of C. C. Campbell, county auditor, and Thomas Murray, county surveyor, of Scott county, in re-

lation to the offices of county surveyor and public highways, accompanied by a similar memorial from the same officers of Carroll, Dallas, Delaware, Dickinson, Pocahontas, Winneshiek, Muscatine, Cedar, Cherokee, Grundy and Tama.

Referred to committee on Compensation of Public Officers.

Senator Dodge presented petition and resolutions from Matthes' Post, relating to establishing of a soldiers' home.

Referred to Committee on Military.

INTRODUCTION OF BILLS.

By Senator Donnan, Senate File No. 250, a bill for an act authorizing the purchase and transfer to the State library of the library of the late Hon. S. J. W. Tabor, and making an appropriation therefor.

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

By Senator Donnan, Senate File No. 251, a bill for an act to repeal section 2, chapter 94, acts of Sixteenth General Assembly, and enacting a substitute therefor, relating to admitting children to the Soldiers' Orphans Home.

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

By Senator McCoy, Senate File No. 252, a bill for an act to provide for the establishment of a State board of supervisors of State institutions and offices.

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

By Senator Wolfe, Senate File No. 253, a bill for an act to enable cities to aid in the construction of bridges over navigable boundary rivers of the State of Iowa.

Read a first and second time and referred to a special committee of three.

The Chair announced as such committee, Senators Wolfe, Carson and Hutchison.

By Senator Johnson, Senate File No. 254, a bill for an act to provide for the purchasing of stationery, blank books and desk furniture for the use of the various State officers by the legislature of the State.

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

By Senator Bayless, Senate File No. 255, a bill for an act for the relief of Abraham Shaw, Jr.

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

By Senator Weber, Senate File No. 256, a bill for an act to amend sections 4239 and 4240 of the Code of 1873, relating to preliminary examinations.

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

By Senator Hutchison, from the Committee on Ways and Means, Senate File No. 257, a bill for an act to provide for the levy of one-half mill State tax for the years A. D. 1886, and 1887, to help in pro-

viding a home for Iowa soldiers and sailors, and for making necessary repairs and improvements in State and charitable institutions and for other purposes.

Read a first and second time and passed on file.

By Senator Ryder, Senate File No. 258, a bill for an act to establish a normal school for teachers.

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

By Senator Carson, Senate File No. 251, a bill for an act to repeal sections 161, 162, 163, 164 and 165 of chapter 5, title 3 of the Code, relating to district and circuit courts and to enact a substitute therefor.

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

By Senator Hendrie, Senate File No. 260, a bill for an act for an appropriation for the institution for feeble-minded children at Glenwood.

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

Senator Gault offered following resolution:

WHEREAS, A movement has been inaugurated for holding a re-union of all the surviving members of the legislatures of this state prior to and including the Eleventh General Assembly, on the 24th and 25th of this month; therefore

Resolved by the Senate, the House of Representatives concurring, That the ex Senators be and they are hereby invited, to meet the members of the present Senate in the Hall of the Senate, and the ex-members of the House of Representatives, are requested to meet the members of the present House in the hall thereof and effect such organization as the ex-members may deem proper, after which organization they are requested to meet in joint convention in the hall of the House of Representatives, and listen to such addresses as may be appropriate for the occasion. Such meeting to be on the 25th of this month at an hour to be agreed upon, by the Lieutenant Governor and Speaker of the House.

Adopted.

HOUSE MESSAGES.

House File No. 86, a bill for an act to amend section 457 of the Code of 1873, relating to regulations against fires was taken up.

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

REPORTS OF COMMITTEES.

Senator Hutchison 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. 7, a bill for an act to amend chapter 58, laws of the Seventeenth General Assembly relating to refunding of bonded indebtedness of counties and cities and towns, 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 do pass.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 200, a bill for an act to provide a penalty for disposing of personal property upon which there is imposed delinquent taxes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Senator Robinson from the Committee on Judiciary submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 155, a bill for an act to amend section 1061, title 9, chapter 1, of the Code of 1873, relating to the indebtedness of corporations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that section 1 thereof be amended by striking therefrom the words following, to-wit: From line 1, the words "title 9, chapter 1"; from line 5, the words "loan and trust"; and from lines 8 and 9, the words "to trustees in trust"; and as thus amended the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Senator Duncan from the Committee on Highways submitted the following report:

MR. PRESIDENT—Your Committee on Highways to whom was referred Senate File No. 172, a bill for an act to amend section 969, chapter 2, title 7 of the Code of Iowa, relating to the powers and duties of township trustees, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

F. A. DUNCAN, *Chairman*.

Ordered passed on file.

By leave Senator Young presented report from special committee on visiting penitentiaries.

Placed on file and ordered printed.

By leave Senator Doud presented report of committee on visiting industrial schools.

Placed on file and ordered printed.

Senator Donnan called up Senate File No. 119, a bill for an act to provide for certain deficiencies to Company I, 4th Regiment Iowa militia, and on motion of Senator Johnson, to reconsider vote by which it was lost.

Senator Johnson moved that the vote by which the rule was suspended on third reading of Senate File No. 119 be reconsidered.

Carried.

On the question shall the bill pass.

The yeas were:

Senators Bayless, Bloom, Burdick, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Duncan, Earle, Gatch, Gault, Henderson, Hutchison, Johnson, Knight, McCoy, McDonough, Parrott, Poyneer, Robinson, Ryder, Scott, Stephens, Sutton, Sweney, Weber, Whaley, Wilkin, Wolfe and Young—37.

The nays were:

Senator Bolter—1.

Absent or not voting:

Senators Barrett, Cassatt, Dooley, Doud, Glass, Hendrie, Miles, Reiniger, Schmidt, Underwood, Whiting and Woolson—12.

So the bill passed and the title was agreed to.

The Senate took up special order on Senate File No. 68, the pending question being on the amendment by Senator Bloom to section 818.

The amendment was not agreed to.

The Senate considered section 819 with amendments reported by committee and on motion it was adopted.

The Senate considered section 828 with amendments reported by committee.

The amendments were agreed to.

Senator Bolter moved to strike out all after the word "provided" in line 171, and to and including the word "same" in line 172.

Adopted.

The Senate considered sections 832, 833, 834, 836 and they were agreed to.

Senator Hutchison 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 Bayless, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Doud, Duncan, Earle, Gatch, Gault, Glass, Hendrie, Hutchison, Knight, McCoy, McDonough, Miles, Poyneer, Robinson, Stephens, Sutton, Sweney, Weber, Whiting, Wilkin, Wolfe and Young—35.

The nays were:

Senators Bloom and Donnan—2.

Absent or not voting:

Senators Barrett, Cassatt, Dooley, Henderson, Johnson, Parrott, Reiniger, Ryder, Schmidt, Scott, Underwood, Whaley and Woolson—13.

So the bill passed and the title was agreed to.

BILLS ON SECOND READING.

The resolution relating to copying daily journals into a bound volume and reading therefrom, with report of Committee on Rules recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Senate File No. 226, a bill for an act to amend section 5, chapter 132, laws of Twentieth General Assembly, with report of committee recommending that it do pass was taken up and considered.

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

Senator Duncan moved reference of bill to Committee on Printing to report additional cost of extra copies provided by this act.

Carried.

By leave.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 57, a bill for an act to legalize the proceedings of the board of supervisors of Muscatine and Louisa counties in locating and constructing a levee on Muscatine island, in said counties, and to provide for a reassessment of the cost thereof, on the lands benefited thereby, beg leave 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, which they recommend be adopted, and that when adopted such substitute do pass.

G. S. ROBINSON, *Chairman.*

On motion of Senator Duncan Senate substitute for House File No. 57, a bill for an act to legalize proceedings of the board of supervisors of Muscatine and Louisa counties in locating and constructing a levee on Muscatine Island in said counties, with report of committee recommending that substitute be adopted, and that when so adopted that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Wolfe moved to amend by striking from first line of third paragraph the words "in part."

Carried.

Also, to strike from line five, section two, the words "applying to" and insert "applying to."

Carried.

Senator Duncan 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 Bayless, Bloom, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Dodge, Donnan, Dooley, Duncan, Earle, Gatch, Gault, Hendrie, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Weber, Whaley, Whiting, Wilkin and Young—40.

The nays were, none.

Absent or not voting :

Senators Barrett, Cassatt, Deal, Doud, Glass, Henderson, Reiniger, Underwood, Wolfe and Woolson—10.

So the bill passed and the title was agreed to.

Senate File No. 107, a bill for an act to amend section 2246, of the Code, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

House File No. 45, a bill for an act to legalize the incorporation of the town of Bayard, in Guthrie county, Iowa, the election of officers, and all acts done and ordinances passed by the council of said town, with report of committee recommending amendments, and that 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, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass.

The yeas were :

Senators Bayless, Bloom, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Hendrie, Hutchison, Johnson, Knight, McCoy, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Weber, Whaley, Whiting, Wilkin, Wolfe and Young—41.

The nays were, none.

Absent or not voting:

Senators Barrett, Cassatt, Deal, Henderson, McDonough, Reiniger, Ryder, Underwood, and Woolson—9.

So the bill passed and was agreed to.

Senate File No. 69, a bill for an act to amend section 837, title 6, chapter 1, of Code, with report of committee, recommending substitute, and when adopted, that it do pass, was taken up, considered, and the report of the committee was adopted.

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 shall the bill pass.

The yeas were :

Senators Bayless, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Hendrie, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Weber, Whaley, Whiting, Wilkin and Young—40.

The nays were, none.

Absent or not voting :

Senators Barrett, Bloom, Cassatt, Clark, Henderson, Johnson, Reiniger, Underwood, Wolfe and Woolson —10.

So the bill passed and the title was agreed to.

Senate File No. 178, a bill for an act to amend section 3791 of Code of Iowa, relating to compensation of county supervisors, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Gatch 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 Bayless, Bolter, Burdick, Caldwell, Carr, Carson, Casey,

Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Hendrie, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robison, Schmidt, Scott, Stephens, Sutton, Sweney, Weber, Whaley, Whiting, Wilkin, Wolfe and Young—42.

The nays were, none.

Absent or not voting:

Senators Barrett, Bloom, Cassatt, Henderson, Reiniger, Underwood and Woolson—8.

So the bill passed and the title was agreed to.

Senate File No. 103, a bill for an act making incurable insanity grounds for divorce, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 106, a bill for an act to amend section 4413 of Code, relating to peremptory challenges of jurors in criminal cases, with majority report of committee recommending that it do pass, was taken up and considered.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has accepted the invitation to participate in the memorial exercises in respect to the memory of the late Hon. E. Eastman.

Also, the House concurred in Senate resolution relating to printing daily journals of future General Assemblies.

Also, the House has passed Senate File No. 182 relating to marriages.

J. K. POWERS, *Chief Clerk.*

By leave, Senator Weber offered the following resolution:

Resolved, That when the Senate adjourns Friday, Feb. 12, 1886, it will adjourn to Monday, Feb. 15, 1886, at 2 o'clock P. M.

Adopted.

Pending the question on the adoption of the report of the committee on Senate File No. 106, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 12, 1886. }

The Senate met in regular session at 2 P. M.
The President of the Senate in the chair.
Prayer by Rev. W. H. Van Antwerp.
The minutes of the previous day were read and approved.

PETITIONS AND MEMORIALS.

Senator Bolter presented petition of forty-nine ladies for municipal suffrage.

Referred to Committee on Suffrage.

Senator Wilkin presented petition of Wm. Schorn and ninety other citizens of Madison county asking Legislature to protect the dairy interests of the people of Iowa.

Referred to Committee on Agriculture.

Senator Glass presented petition of two hundred and thirty-five women of Mason City, Iowa, asking for a law authorizing women suffrage at municipal elections.

Referred to Committee on Suffrage.

Senator Deal presented petition of seventy-five soldiers of Scranton, Iowa, requesting the passage of a bill for the erection and maintenance of a soldiers' home in the State of Iowa.

Referred to Committee on Military.

Senator Gatch presented petition of two hundred and twenty-five citizens of Des Moines for municipal suffrage.

Referred to Committee on Suffrage.

Senator Bloom presented a petition of soldiers and citizens of Johnson county for a soldiers' and sailors' home.

Referred to Committee on Military.

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. 51, relating to fire insurance.

House File No. 198, amending section 3791 of the Code as amended by chapter 159, acts Nineteenth General Assembly.

House File No. 233, amending section 1381 of the Code, relating to levying taxes to support the poor.

Also, the House has concurred in the Senate substitute for House File No. 57, legalizing the acts of the boards of supervisors of Muscatine and Louisa counties.

Also, the House has concurred in Senate resolution No. 7, relating to soldiers' home.

Also, Senate File No. 92, with amendment.

J. K. POWERS, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Sweney, Senate File No. 261, a bill for an act repealing section 2214, of the Code, and enacting a substitute therefor, relating to debts incurred in support of families and making the same chargeable to husband and wife.

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

By Senator Dooley, Senate File No. 262, a bill for an act to provide for the trial and determination of controversies arising between employers and employes.

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

By leave, by Senator Caldwell for Senator Clark, Senate File No. 263, a bill for an act amendatory of chapter 143, of the acts of the Twentieth General Assembly, relating to intoxicating liquors and providing for the more effectual suppression of the illegal sale of intoxicating liquors and abatement of nuisances.

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

By Senator Glass, Senate File No. 264, a bill for an act limiting time of making claims and bringing suit against municipal corporations.

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

RESOLUTIONS.

Senator Donnan offered the following resolution :

Resolved by the Senate, That the Superintendents of the Iowa Hospitals for the Insane at Mt. Pleasant and Independence be and are hereby requested to furnish for the information of the General Assembly the number of *State* patients maintained in each of said institutions for the year ending December 31, 1885; also, from what county each one of said patients was received, and the total cost of maintaining them for the year.

Adopted.

HOUSE MESSAGES.

House File No. 198, a bill for an act to amend section 3791 of the Code of 1873, as amended by chapter 159, acts of the Nineteenth General Assembly.

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

House File No. 233, a bill for an act to amend section 1381 of the Code relating to the levy of taxes by counties for the support of the poor.

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

House File No. 51, a bill for an act to amend chapter 211, laws of 1880 relating to fire insurance.

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

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 85, a bill for an act to amend chapter 1 of title 11 of the Code, in reference to the relief of the poor and the manner of obtaining the same, and providing criminal punishment for the violation of this act, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 110, a bill for an act to amend sections 2623 and 2624 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and that when adopted it do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 177, a bill for an act to amend section 5 of chapter 168, of laws of the Twentieth General Assembly, relative to admitting attorneys from other states to practice in the courts of this State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

G. S. ROBINSON, *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 amend section 327 of the Code, in relation to the order of payment of county warrants, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be referred to the Committee on Ways and Means.

G. S. ROBINSON, *Chairman.*

Ordered so referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 223, a bill for an act to prevent the intermarriage of white and colored persons, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Senator Wolfe submitted the following report:

MR. PRESIDENT—Your special committee to whom was referred Senate File No. 253, a bill for an act to enable cities of over 5,000 inhabitants to aid in the construction of highway bridge over navigable boundary rivers of the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

P. B. WOLFE, *Chairman*

Ordered passed on file.

On motion of Senator Wolfe Senate File No. 253, a bill for an act to enable cities of over 5,000 inhabitants to aid in the construction of highway bridges over navigable boundary rivers of the State of Iowa with report of committee recommending it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Wolfe 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 Bloom, Bolter, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Young—41.

The nays were, none.

Absent or not voting:

Senators Barrett, Bayless, Burdiok, Cassatt, Clark, Johnson, Knight, Reiniger and Woolson—9.

So the bill passed and the title was agreed to.

Senator Burdiok was granted leave of absence until Tuesday.

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

MR. PRESIDENT—Your Committee on Railroads to whom was referred Senate File No. 12, a bill for an act punishing walking upon railroad tracks, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

SWENEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railways, to whom was referred Senate File No. 179, 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 indefinitely postponed.

SWENEY, *Chairman*.

Ordered passed on file.

Senator Donnan, from the Committee on Retrenchment and Reform, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment, to whom was referred Senate File No. 81, a bill for an act to repeal chapter 80, laws of the Seventeenth General Assembly of Iowa, relating to the propagation of fish, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be referred to Committee on Fish and Game.

W. G. DONNAN, *Chairman.*

Ordered so referred.

The chair submitted a report for the committee on additional hospital for insane at Clarinda.

Passed on file and ordered printed.

Senator Whaley reported for the Committee on Visiting Anamosa Penitentiary.

Passed on file and ordered printed.

Senator Robinson moved that Senate File No. 106 be made special order when order of business be reached on Tuesday next.

Carried.

Senate File No. 166, a bill for an act to repeal section 3641, of the Code, in relation to evidence and to enact a substitute therefor, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 175, a bill for an act to punish the crime of buggery and sodamy, with report of committee recommending amendment and do pass, was taken up, and on motion, further consideration was postponed.

Passed on file.

House File No. 278, a bill for an act to legalize the incorporation of the town of Adair, in Adair county, Iowa, and the acts of the officers thereof, with report of committee recommending it do pass was taken up and considered.

Senator Young 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 Bloom, Bolter, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Henderson, Hendrie, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin and Young—39.

The nays were, none.

Absent or not voting:

Senators Barrett, Bayless, Burdick, Clark, Glass, Johnson, Knight, Reiniger, Ryder, Wolfe and Woolson—11.

So the bill passed and the title was agreed to.

On motion of Senator Stephens Senate File No. 92, a bill for an act to amend chapter 24 of the acts of the Nineteenth General Assembly, in relation to superior courts, with House amendment, was taken up and considered.

On the question, shall the amendments be adopted,

The yeas were:

Senators Bloom, Caldwell, Carr, Casey, Chambers, Chesebro, Chubb, Deal, Dodge, Donnan, Doooley, Doud, Duncan, Earle, Gatch, Gault, Henderson, Hendrie, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sweney, Weber, Whaley, Whiting, Wilkin and Young—35.

The nays were, none.

Absent or not voting:

Senators Barrett, Bayless, Bolter, Burdick, Carson, Cassatt, Clark, Glass, Johnson, Knight, Reiniger, Sutton, Underwood, Wolfe and Woolson—15.

So the House amendment was agreed to.

By leave, Senator Sweney presented the report of the visiting committee to the State University.

Passed on file and ordered printed.

The chair announced that the hour for the special order had arrived.

MEMORIAL EXERCISES.

The Sergeant at-Arms announced the Speaker and House of Representatives, who took seats with the Senate.

Senator Underwood presented the following resolution, prefaced by remarks as follows:

MR. PRESIDENT—I desire to offer a resolution. And before presenting the same wish to give a brief sketch (history) of Enoch W. Eastman. He was born in the town of Deerfield, New Hampshire, April 15, 1810. His father, living on a farm, and the owner of a mill, his time was devoted to hard labor, except about three months of schooling in the winter time each year, until he reached manhood. After his majority he taught school and took an academic course. Commenced the study of law when about twenty-nine years of age; studied five years, and was admitted to the bar in 1844. Married soon after, and moved to Burlington, Iowa, in which place he lived until 1847, when he moved to Oskaloosa, where he lived and practiced his profession. Moved to Hardin county (Eldora) in 1857. Then he often said he met with a change of heart, and hewed his way out of the "Democratic party with a broad ax, and took more enlarged views of the duties of man to man and to the nation." He lived in Eldora, Hardin county, until his death, January 9, 1885.

I have known Hon. E. W. Eastman intimately since 1859. His friends were and are my friends. Religiously he was a Unitarian; but as there was no society of his choice in Eldora he attended the Congregational Church, and labored for its growth and prosperity; he was an active member in all of its branches. Has been married twice—one of his wives living. Has five children—three daughters, all married; two sons, unmarried.

As a citizen in his place, always looking to the best interests of the community in which he lived; steadily holding to what he deemed to be right; expressing his opinion fully on all subjects of interest, and illustrating his subject from and "nailing with scripture" his arguments. For the young a safe and good advisor. Full of pithy sayings; he was like Cæsar said of Cassius:

“ He reads much ;
 He is a great observer.
 He looks quite through the deeds of men.”

In person, tall and straight. Was not a handsome man; but a harmony of features and actions, that on acquaintance, became pleasing. Quaint in style—a thorough Yankee. Thoroughly acquainted with the history of the nation, and in the unwritten history of Iowa he had no equal. He was elected in 1863 as Lieutenant-Governor, and in 1864 presided over the Senate, and upon taking the chair expressed, in an emphatic manner, the position every American citizen should take in the struggle then pending. He was elected to this Senate in 1883, one-half of which term he had served. He was a grand old man, gone down to his grave with ripe honors, and left his name immortal by words of his inscribed on the monument at Washington: “Iowa, the affections of her people, like the rivers of her borders, flow to an inseparable union.”

Senators, I leave his political and legislative history in your hands, and would now respectfully submit these resolutions for your consideration:

Resolved, That earnestly desiring to show every mark of respect to the memory of Hon. E. W. Eastman, late member of the Senate of 1884, from the Thirty-second district composed of Hardin and Grundy counties, we do now suspend the regular business of the Senate, that opportunity be given his friends and associates of this Senate, and also those of the Senate of 1884, to pay fitting tribute to his worth as a citizen and a law maker.

Resolved, That in his death the State loses a worthy citizen and a useful and earnest legislator, who faithfully and conscientiously performed his every duty, and whose private life by its purity, well qualified him for positions of honor and trust.

Resolved, That these resolutions be entered upon the records of this Senate, and that the Secretary forward a copy thereof to the family of the deceased Senator, Hon. E. W. Eastman.

Resolved, That as a further mark of respect, this Senate do now adjourn.

Senator Sutton then addressed the Senate as follows :

MR. PRESIDENT—I gladly second the resolution of the Senator from Hardin. Governor Eastman was my neighbor and he was my friend. I was given not only the honor of his society but also the benefit of his counsel. I hold in my hand a letter from his oldest child, recalling past associations and regretting inability to be present on this honorable occasion. Senators, I gladly join you to-day in honor of Governor Eastman's life and of his public services.

It becomes a great State like ours to honor her sons, to court their love and to celebrate their virtues; for the only security a state can have, rests at last in the love of its own children. Liberty is secure only in that love of country that rises above all else and next to the love of Heaven. That love of country so beautifully pictured in the first of poems, where Hector bids goodbye to wife and child and gives his life in the higher love he bears his beloved city.

Eastman loved his country. He loved his friends. He loved his children. He loved his home. He loved his party; but above

these he loved his country; and above all and supremely, he loved truth, which to him was the love of God. As a neighbor he was the soul of gentility and courtesy. As a father he was a picture of tenderness and of devotion. As a citizen you see him best in the emotion of this his oft repeated declaration: "I thank God that I am an American citizen." As a great lawyer, you see him best in this his own favorite maxim: "there is no legal victory like the victory of a just cause." As a legislator you see him the grandest in the manly Courage displayed in this chamber, when he said "with all due respect to our courts, I shall obey my oath to my country and construe the constitution for myself." At last you see him most supreme in his love of truth in this saying of his that expressed his highest faith: "I hold that no man or people have any right under any pretense whatever to commence, claim or encourage any purpose or enterprise that culminates in crime against God."

In rugged intellect, clear conception, incisive expression and moral heroism, he has had no superior since the days of Andrew Jackson. He came from a sturdy stock of manhood. He came from the same stock that gave us Daniel Webster, of whom he was a cousin; and he was also a cousin of that later and little less illustrious statesman, Zachariah Chandler. He was one of those rugged Yankees, who with John Quincy Adams, believed in God Almighty and Andrew Jackson. He remained with the democratic party and worshipped its hero until a great majority of that party as he believed, deserted the Jacksonian standard of democracy and espoused the doctrines of John C. Calhoun, whom Jackson wanted to hang. Then it was that Eastman, to use his own words: "hewed his way out of the democratic party with a broad-ax," and joined the party that proposed to obey Jackson and "make treason odious."

A few months ago, and after a long tour through all the southern states where there reigned only a love for the cause that was lost and buried, I stood at last on the steps of the capitol at Nashville, and looked down upon the statue of Jackson. It did my soul good to see in that southern land the form of a man who loved his country. I recalled the fact that he was the hero of our then deceased brother. I wondered if that statue had stood there through all the years of the Calhoun rebellion. Oh, it was a grand, grand sight. There the old hero stood in the stirrups of his saddle. He stood with his back toward South Carolina and his rearing steed was turned around full face to the loyal north. There he stood in the stirrups of his saddle with swelling breast and with bristling hair. As I saw him with open mouth and his plumed hat in air he seemed to me to be saying "arise, my countrymen, arise."

Would to God that loyal men both north and south would rise once more like Eastman and Jackson, to the full height and grandeur of their country's cause, and like these noble patriots place love of country above all minor virtues and join hands with every man regardless of his party, who loves the flag, and thus help to place the emblem of our liberties forever secure in the keeping of them who love it, and who rejoice in its glorious victories.

Senator Stephens then addressed the Senate as follows:

MR. PRESIDENT—I enter upon this sad duty with profound sorrow.

We pause from our legislative duties to-day, to pay homage to no ordinary man. To our roll call Senator Eastman no longer answers. He will meet us in council no more. His very silence admonishes us, that our days are crowded with sorrow, teaches us lessons of tolerance and humility, rebukes our pride, points us from a faded past, and bids us hope the glowing radiance of a future life. My acquaintance with Senator Eastman began with the Twentieth General Assembly. We entered this Senate chamber together. Our relations were always cordial and pleasant. I was an almost daily witness of the ability and courage which he brought to the discharge of his official duties. When he took his seat in that body he was well advanced in years and feeble in health, but with a hardened muscle he fearlessly attacked all measures not in the direction of public good.

My friend and colleague is no more. After a long and heroic struggle against resistless disease, he died at his home in Eldora, Hardin county, January 9, 1885. He was born in Deerfield, New Hampshire, April 15, 1810.

Fresh from his New England home, imbued with a love of freedom and prompted by the zeal inspired by the passions of the times, he started valise in hand for the new territory which was to be his future home, arriving in the year 1844. Soon after his arrival the territory was admitted as a State. He was fond of his constituents and proud of his State. In conversation he delighted to dwell upon the early struggles and triumphs of the young commonwealth. He indulged a just pride in having borne a part in all her vicissitudes and having participated in the contests and shared the privations of the period.

In thought, speech and action, he was vigorous and aggressive. It seemed impossible for him to be lukewarm in the performance of any task, or discharge of any duty. Whether debating a question of order or discussing a great public measure, he summoned all the resources of body and mind, and directed them against the position of his adversary, with an energy that must have put his nerve power to serious test and materially impaired his vital forces. Enoch W. Eastman was a diligent student, especially of history and political economy. With the entire history of his own State and its legislation he made himself thoroughly familiar, in which at different times he took an active part. For the legislative arena he was in all respects well equipped. To every duty assigned him, he brought the most thorough preparation. He made himself master of every principle, every detail and every fact pertaining to the subject. It was only after the fullest investigation and the most careful deliberation that he reached important conclusion, and then he was as unyielding in his conviction as he was zealous in their defense. Though often impetuous, ardent and nervously energetic in what he undertook, he was yet cool, prudent, wise and sagacious in council.

There were two great subjects to which he gave profound thought—suppression of intemperance and female suffrage. He regarded intemperance not merely as a crime against society, but an organized enemy of the home. Thus believing, he determined to attack it with all the legislative power that it was practicable to invoke for its destruction. When the Twentieth General Assembly convened he

moved promptly and fearlessly in favor of the passage of the bill then occupying the minds of every citizen of the State, known as the Prohibition measure.

Mr. Eastman's private life was without a stain. From boyhood his was a career of religious fervor. No lingering doubt disturbed his belief in the divinity of Jesus Christ and a future state of eternal bliss. The work of the church and the Sabbath school was to him a labor of love. Death claimed him after the lapse of time allotted to man. His career of usefulness was well known. But he is gone. Enoch W. Eastman is no longer among us; called by a wise Providence from this presence. There is no question in my mind, Mr. President, as to where his ship is floating to day. There is no question in my mind as to what harbor it has entered with fluttering sails and flag floating transcendently beautiful. I know, as you know, as we all know, for it is emblazoned in our hearts, that we shall live again. His family have lost the devoted husband, the affectionate and generous father; his district and State, a strong representative on this floor; the country at large, a wise and patriotic public servant, and all of us a faithful friend and valuable associate.

Senator Donnan then spoke as follows:

MR. PRESIDENT—I rise to second the resolutions offered by the Senator from Hardin.

The name of our late associate was known throughout Iowa. The many thousand homes for whose welfare and happiness he so earnestly labored, will long cherish his memory. Doubtless the city of his residence and the district he so ably represented on this floor, have certified their sense of loss, and their appreciation of his worth, in proper memorial service. It remains for the General Assembly on the incoming of their resolutions, most appropriately, it seems to me, to lay aside the usual routine of legislative business, and unite in expressing our tribute of respect and of admiration, for our departed friend, who, at one time was the honored President, and at the time of his decease, was a distinguished member, of the Senate.

My acquaintance with the late Senator Eastman, commenced nearly twenty-five years ago. I knew him better by reputation, than otherwise, until we were brought together in the Twentieth General Assembly. During that session our closer association ripened into warm, personal friendship.

His genial manner and sympathetic nature, his acquirements in practical knowledge, his keen zest for social intercourse, his ripe experience in affairs, his broad and philanthropic views and his quenchless fund of quaint humor made him at once a pleasant companion and a very agreeable friend.

Commencing the great study of the law at a later period of life than most of the profession, and compelled to struggle with many obstacles, yet he thoroughly mastered its principles, became an adept in solving its intricate questions, and a powerful advocate for his client at the bar. Nor was remuneration for services, with him, a high professional incentive. In his own judgment the ablest effort of his life, was in a cause wherein he had no expectation, whatever, of reward.

He was possessed of a remarkably logical mind. It seemed poss-

ible for him to instantly and effectually analyze the argument of an opponent. Of course this gave him great power in professional and forensic efforts. Senators will not forget how easily and completely he laid bare the sophistry of a speech at the last session, in one single sentence.

As a legislator, he was watchful of the interests of his immediate constituents, but he never lost sight of his responsibility to legislate for the general good of the entire State. If out of the overflowing abundance of his thoughts, he was sometimes prolix in discourse, he was always instructive.

For the promotion of laudable objects he did not hesitate to advocate and support the most radical enactments, which the Constitution would permit. His opinions were carefully and deliberately formed, and then it made little difference to him whether he stood with the majority, or stood alone. In behalf of whatever his judgment approved he was as immovable as the granite mountains of his native State.

His humor was queer, as it was inimitable. In this respect he was certainly *sui generis*. When he declined a renomination for the office of Lieutenant Governor he advised the State convention, with apparent seriousness, to nominate *the next best man!*

Many years ago when trying a cause before a newly elected judge, who was reported as being comparatively "innocent of any knowledge of the law," he commenced reading from Blackstone and continued to read until the judge, losing all patience, said: "Mr. Eastman, you needn't read any more of that, the court has read Blackstone." Dropping the volume, but raising his hands with a look of well feigned astonishment, said, "*Hew' you?*"

He had an implicit faith in the intelligence and justice of the people, a commendable fealty to existing laws, but a firm determination to strike out objectionable statutes and enact better ones in their stead. No one in our entire commonwealth could have a more unbounded admiration for Iowa than he.

Some idea of his changeless loyalty to country, his detestation of treason and all its abettors, his sympathy with the defenders of the Union, then "at the front," and his somewhat remarkable conceptions of parliamentary free speech in the perilous times of war, may be had in fewer words than I can describe, by quoting from his remarks when he assumed the gavel as President of the Senate in 1864. He then said: "If unfortunately any sympathizer with rebellion is here, my heart's desire and prayer to God is, that his tongue may be paralyzed when he attempts to utter the intent of his heart. For the honor of the State, I do hope that the patriotic men in the tented field may not receive a shot in the rear from any member of this Senate. * * * No man has a legal, moral, or patriotic right to begin to do that which the law would punish him for consummating. I hold it unparliamentary for any one to talk treason, or advocate the cause of secession in the Senate while I preside over it. The right of free speech in a legislative assembly does not extend beyond the bounds of loyalty."

The life of our departed associate commenced in poverty and obscurity. Bravely struggling upward through many privations and

hardships it developed and rounded out into one of usefulness, competency, influence and broad philanthropy.

SIR—Providence is kinder to us mortals than we know. Its wisdom and power, and goodness, whether recognized by us or not, are manifested all along man's pathway of life. If left to our own choice, who of us in earlier or in maturer years, would select privations and difficulties, as means of self culture and promotion? And yet the dead past and the living present, almost invariably indicate that those of deepest thought, of strongest speech and of noblest action, have been led on, and up, through just such untoward circumstances, to a proper appreciation of the responsibilities of life, and to bravely earn the reward which they later in life receive.

“ In all God's diadem
No star shines more brightly than the kingly man,
Who nobly earns whatever crown he wears.”

The lessons of our friend's career go not down with his body to the grave. They remain like those of other good and great, to incite the oncoming youth to lives of frugality, self denial, energy, cheerfulness, faith and laudable ambition.

Senator Young then said:

MR. PRESIDENT—Senator Eastman had experienced as well as extended the hospitality of the pioneer and the pioneer cabin. In his early manhood Iowa was sparsely settled; the neighbors were so far apart that visits among settlers were holidays, and were looked forward to many days in advance. The house of logs, with its roof of unsawed boards, held on by weight poles, with the rifle resting on the antlers above the door, ready to serve the table with game or defend the honor of the rude home—was always the home of good cheer; and there was an honest friendship and cordiality in the welcome under such a roof as gave all such unwritten and unspoken hospitality as touched the heart and made friendships which the lapse of time could not break, and only death could end. Him whom we mourn lived under these conditions and circumstances, and by them was developed into the grand Commoner that he was. The sterling qualities of honesty and fidelity possessed by the deceased were of New England birth and Iowa growth and development. The Puritan's rigid ideas of right were hardened, toughened and strengthened in their incorruptability, bluntness, boldness and determination, by the chilling winds and limitless prairies of our loved State. He had no party, but his conscience; no creed but duty. His heart was easily moved in sympathy, and his rugged nature became as tender as woman's when one appeared in distress. Senator Eastman and men like him laid the foundation of the great Iowa of to day. He was of the race of men who instinctively opposed wrong, and of the brave fighting sort, who would not even for the sake of peace sit idle by and permit a wrong, in which he had no part, to be done; every wrong was a wrong to be opposed. He followed his conscience, and clung to the principles of justice as the shipwrecked mariner clings to the last plank while the night and the tempest are gathering around him. Many of those who acted with him in the public affairs of Iowa have passed away. He has fallen like the oak that towered alone after the wood-

man's axe had removed its kindred of the forest. Enoch Eastman, pioneer, courageous, incorruptible statesman, blameless citizen, hail and farewell.

Senator Scott then said:

As one who knew Mr. Eastman long and well, I deem it a great privilege to lay a handful of earth upon the mound we rear to the memory of the distinguished citizen whose loss we now deplore. I have known Mr. Eastman for nearly thirty years. I have met him in his home. He was a student in his profession, in history, in philosophy, in political science, and he was a fine humorist; but there is one incident in his life which has not been touched upon by any speaker this afternoon, and which here deserves more than passing thought. By an act of Congress, approved March 3d, 1845, provision was made for admitting Iowa into the Union with a western boundary defined by the meridian of 17 degrees 30 minutes west from Washington. The territory had been for some time knocking at the doors of Congress for admission to the sisterhood of States. The people were ready to accept this boundary or rather were comparatively indifferent to the value of the territory thus cut off, together with the importance of access to and jurisdiction over the great river that constitutes the present western boundary of the State. Not so the young lawyer of Burlington. Calling to his aid two others—young and inexperienced but enthusiastic as himself—this rugged scion of the granite hills of New Hampshire took to the prairies and kindled the hearts of the Hawkeyes, and induced them to rush to the polls and defeat the proposition for admission until proper boundaries should be proposed. When it is considered that but for the opposition of Mr. Eastman to the measure as proposed by Congress and defeated by him the fair symmetry of Iowa would have been curtailed, and many of the fairest counties now contained within her boundaries would have added wealth and territory to some other State, it will be conceded that this mention of one of his personal acts deserves prominence here, and that it has seldom occurred to a private citizen, even then but a youth, to so grandly serve his State. If only for this public spirited act the people of "the slope" should build a granite monument on its highest summit and on it inscribe the name of Eastman. When this fact is remembered there is seen a beautiful propriety in his being the author of the inscription on the stone which Iowa placed in the monument to the father of his country: "Iowa—the affections of her people, like the rivers of her borders, flow to an inseparable Union."

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

SENATE, CHAMBER,
DES MOINES, IOWA, February 15, 1886. }

The Senate met in regular session at 2 o'clock P. M.
The President of the Senate in the chair.
Prayer by Rev. J. W. Webb.
The journal of the previous day was read and approved.

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. 32, legalizing the incorporation of the town of Little Sioux, Harrison county.

Also,

The House has concurred in Senate amendment to House File No. 45.

Also,

The House has passed Senate File No. 176, relating to compensation of county supervisors.

Also,

The House has concurred in Senate resolution relating to joint convention of present and ex-members of Iowa legislatures.

I am directed to re-call House File No. 198, relating to the same subject of Senate File No. 176, which has passed both branches of this General Assembly.

Also,

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

House File No. 64, legalizing the incorporation of the town of Riverside, Washington county.

House File No. 216, legalizing the levy of certain taxes in Crawford county.

House File No. 365, amending section 1560, of the Code, relating to labor on highways.

J. K. POWERS, *Chief Clerk.*

PETITIONS AND MEMORIALS.

Senator Donnan presented petition from citizens of Buchanan county asking the enactment of a law granting municipal suffrage to women; also, the appointment of women as electors on same terms as men.

Referred to Committee on Suffrage.

Also,

Petition of 13 citizens of Independence asking for the passage of Senate File No. 77.

Referred to Committee on Judiciary.

Senator Carr presented petition of 145 members of G. A. R. and other citizens of Bloomfield, Davis county, asking for the establishment of a soldiers' home.

Referred to Committee on Military.

Senator Bayless presented petition of Iowa Pharmaceutical Association asking the passage of a certain bill drafted by said association.

Referred to Committee on Medicine, Surgery, Hygiene and Pharmacy.

Senator Scott presented petitions of C. G. McCarthy and 99 other citizens of Story county, for the establishing of a home for disabled soldiers and sailors.

Referred to Committee on Military.

Senator Scott presented petition of J. F. Gillespie, S. W. Renne and 55 others, soldiers in the war of 1861-5, citizens of Story county for the establishing of a home for disabled soldiers and sailors.

Referred to Committee on Military.

Senator Scott presented petition of T. C. Murphy and Wm. H. Evans, auditor and surveyor of Dubuque county, in relation to public highways and the office of county surveyor, accompanied by a like memorial from the auditors and surveyors of the counties of Audubon, Plymouth, Howard and Allamakee.

Referred to Committee on Compensation of Public Officers.

Senator McCoy presented petition of L. L. Hull and 200 other citizens of Oskaloosa, Iowa, asking for legislation authorizing cities of second class to establish a general sewerage system.

Referred to Committee on Municipal Corporations.

Senator McCoy presented petition of W. A. Lindly and others of Mahaska county asking for the passage of House File No. 153, by Thompson of Lynn, relating to mutual benefit associations.

Referred to Committee on Insurance.

Senator Gatch presented petition of State Pharmaceutical Association asking the General Assembly to furnish rooms in the capitol for the officers of the Commission of Pharmacy.

Referred to Committee on Public Buildings.

INTRODUCTION OF BILLS.

By Senator Schmidt, Senate File No. 265, a bill for an act extending jurisdiction of circuit courts in probate and guardianship matters.

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

By Senator Scott, Senate File No. 266, a bill for an act to provide for levying and enforcing taxes on royalties or license fees paid on the manufacture or use of patented articles in the State of Iowa.

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

By Senator Chambers, Senate File No. 267, a bill for an act to prevent and punish fraud in sale of cattle.

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

By Senator Gatch, Senate File No. 268, a bill for an act to amend

sections 3755, 3756, 3757, 3758 and 3760 of the Code, and section 2 of chapter 117, laws of the Nineteenth General Assembly, relating to salaries of deputy State officers and the Governor's private secretary.

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

By Senator Parrott, Senate File No. 269, a bill for an act to repeal section 630, Code of 1878, relating to election and enacting substitute therefor.

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

By Senator Deal, Senate File No. 270, a bill for an act to confirm judicial sales of real estate.

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

HOUSE MESSAGES.

On motion of Senator Bolter, House File No. 32, a bill for an act to legalize the incorporation of the town of Little Sioux, etc., was taken up and considered.

Senator Bolter 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 Bayless, Bloom, Bolter, Caldwell, Carr, Casey, Chambers, Deal, Dodge, Donnan, Dooley, Earle, Gatch, Glass, Hendrie, Hutchison, Knight, McCoy, McDonough, Parrott, Ryder, Schmidt, Scott, Stephens, Sweney, Underwood, Whiting, Wolfe, Woolson and Young—30.

The nays were, none.

Absent or not voting:

Senators Barrett, Burdick, Carson, Cassatt, Chesebro, Chubb, Clark, Doud, Duncan, Gault, Henderson, Johnson, Miles, Poyneer, Reiniger, Robinson, Sutton, Weber, Whaley and Wilkin—20.

So the bill passed and the title was agreed to.

On motion Senators Whaley, Robinson, Weber and Poyneer was excused for the day.

On motion, Senator Clark was excused until Wednesday P. M.

INTRODUCTION OF BILLS.

House File No. 116 was taken up.

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

House File No. 365, a bill for an act to amend section 1560, relating to labor on highways.

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

House File No. 64, a bill for an act to legalize the incorporation of town of Riverside, in Washington county, etc.

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

House File No. 198, was taken up and ordered returned to the House.

RESOLUTION.

Senator Glass offered the following joint resolution:

WHEREAS, For a long period of time it has been deemed wise and expedient for the sovereign people to maintain a partial control of all systems of public conveyance, in order that the necessary precautions be adopted to secure the safety and welfare of the traveling public; and,

WHEREAS, In recognition of this principle of laws of the United States provides that all engineers, pilots, mates and masters of vessels navigating the public waters, shall be examined and licensed by a board of inspectors before being permitted to have control of such vessels; and,

WHEREAS At the present time at least nine-tenths of all the traveling public are conveyed from place to place by means of our system of railways; and,

WHEREAS, The safety and security of the people while traveling is largely in the hands of the engineers and conductors who are placed in charge of these railway trains; therefore be it

Resolved by the Senate, the House concurring, That our Senators and Representatives in Congress be urgently requested to secure the passage of a national law providing for the appointment of a board of inspectors or commissioners composed of practical and experienced railway engineers and conductors, whose duty it shall be to provide rules and regulations for the examination and licensing of all railway engineers and conductors, and providing further, that within a reasonable time after such law has been enacted and board of inspectors or commissioners appointed, it shall be unlawful for the managers of any railway to employ or permit any persons to serve in such capacity who do not have such license; and providing further, that the Secretary of State is hereby instructed and directed to send a certified copy of these resolutions to each of our Senators and Representatives in Congress.

Referred to Committee on Railroads.

REPORTS OF COMMITTEES.

Senator Hutchison, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 82, a bill for an act providing for the exemption, after the year 1887, of homesteads from ordinary taxation to the value of \$1,000, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation of indefinite postponement.

J. G. HUTCHISON, *Chairman*.

Ordered passed on File.

Senator Caldwell from the Committee on Medicine, Surgery, Hygiene and Pharmacy, submitted the following report:

MR. PRESIDENT—Your Committee on Medicine, Surgery, Hygiene and Pharmacy to whom was referred Senate File No. 97, a bill for an act to provide for general vaccination 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 be indefinitely postponed.

T. J. CALDWELL, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Medicine, Surgery, Hygiene and Pharmacy, to whom was referred Senate File No. 99, a bill for an act to regulate house drainage and plumbing, in cities of the first class, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do not pass.

T. J. CALDWELL, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 25, a bill for an act to abolish corporal punishment in public or private schools, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended so that section 1 shall read as follows:

“SECTION 1. Any superintendent, principal, teacher or other person, connected with any public or private school, who shall strike, beat, bruise, or cruelly mistreat any child attending such school, shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine, not exceeding one hundred dollars, or by imprisonment in the county jail not exceeding thirty days.”

Also, by striking out section 2, and when so amended that it do pass.

JOHN D. GLASS, *Chairman*.

Ordered passed on file.

By leave, Senator Glass presented report of committee to visit Institution for Feeble-Minded.

Passed on file and ordered printed.

Senator Woolson, from the Committee on Rules, submitted the following report:

MR. PRESIDENT—Your Committee on Rules to whom was referred House concurrent resolution providing for printing and distributing 5000 copies of the rules of the Twenty-first General Assembly, and also House concurrent resolution providing for printing and distributing 5000 copies of the “official register” of 1886, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the resolution relating to printing the “official register” be indefinitely postponed, and that the resolution relating to printing the rules of the Twenty-first General Assembly be amended by striking

out all after the word "concurring" and inserting in lieu thereof the amendment herewith substituted.

WOOLSON, *Chairman.*

Ordered passed on file.

Senator Woolson offered the following resolution:

Resolved, That the Secretary of State be directed to have printed 10,000 copies of the official register, as compiled and published by Hon. Frank D. Jackson, for 1886, each copy to contain the rules of the Senate and House as now in force, with lists of standing committees, diagrams of the two houses, assignments of committee rooms, revised Senate standing committees as proposed for future General Assemblies (and the Constitution of the State of Iowa) in addition to the general contents of said register as published and that the same be of the size heretofore printed and convenient for binding with other legislative documents, and that each member of this General Assembly be furnished with fifty copies for distribution.

Senator Woolson moved that report of Committee on Rules, pertaining to printing official register and rules of assembly be taken up and considered.

On motion of Senator Woolson the report of the committee was adopted.

Senator Woolson offered the following resolution which was adopted.

Resolved by the Senate, the House concurring, That during the present General Assembly the capitol postoffice shall be open daily from 8:30 A. M. to 5:30 P. M., and also upon any evening in which either branch of the General Assembly is in session,

Provided, That upon Sunday the office shall be open for delivery of mail from 9:30 A. M. to 12 M.

BILLS ON SECOND READING.

Senate File No. 149, a bill for an act to amend chapter 80 of acts of the Twentieth General Assembly, relating to the bonding of county indebtedness, with report of committee recommending that it do pass, was taken up and considered.

Senator Hutchison 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 Bayless, Bloom, Bolter, Carr, Carson, Casey, Chambers, Chesebro, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Glass, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Schmidt, Scott, Sutton, Sweney, Underwood, Whiting, Wilkin, Wolfe and Young—34.

The nays were, none.

Absent or not voting:

Senators Barrett, Burdick, Caldwell, Cassatt, Chubb, Clark, Gault, Henderson, Hendrie, Reiniger, Robinson, Ryder, Stephens, Weber, Whaley and Woolson—16.

So the bill passed and the title was agreed to.

Senate File No. 87, a bill for an act to amend section 853 of the Code, relating to the collection of taxes, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 67, a bill for an act to amend section 1381, Code of 1873, relating to the support of the poor, with report of committee recommending that it do pass, was taken up.

REPORT OF COMMITTEE.

Pending consideration of Senate File No. 67, by leave, Senator McCoy, 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 1381 of the Code, relating to the levy of taxes by counties for the support of the poor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

BEN MCCOY, *Chairman.*

On motion of Senator Donnan House File No. 233, a bill for an act to amend section 1381 of the Code, relating to the levy of taxes by counties for the support of the poor, with report of committee recommending it do pass, was taken up and considered, and on motion the bill was ordered to a third reading to-morrow.

Senate File No. 67 was ordered passed on file.

Concurrent resolution relative to transcribing journal, with report of Committee on Printing recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 148, a bill for an act requiring the transportation of bodies of persons dead of certain diseases, in a hermetically sealed and air-tight metallic case or casket or anti-septic interment sack, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Woolson offered the following amendments:

Insert after the word "except," in the third line of section 2, the words "the bodies of." And after the word "which," in the fifth line of said section, the word "bodies," in the printed bill.

Adopted.

Senator Glass moved to amend by inserting after the word "sack," in the seventh line, the words "metallic case or casket."

Senator Donnon moved that the bill with pending amendments be recommitted.

Senator Dodge moved as a substitute that the bill be postponed and made a special order for next Wednesday at 3 P. M.

Carried.

By leave Senator Poyneer presented report of visiting committee to State hatching houses at Spirit Lake and Anamosa.

Placed on file and ordered printed.

Senate File No. 150, a bill for an act to establish a uniform inch or gauge of cream, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

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 Bloom, Bolter, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Glass, Henderson, Hendrie, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Schmidt, Scott, Stephens, Sutton, Sweney, Whiting, Wilkin, Wolfe, Woolson and Young—37.

The nays were, none.

Absent or not voting:

Senators Barrett, Bayless, Burdick, Cassatt, Chubb, Clark, Gault, Reiniger, Robinson, Ryder, Underwood, Weber and Whaley—13.

So the bill passed and the title was agreed to.

Senate File No. 116, a bill for an act for the protection of agricultural societies, with report of committee recommending amendments, and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator McCoy moved to strike out word "five" and insert "ten" in the bill.

Adopted.

Senator Glass moved to insert the words "any of" after the word "violate" and before the word "the" in section two.

Adopted.

Senator Poyneer moved that 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 Bloom, Bolter, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Deal, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Glass, Henderson, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Whiting, Wilkin and Wolfe—35.

The nays were:

Senators Dooley and Hendrie—2.

Absent or not voting:

Senators Barrett, Bayless, Burdick, Cassatt, Chubb, Clark, Gault, Reiniger, Robinson, Weber, Whaley, Woolson and Young—13.

So the bill passed and the title was agreed to.

Senate File No. 98, a bill for an act to amend section 4045, of the Code, relating to the sale of milk, with report of committee recommending amendments, and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Wolfe moved to strike out words "chapter 10, title 24."

Carried.

Senator Scott 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 Bayless, Bolter, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Gatch, Glass, Henderson, Hendrie, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Ryder, Schmidt, Scott, Sutton, Sweney, Underwood, Whiting, Wilkin, Wolfe and Woolson—86.

The nays were, none.

Absent or not voting :

Senators Barrett, Bloom, Burdick, Cassatt, Chubb, Clark, Earle, Gault, Reiniger, Robinson, Stephens, Weber, Whaley and Young—14.

So the bill passed.

Senator Scott moved to amend title to read: "A bill for an act to amend section 4042, of the Code, relating to, and prohibiting the sale of adulterated or contaminated milk, and providing penalties for violation therefor."

Adopted.

So the title was agreed to.

On motion of Senate File No. 212, a bill for an act to amend section 506, of the Code, with reference to compensation of mayors when acting as magistrates, with report of committee recommending that it do pass, was taken up and considered.

Senator Sutton moved to amend by adding publication clause.

Carried.

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

Pending this question Senator Chambers moved it be referred to the Committee on Judiciary.

Carried.

Ordered so referred.

Senate File No. 88, a bill for an act providing for a separate apartment in common jails for the detention of females, with report of committee recommending amendments, and that it do pass was taken up, considered, and the report of the committee was adopted.

The bill was ordered engrossed and read a third time to-morrow.

Concurrent resolution relative to supreme courts with report of committee recommending that it be adopted, was taken up, considered, and the report of the committee was adopted.

House File No. 7, a bill for an act to amend chapter 58 of the acts of the Seventeenth General Assembly, relating to the refunding of outstanding bonded debt of counties, cities and towns, at lower rates of interest, with report of committee recommending that it do pass was taken up and considered.

Senator Hutchison 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 Bayless, Bloom, Bolter, Caldwell, Carr, Carson, Casey,

Cassatt, Chambers, Chesebro, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Gatch, Henderson, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Parrott, Poyneer, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Whiting, Wilkin, Wolfe, Woolson and Young—38.

The nays were:

Senator Earle—1.

Absent or not voting:

Senators Barrett, Burdick, Chubb, Clark, Gault, Glass, Knight, Reiniger, Robinson, Weber and Whaley—11.

So the bill passed and the title was agreed to.

Senator Hutchison moved that the vote by which the bill passed be reconsidered.

Carried.

Senator Hutchison moved that the vote by which the rule was suspended and bill ordered read a third time be reconsidered.

Carried.

Senator Hutchison moved to insert the word "of" after the word "cut" in second line of section 1.

Carried.

Senator Hutchison 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 Bayless, Bloom, Bolter, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Gatch, Henderson, Hendrie, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Ryder, Schmidt, Scott, Stephens, Sutton, Underwood, Whiting, Wilkin and Woolson—34.

The nays were :

Senator Sweney—1.

Absent or not voting:

Senators Barrett, Burdick, Caldwell, Chubb, Clark, Earle, Gault, Glass, Johnson, Reiniger, Robinson, Weber, Whaley, Wolfe and Young—15.

So the bill passed and the title was agreed to.

Senator Woolson moved to reconsider the vote by which Senate File No. 166 was indefinitely postponed upon the 12th inst.

Carried.

Senator Woolson moved Senate File No. 166 be recommitted to Judiciary Committee.

Carried.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 16, 1886. }

The Senate met in regular session at 2 P. M.

The President of the Senate in the chair.

Prayer by Rev. E. T. Mell.

The journal of the preceding day was read and approved.

PETITIONS AND MEMORIALS.

Senator Donnan presented petition of H. S. Church and other citizens of Benton county praying for relief by law from enforced Sunday labor.

Referred to the Committee on Railroads.

Senator Duncan presented resolution of State Pharmaceutical Association requesting that the General Assembly provide that \$3,000 of the appropriation asked for the State University be applied to the proper equipment of the laboratories of the department of pharmacy in the State University.

Referred to the Committee on State University.

Senator Donnan presented petition of F. M. Newcomb and thirteen other citizens of Delaware county asking for a law prohibiting the circulation of sensational literature, illustrated and otherwise.

Referred to the Committee on Judiciary.

Senator Duncan presented petition of citizens of Washington county on same subject.

Referred to the Committee on Judiciary.

Senator Johnson presented petition of citizens of Sabula, Iowa, asking for the establishment of a soldiers' and sailors' home.

Referred to the Committee on Military.

Senator Burdick presented petition of E. J. Weiser and thirty-nine comrades of Col. Hughes Post No. 68, G. A. R. at Decorah, on same subject.

Referred to the Committee on Military.

Senator Poyneer presented petition of E. Pearson and thirty-one other members of H. W. Miller Post G. A. R. at Dysart, on same subject.

Referred to the Committee on Military.

Senator Gatch presented resolution to President of Senate Twenty-first General Assembly on same subject.

Referred to the Committee on Military.

Senator Casey presented letter from Wallace E. Maish relating to amount due him for uniform furnished when a soldier also letter on same subject to said Wallace E. Maish from Adjutant-General explaining the law in such case.

Referred to Committee on Military.

Senator Hutchison presented petition from citizens of Eldora asking for the establishment of a soldiers' home in Iowa.

Referred to Committee on Military.

Senator Stephens presented petition from 150 citizens of Union

county and 106 citizens of Ringgold county asking for the suppression of the sale of certain sensational literature.

Referred to Committee on Judiciary.

Senator Robinson presented petition of citizens of Iowa in favor of legislation to regulate the manufacture and sale of imitations of butter and cheese and asking the establishment of a State Dairy Commission.

Referred to Committee on Agriculture.

Senator Sutton presented petition from citizens of Marshall county asking for the suppression of publication and sale of sensational literature.

Referred to Committee on Judiciary.

Senator Earle presented petition of citizens of Fayette county on same subject.

Referred to same committee.

Senator McCoy presented petition of 800 citizens of Mahaska county on same subject.

Referred to same committee.

Senator Hendrie presented petition from citizens of Montgomery county on same subject.

Referred to same committee.

Senator Wolfe presented petition of W. F. Door and 48 others on same subject.

Referred to same committee.

Senator Young presented petition of 125 citizens of Adams county on same subject.

Referred to same committee.

Senator Weber presented petition of E. E. Gold and 20 other comrades of Hartman Post, G. A. R., in Wright county, favoring the building of a soldiers' home.

Referred to Committee on Military.

Senator Scott presented petition of W. R. Haslett and 70 other citizens of Story county praying for the election and maintaining of a soldiers' home for disabled soldiers and sailors.

Referred to Committee on Military.

Senator Scott presented memorial of Jesse Cromwell and 100 other owners of Des Moines River lands, asking for idemnity and opposing any legislation that would tend to question or unsettle their titles.

Referred to Committee on Federal Relations.

INTRODUCTION OF BILLS.

By Senator Scott, by request, Senate File No. 271, a bill for an act to encourage immigration to the State of Iowa.

Read a first and second time and referred to the Committee on Appropriations without printing.

By Senator Scott, by request, Senate File No. 272, a bill for an act defining duties of township trustees in relation to tile draining.

Read a first and second time and referred to the Committee on Agriculture, without printing.

By Senator Scott, by request, Senate File No. 273, a bill for an

act to provide for laying tile drains across public highways, and for other purposes.

Read a first and second time and referred to the Committee on Agriculture, without printing.

By Senator Glass, Senate File No. 274, a bill for an act to legalize the official acts of the town council of Forest City.

Read a first and second time and referred to the Committee on Judiciary, without printing.

By Senator Gatch, Senate File No. 275, a bill for an act making appropriations for girl's department of Iowa Industrial school.

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

Senator Sutton asked leave to present communication from President of State Board of Health, relative to sanitary condition of the State.

Referred to the Committee on Medicine, Surgery, Hygiene and Pharmacy.

REPORTS OF COMMITTEES.

Senator G. L. Johnson, from Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate File No. 88, a bill for an act providing for a separate apartment in jails and prisons, for the detention of females, and making their detention otherwise unlawful, and find the same correctly engrossed.

G. S. JOHNSON, *Chairman.*

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined—

Senate File No. 36, a bill for an act to require the teaching and study of physiology and hygiene, with special reference to the effects of alcoholic drinks, stimulants and narcotics upon the human system.

Senate File No. 92, a bill for an act to amend chapter 24 of the acts of the Nineteenth General Assembly, in relation to superior courts.

Senate File No. 156, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies.

Senate File No. 16, a bill for an act to legalize certain acts of the Mason City Cemetery Association, and the renewal of the same, and to relinquish an escheat.

Senate File No. 182, a bill for an act to repeal the first subdivision of section 2193 of the Code, and to enact a substitute therefor, relating to marriages.

Also:

Memorial and Joint Resolution No. 7, relating to a Northwestern Branch of the National Home for disabled and indigent soldiers and sailors.

And find the same correctly enrolled.

JOHN K. DEAL, *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. 126, relating to township clerks and trustees.

House File No. 136, relating to partition fences.

House File No. 54 relating to distribution of public documents.

J. K. POWERS, *Chief Clerk.*

HOUSE MESSAGES.

House File No. 126, a bill for an act to amend sections 969 and 976, Code of 1873, relating to township trustees and township clerks.

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

House File No. 54, a bill for an act to amend chapter 27, laws of Nineteenth General Assembly, relating to printing and distribution of public documents.

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

House File No. 136, a bill for an act to amend section 1507, Code of 1873, relating to partition fences.

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

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred an act to legalize the incorporation of the town of Ruthven, Palo Alto county, Iowa, the election of its officers, and the acts done and ordinances passed by the council of said town; beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows:

In line five of the preamble, insert after the word "ten," the words "title four."

Also, insert in line ten of section one, after the word "town" the words "not in contravention of the laws of the State, and within the lawful limits of the powers of incorporated towns."

Also, prefix to the title the words "a bill for." And as thus amended the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 231, a bill for an act to amend an "act to provide for the organization and management of savings banks," approved March 21, 1874; beg leave to report that they have had the same under consideration and have instructed me to report the same

back to the Senate with the recommendation that the bill be referred to the Committee on Banks.

G. S. ROBINSON, *Chairman*.

Ordered so referred.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 92, a bill for an act to legalize the incorporation of the town of Rolfe, in Pocahontas 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 the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 18, a bill for an act to amend section 7, chapter 100, acts of the Sixteenth General Assembly, relating to "mechanics' liens," beg leave to report 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 indefinitely postponed.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Judiciary, to whom was referred Senate File No. 20, a bill for act to amend section 3641 of the Code of 1873, 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 the bill be amended by striking out of lines seven and eight the words "that is said," and inserting instead the word "alleged;" also, by striking out section 2, and as thus amended a majority of the committee recommend that the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Senator Stephens, from the Committee on Manufactures, submitted the following report:

MR. PRESIDENT—Your Committee on Manufactures, to whom was referred Senate File No. 83, a bill for an act to encourage manufactories and to exempt them from taxation for a term of five years, beg leave to report that they have had 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. P. STEPHENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Manufactures, to whom was referred Senate File No. 168, a bill for an act to provide for the collection of statistics relating to manufactures in this State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass with the following amendments:

Strike out the word "the" in the second line of section two (2) and substitute therefor the word "said"; also in third (3) line of section two (2) strike out the words "borne thereon."

A. P. STEPHENS, *Chairman*.

Ordered passed on file.

Senator McCoy, 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 repeal chapter 210, laws of the Eighteenth 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.

BEN MCCOY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 195, a bill for an act to amend section 1146 of the Code of 1873, relating to insurance notes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the second "not" in the second line of printed bill, and that it do pass as amended.

BEN MCCOY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT:—Your Committee on Insurance, to whom was referred Senate File No. 134, a bill for an act relating to evidence in insurance 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.

BEN MCCOY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 133, a bill for an act to amend section 2584 of the Code of 1873, relating to where insurance companies shall bring certain actions, beg leave to report that they have had the same under consideration, and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

BEN MCCOY, *Chairman*.

Ordered passed on file.

Senator Weber moved an amendment to Senate File No. 134, and also to recommit same to Committee on Insurance.

Carried.

BILLS ON THIRD READING.

House File No. 233, a bill for an act to amend section 1881 of the Code relating to levy of taxes by counties for support of the poor was taken up, and read a third time.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bloom, Bolter, Burdick, Caldwell, Carson, Casey, Chambers, Chesebro, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Glass, Henderson, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wolfe, Woolson and Young—41.

The nays were, none.

Absent or not voting:

Senators Carr, Cassatt, Chubb, Clark, Gault, Knight, Parrott, Reiniger and Wilkin—9.

So the bill passed and the title was agreed to.

Senator Donnan moved to indefinitely postpone Senate File No. 67. Carried.

Senate File No. 87, a bill for an act for a separate apartment in common jails for detention of females was taken up.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bloom, Bolter, Burdick, Caldwell, Carson, Casey, Chambers, Chesebro, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—42.

The nays were, none.

Absent or not voting:

Senators Carr, Cassatt, Chubb, Clark, Johnson, Knight, Reiniger 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 am directed to inform you that the House has concurred in the Senate amendment relative to printing 10,000 copies of Official Register and Rules of the Twenty-first General Assembly.

J. K. POWERS, *Chief Clerk.*

SPECIAL ORDER.

The hour having arrived for consideration of special order, Senate File No. 106, a bill for an act to amend section 4413 of the Code of Iowa, relating to peremptory challenges of jurors in criminal cases, Senator Bolter moved that the bill be made a special order for Thursday at 3 P. M.

Carried.

Senate File No. 200, a bill for an act to provide a penalty for disposing of personal property upon which there is unpaid delinquent taxes, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 155, a bill for an act to amend section 1061, title 9,

chapter 1 of the Code of 1873, relating to indebtedness of incorporations, with report of committee recommending amendments, and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Gatch 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, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Young—44.

The nays were, none.

Absent or not voting:

Senator Cassett, Chubb, Clark, Deal, Reiniger and Woolson—6.

So the bill passed and the title was agreed to.

Senate File No. 172, a bill for an act to amend section 969, chapter 2, title 7, Code of Iowa, relating to powers and duties of township trustees, with report of committee recommending that it do pass, was taken up and considered.

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:

Senator Barrett, Bayless, Bloom, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Gatch, Gault, Henderson, Hutchison, Knight, McCoy, Miles, Parrott, Poyneer, Robinson, Ryder, Schmidt, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Wolfe and Woolson—39.

The nays were:

Senators Earle, Hendrie and McDonough—3.

Absent or not voting:

Senators Cassatt, Clark, Glass, Johnson, Reiniger, Scott, Whiting and Young—8.

So the bill passed and the title was agreed to.

Senate File No. 221, a bill for an act to legalize the acts of the board of supervisors of Sioux county, Iowa, in the establishment of highways, with report of committee recommending that it do pass, was taken up and considered.

Senator Sweney moved its reference to the Committee on Judiciary. Carried.

Senate File No. 257, a bill for an act to provide for the levy of one half mill tax for the years 1886 and 1887, to help in providing a home for Iowa soldiers and sailors, and for making necessary repairs and improvements in State and charitable institutions, and for other purposes, from the Committee on Ways and Means, was taken up, considered, and the report of the committee was adopted.

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

Senator Sweney moved the following amendment:

Amend section 1, by inserting after the word "that" in the first line thereof, the following: "For the payment of all outstanding warrants on the State Treasurer, and of all of the present indebtedness of the State, and."

Lost.

Senator Johnson offered the following amendment:

To strike the words, "and charitable" from second line of section 1, and words "and charitable" from title.

Carried.

Senator Young moved to amend by striking out all after word "sailors" in second line, to and including the word "purposes" in the third line.

The yeas and nays were demanded.

The yeas were:

Senators Bayless, Bolter, Carr, Cassatt, Chesebro, Dodge, Dooley, Earle, Gault, Glass, Hendrie, Johnson, McDonough, Ryder, Schmidt, Sweney, Whiting, Wolfe and Young—19.

The nays were:

Senators Barrett, Bloom, Burdick, Caldwell, Carson, Casey, Chambers, Chubb, Deal, Donnan, Doud, Duncan, Gatch, Henderson, Hutchison, Knight, McCoy, Miles, Parrott, Poynear, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Whaley, Wilkin and Woolson—29.

Absent or not voting:

Senators Clark and Reiniger—2.

So the amendment was lost.

Senator Dooley moved to adjourn.

Lost.

Senator Sweney moved to amend by striking out the word "one-half" in line 4, section 1, and insert word "one fifth."

Lost.

Senator Dooley offered the following amendment:

To add after the last word provided a soldiers' home be erected and such funds be first applied to the erection and maintenance of same."

Lost.

The question recurring on motion of Senator Hutchison that the rule be suspended, and the bill be considered engrossed, and read a third time now, the motion prevailed, and the bill was read a third time.

On the question, shall the bill pass.

The yeas and nays were:

Senators Barrett, Bayless, Bloom, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Deal, Dodge, Donnan, Doud, Duncan, Gatch, Gault, Glass, Henderson, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Poynear, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—44.

The nays were :

Senators Earle and Hendrie—2.

Absent or not voting :

Senators Cassatt, Clark, Dooley and Reiniger—4.

So the bill passed.

Senator Glass moved to amend title by striking out the words "aid in providing" in second line and the word "provide" inserted in lieu thereof.

Adopted.

Senator Johnson moved to substitute the word "or" for word "in" in last line.

Carried.

So the title was agreed to.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 17, 1886. }

The Senate met in regular session at 2 P. M.

The President of the Senate in the chair.

Prayer by Rev. Thomas Merrill.

The minutes of previous session were read, corrected and approved.

Senator Clark asked leave to have his name recorded as "aye" in final vote on Senate File No. 257.

Granted.

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. 491, relating to the payment of the expenses of visiting committees to State institutions.

Also, the House has passed Senate File No. 24, relating to discharge of non-resident insane, with amendment.

Also:

MR. PRESIDENT—I am directed to inform you that the House has passed the following bill without amendment:

Senate File No. 253, a bill for an act to enable cities to aid in the construction of bridges over navigable and boundary streams.

J. K. POWERS, *Chief Clerk.*

PETITIONS AND MEMORIALS.

Senator Bayless presented petition of D. B. Phelps and 28 other comrades of Harvey Dix Post No. 371, McGregor, asking for the erection of a soldiers' home for indigent Iowa soldiers and sailors.

Referred to Committee on Military:

Senator Caldwell presented resolution of Col. Miles Post G. A. R., Adel, Iowa, asking the Twenty-first General Assembly to appropriate \$100,000 to build a soldiers' home in Iowa.

Also, same from Wadsworth Post G. A. R., Dexter, Iowa, asking for construction of soldiers' home in Iowa.

Same reference.

Senator Wolfe presented resolution of Howard Post No. 92, G. A. R., asking for \$100,000 for soldiers' home.

Same reference.

Senator Burdick, petition of Milton S. Webster and 70 other citizens of Winneshiek county in relation to the establishment of a soldiers' home.

Same reference.

Senator Gatch presented petition of J. W. Geger and sixteen other citizens of Iowa asking that steps be taken for the amendment of the constitution so as to remove all disabilities on account of sex in the exercise of the elective franchise.

Referred to Committee on Suffrage.

Also petition from same person with six others on same subject.

Referred to same committee.

Senator Chubb presented a petition of H. B. Wood and other citizens of Clay county asking that suffrage be conferred on women at municipal elections.

Referred to same committee.

Senator Chubb presented petition of citizens of Humboldt county asking for the enactment of a law to suppress the circulation of sensational literature.

Referred to Committee on Schools.

Senator McCoy presented petition of R. L. Adams and other citizens of Keokuk county asking for a law prohibiting the sale and circulation of corrupting literature.

Referred to Committee on Judiciary.

Senator Woolson presented memorial and resolution of Henry County Teachers' Association for free text books.

Referred to Committee on Schools.

Senator Dodge presented petition, by request, asking that steps be taken to so amend the constitution of Iowa as to remove all discrimination on account of sex in the exercise of the elective franchise.

Referred to Committee on Suffrage.

INTRODUCTION OF BILLS.

By Senator Carson, Senate File No. 276, a bill for an act to repeal sections 94 and 106, of chapters 6 and 7, title 2, of the Code, relating to State Printer and Binder, and to enact substitutes therefor, and to provide that said officers shall be elected at the general election of 1887 and every four years thereafter.

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

By Senator Bayless, Senate File No. 277, a bill for an act to amend section 4733 of the Code, relating to the labor of prisoners under the

supervision of sheriffs and placing the same under the direction and regulation of county boards of supervisors.

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

By Senator McCoy, Senate File No. 278, a bill for an act prohibiting teachers, members of college faculties, State and county superintendents, and members of State Board of Examiners, from using alcohol and narcotic stimulents, and to compel them to teach by proper example as well as by precept the evil effect thereof, which has been so generally petitioned by them.

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

By Senator Parrott, Senate File No. 279, a bill for an act regulating the payments of county warrants.

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

By Senator Weber, Senate File No. 280, a bill for an act to regulate operating of railroads on the Sabbath day, or first day of the week.

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

By Senator Doud, Senate File No. 281, a bill for an act fixing liability of insurance companies, term of policy and penalties for violation of same.

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

By Senator Sutton, by request, Senate File No. 282, a bill for an act in relation to the granting of new trial, or practice in the Supreme Court.

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

By Senator Young, Senate File No. 283, a bill for an act in relation to canned or preserved fruit.

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

By Senator Barrett, Senate File No. 284, a bill for an act to repeal section 1, chapter 5, acts Fifteenth General Assembly, empowering cities and towns to make contracts with railroad and bridge companies for the use of wagon bridges across rivers and to enact a substitute therefor.

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

By Senator Glass, Senate File No. 285, a bill for an act to amend section 1362, of the Code, in relation to the support of the poor.

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

HOUSE MESSAGES.

House File No. 491, a bill for an act to provide for expenses of committees to visit State institutions, was read first and second time.

Senator Gatch 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, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wolfe, Woolson and Young—43.

The nays were:

Senator Ryder—1.

Absent or not voting:

Senators Cassatt, Chambers, Johnson, Reiniger, Stephens and Wilkin—6.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Hutchison, 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. 248, a bill for an act to amend section 468 of the Code, with reference to taxing taverns, restaurants and eating-houses; beg leave to report that they have had 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 Ways and Means to whom was referred Senate File No. 192, a bill for an act to amend section 797, of the Code of Iowa, 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 same back to the Senate with the recommendation that it be amended by striking out the words "as follows" and substituting in lieu thereof, the words "by adding thereto the following as sub division eight" and that so amended the bill do pass.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Agriculture to whom was referred Senate File No. 94, a bill for an act to provide for and require the trimming of certain hedge fences, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that section 1 be amended by striking out all of said section after the word "feet" in the third line thereof, and inserting the words "at any time the same may be trimmed in each year between the first day of April and the first day of October." That section 5 be amended

by adding after the last word in said section, the words "nor to require an osage orange fence to be trimmed until after it has been planted five years"; that section 5 be amended by striking out the word "or" before the word "orchard" in the third line thereof, and inserting after the word "orchard" the words "or trimmed to be saved for posts"; that section 5 be amended by adding the words "provided, the provisions of this act shall be construed to apply only to hedge fences made of the osage orange or buck thorn"; and that when so amended it do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Senator Duncan, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 240, a bill for an act to provide for the purchase or condemnation of sand, gravel, or clay banks or beds, by townships, cities or incorporated towns, for the purpose of improving highways and streets, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that section one (1) of said bill be amended by striking out the word "two," in the seventeenth line of the original written bill, and inserting the word "three" in lieu thereof; and that when so amended the bill do pass.

F. A. DUNCAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House File No. 365, a bill for an act to amend section 1560 of the Code of 1873, relating to labor on 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 bill do pass.

F. A. DUNCAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 185, a bill for an act to amend section 982 of the Code, relating 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 it be indefinitely postponed.

F. A. DUNCAN, *Chairman.*

Ordered passed on file.

Senator Robinson from the Committee on Judiciary submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 60, a bill for an act to amend sections 2783 and 4423 of the Code of Iowa relating to restricting counsel as to time in argument in both civil and 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 the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 234, a bill for an act to amend sections 2008 and 2371 of the Code of Iowa, to make all the property of a decedent liable for reasonable funeral charges beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *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 confer upon certain persons and members therein named, power to make arrests, and have the authority of peace officers, as provided by chapter 11, title 25 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.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Senator Gatch, 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. 158, a bill for an act to amend section 3793 of the Code with reference to compensation of deputy treasurers, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. H. GATCH, *Chairman.*

Ordered passed on file.

Senator Whaley, 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. 147, a bill for an act to amend section 7 of chapter 123 of the acts of the Eighteenth General Assembly in relation to catching 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 be indefinitely postponed.

A. M. WHALEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Fish and Game, to whom was referred Senate File No. 203, a bill for an act to amend section 6 of chapter 70 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 be indefinitely postponed.

A. M. WHALEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Fish and Game to whom was referred Senate File No. 218, a bill for an act to authorize cities and incorporated towns to erect and maintain fish dams across the outlets of meandered lakes and to provide punishment for the injury or destruction 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.

WHALEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Fish and Game to whom was referred Senate File No. 230, a bill for an act to prevent persons from igniting and exploding dynamite and other explosives in rivers, creeks and streams near dams, embankments and other structures, 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 be amended by striking out all after the word "State," in the third line of printed bill, section 1, to and including the word "stream" in the fifth line of printed bill; also, insert the words "pond or lake" after the word "water" in third line; also, by striking out the word "such" in the sixth line; also, the words "within said distance" in the ninth line; also, the word "such" in the tenth line, and that section 2 of same bill be amended by striking out the word "twenty-five" in the second line, and in lieu thereof insert the word "ten"; also, to strike out the words "one hundred" in the second line, and in lieu thereof insert the word "fifty"; also, in the third line to strike out the words "less than five nor," and in the fourth line strike out the words "\$50 and \$100", inserting in lieu thereof the words "\$20 and \$100"; and in the fifth line strike out "\$30", and in lieu thereof insert "\$10"; also, to strike out the words "six months," inserting in lieu thereof the words "sixty days."

That all of section 3 be stricken out.

Amend title by inserting the words "ponds or lakes" after the word "streams," and strike out the words "near dams, embankments or other structures."

And that as amended the bill do pass.

WHALEY, *Chairman.*

Ordered passed on file.

Senator Young moved that Senate File No. 222 be recommitted to Committee on Insurance.

Carried.

Senator Bloom, from the Committee on State Library, submitted the following report:

MR. PRESIDENT—Your Committee on State Library, to whom was referred a resolution "to investigate and report to the Senate as to the necessity, advisability and probable expense of getting the cata-

logue of the State Library revised and printed," beg leave to report that they have made such investigation, and that a reasonable estimate of the expense involved in the revision and printing of the catalogue of the library would be about four thousand dollars; that it would be desirable to have such catalogue revised and printed, but no absolute and immediate necessity existing for this work, and considering the present financial condition of the State, your committee have instructed me to report that it is not advisable at this time to improve the present mode of cataloguing the State Library, and therefore recommend that the resolution be laid on the table.

MOSES BLOOM, *Chairman*.

The report of the committee was adopted.

Senator Poyneer asked that Senate Files Nos. 272 and 273, referred to Committee on Agriculture be ordered printed.

They were so ordered.

Senator Clark asked unanimous consent that Senate File No. 120 be reconsidered.

Granted.

BILLS ON SECOND READING.

Senate File No. 85, a bill for an act to amend chapter 1, of title 11, of the Code, in reference to the relief of the poor, and the manner of obtaining the same, and providing criminal punishment for the violation of this act, with report of committee recommending that it do pass, was taken up and considered.

Pending which the hour for special order was reached.

It being consideration of Senate File No. 148, a bill for an act requiring the transportation of bodies of persons dead of certain diseases, in hermetically sealed and air tight metallic case or casket or anti-septic interment sack, with report of committee recommending amendments and that it do pass, was taken up and considered.

Senator Dodge moved the following as substitute for section 2, of printed bill:

Section 2. All other dead bodies may be transported, provided they are encased in an hermetically sealed air tight metallic case or casket, or in an anti-septic interment sack. If an interment sack is used it must be placed in a coffin, and the coffin in a tight wooden box. The bodies of those dead from diphtheria, scarlet fever, erysipelas, measles, or other contagious or infectious disease, must, before being placed in a metallic case or casket, be wrapped in a sheet thoroughly saturated with a solution of chloride of zinc, in the proportion of one half pound of chloride of zinc to one gallon of water, and the metallic case or casket, or the coffin inclosing an interment sack in which such body is placed, must be surrounded with saw-dust, cotton, or "excelsior" shavings, saturated with chloride of zinc solution of the same strength as above stated.

Senator McCoy moved to amend substitute by inserting after the word "sack" in second line as printed, the words, "or are properly embalmed and encased in coffins."

Carried.

Senator Sweney offered the following amendment :

Insert after the word "coffin" in line two, section 2, the words "and subject to the provisions hereinafter contained."

Carried.

Senator Dodge offered the following amendment :

Insert after the word "casket" in fifth line of section 2, the words, "or anti-septic interment sack."

Adopted.

Senator Robinson moved to strike out the words "before being placed in a metallic case or casket, or anti septic interment sack" in the fifth line, and insert the words "be encased in an hermetically sealed air-tight, metallic case or casket, and before being so encased, must."

Adopted.

On motion the substitute was adopted.

The bill was ordered engrossed and read a third time to-morrow. The Senate resumed consideration of Senate File No. 85.

Senator Scott moved to strike all between and including words "and" in sixteenth line, and words "cents" in eighteenth line of section 1.

Adopted.

Senator Poyneer moved to add after word "and" in fifteenth line the words "any trustee, overseer of the poor or."

Adopted.

Senator Sweney offered following amendments to section 2: strike words "aged persons or" and words "disabled or sick and" in first line, and inserting in lieu of last words the words "or disabled by sickness or infirmity."

Lost.

The vote indicating there being no quorum present, the Chair so announced.

Senator Woolson moved that the Senate adjourn, and called for division.

Lost.

There appearing to be a quorum present, the order of business was proceeded with.

Senator Poyneer moved to strike word "shall" and insert word "may" in line first, section 5.

Carried.

Senator Woolson moved to strike word "felony" in line six, section seven, and insert word "misdemeanor" in lieu thereof.

Carried.

Senator Poyneer moved to strike word "six" in eighth and ninth line of section 5, and insert word "four."

Carried.

Senator Casey 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, Bolter, Burdick, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison,

McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Scott, Stephens, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—39.

The nays were, none.

Absent or not voting:

Senators Bloom, Caldwell, Deal, Dodge, Johnson, Knight, Reiniger, Ryder, Schmidt, Sutton and Sweney—11.

So the bill passed and the title was agreed to.

Senate File No. 110, a bill for an act to amend sections 2623 and 2624 of the Code, with report of committee recommending a substitute, and that the substitute when adopted do pass, was taken up, considered, and the substitute was adopted.

Senator Knight 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, Bolter, Burdick, Carr, Carson, Casey, Cassatt, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Scott, Stephens, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—41.

The nays were, none.

Absent or not voting:

Senators Bloom, Caldwell, Chambers, Johnson, Reiniger, Ryder, Schmidt, Sutton and Sweney—9.

So the bill passed and the title was agreed to.

Senate File No. 177, a bill for an act to amend section 5, of chapter 168, laws of Twentieth General Assembly, relative to admitting attorneys from other States to practice in the courts of this State, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 223, a bill for an act to prevent inter-marriage of white and colored persons, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 12, a bill for an act punishing walking upon railroad tracks with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Senate File No. 179, a bill for an act relating to conductors of steam railways with report of committee recommending that it be indefinitely postponed was taken up and considered.

Senator Cassatt moved that the bill be referred back to the Committee on Judiciary.

It was so ordered.

Senate File No. 175, a bill for an act to punish the crime of sodomy or buggery with report of committee recommending amendments and that the bill as amended do pass, was taken up, considered, and the report of the committee was adopted.

Senator Wilkin moved to strike out publication clause.

Carried.

Senator Wolfe 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 Bolter, Casey, Chesebro, Chubb, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hatchison, Knight, McCoy, McDonough, Miles, Poyneer, Parrott, Robinson, Ryder, Scott, Stephens, Sutton, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Woolson—35.

The nays were, none.

Absent or not voting:

Senators Barrett, Bayless, Bloom, Burdick, Caldwell, Carr, Carson, Cassatt, Chambers, Clark, Johnson, Reiniger, Schmidt, Sweney and Young—5.

Senate File No. 82, a bill for an act providing for the exemption after the year 1877 of homesteads from ordinary taxation to the value of \$1,000, with report of committee recommending indefinite postponement, was taken up.

Senator Gatch moved that the bill be made special order for February 24, at 3 P. M.

Carried.

Senate File No. 97, a bill for an act to provide for general vaccination in public schools, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 99, a bill for an act to regulate house drainage and plumbing in cities of the first-class, with report of committee recommending that it do not pass, was taken up, considered, and the report of the committee was adopted.

Senator Robinson moved that the bill be indefinitely postponed.

Carried.

Senate File No. 25, a bill for an act to abolish corporal punishment in public or private schools, with report of committee recommending amendments, that it do pass, was taken up and considered.

Senator Stephens moved to amend by striking out word "strike" and inserting in lieu thereof the word "cruelly," in line two, section 1.

The amendment prevailed.

The amendments reported by the committee were agreed to.

On motion, the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 18, 1888. }

The Senate met in regular session at 2 P. M.
The President of the Senate in the chair.
Prayer by Rev. A. W. Safford.
The minutes of the previous session were read and approved.

PETITIONS AND MEMORIALS.

Senator Miles presented petitions from citizens of Humeston, Wayne county, asking for the erection of a soldiers' home.

Also, petition from citizens of Allerton on same subject.

Referred to Committee on Military.

Senator Weber presented petition of Commissioners of Pharmacy asking that a committee be appointed by each body of this General Assembly to examine into the acts and methods of said commission in the discharge of its duties.

Referred to Committee on Hygiene, Medicine, Surgery and Pharmacy.

Senator Stephens presented petition from 50 citizens of Union county asking for the erection of a soldiers' home.

Referred to Committee on Military.

Senator Reiniger presented petition of voters of Floyd county asking the enactment of a law requiring the teaching of the effects of alcohol upon the physical, mental and moral nature in the schools supported by public money or under State control.

Referred to Committee on Schools.

INTRODUCTION OF BILLS.

By Senator Donnan, Senate File No. 286, a bill for an act to legalize acts of Moses R. Eastman, notary public in and for Buchanan county.

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

By Senator Gault, Senate File No. 287, a bill for an act to legalize acts of the board of directors of the District Township of Vermillion, Appanoose county, and State of Iowa.

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

By Senator Bloom, Senate File No. 288, a bill for an act fixing the compensation of the State Librarian and assistants.

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

By Senator Sutton, by request, Senate File No. 289, a bill for an act to empower municipal corporations to suppress and restrain liquor saloons.

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

CONCURRENT RESOLUTION.

Senator Carson presented the following resolution:

WHEREAS, There is no adequate means afforded the youth of the agricultural districts of the State to obtain a practical knowledge of the advanced theory and practice in agricultural pursuits, use of the elements of the mechanic arts or of domestic economy; and,

WHEREAS, The vacation of the regular college year of the agricultural college occurs at a season when the youth employed at agricultural pursuits can best attend such college for instructions; therefore, be it

Resolved by the Senate, the House concurring, That the trustees and faculty of the Iowa Agricultural College be and they are hereby instructed to establish a winter term at said college of not less than ten weeks duration, at which terms students shall be admitted who are fairly proficient in the common school branches, and the faculty shall adopt a course of lectures and studies for such winter terms as will include the theory and practice of agriculture, domestic economy and the elements of the mechanic arts, and that the instructors at such winter terms have like compensation as received by professors at regular college terms for the period employed at such winter terms.

Referred to Committee on Agricultural College.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 235, a bill for an act relating to the trial of equitable actions; beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 264, a bill for an act limiting the time of making claims and bringing suits against municipal corporations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Municipal Corporations.

G. S. ROBINSON, *Chairman*.

Ordered so referred.

Senator Sweny from the Committee on Railroads submitted the following report:

MR. PRESIDENT—Your Committee on Railroads to whom was referred Senate File No. 28, a bill for an act to repeal section 2, chapter 77, acts of the Seventeenth General Assembly and providing for the election of Railroad Commissioners, 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 bill be amended as follows: Insert after the figures "1887" in sixth line of section 2 of printed bill the words "and until their successors are elected and qualified. The commissioners elected at the general election of 1886 shall appear before the board of canvassers for the State on the Thursday following the fourth Monday after the general election of said year and there determine by lot their respective terms of office and if either shall fail to appear the Secretary of State shall draw for him and their certificates shall issue accordingly," and so amended the bill do pass.

J. H. SWENEY, *Chairman.*

Ordered passed on file.

Senator Glass from the Committee on Schools submitted the following report:

MR. PRESIDENT—Your Committee on Schools to whom was referred Senate Files Nos. 122 and 184, bills for an act to require children between the ages of seven and fifteen years to attend school and to provide for the appointment of truant officers to compel attendance, and to enlarge the powers of school directors in relation to compelling the attendance of pupils at 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 and recommend and present a substitute for both of said bills and ask that when the substitute herewith attached is adopted for said bills, that the same do pass.

JOHN D. GLASS, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined—

Senate File No. 148, a bill for an act requiring the transportation of bodies of persons dead of certain diseases, in a hermetically sealed and air-tight metallic case, casket, or antiseptic interment sack.

And find the same correctly engrossed.

G. L. JOHNSON, *Chairman.*

Senator Parrott, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred House File No. 86, a bill for an act to amend section 457 of the Code of 1873, relating to regulations against fires, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 229, a bill for an act to amend chapter 44 of the laws of the session of the Legislature of the Territory of Iowa, approved December 18, 1843, incorporating the Aspen Grove Cemetery Association of Burlington, and conferring upon it

authority to acquire 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 section 3 be amended by striking out the words "Iowa State Register" and inserting in lieu thereof the words "Burlington Gazette"; also, by inserting after the words "Des Moines," and before the word "Iowa," in the last line of said section, the words "and Burlington"; also, by adding to said section the words "and without expense to the State"; and that when so amended the bill do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 135, a bill for an act to amend section 514, of the Code, relating to officers for 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 the same be amended by striking out section 2, the publication clause, and that as thus amended the bill do pass.

MATT. PARROTT, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 171, a bill for an act to amend section 5, of chapter 171, of the laws of the Nineteenth General Assembly, relating to the sale of indemnity 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 section 1 be stricken out and the following substituted therefor, to-wit: "Section 1. That section 5, of chapter 171, of the laws of the Nineteenth General Assembly, be amended by striking out the words 'in three years thereafter with eight per cent. interest,' in the fifth and sixth lines of said section, and inserting after the word 'payable,' in the fifth line thereof, the words 'at such time, not exceeding ten years thereafter, as the board of supervisors may determine, with interest not exceeding eight per cent.,'" and as so amended it do pass.

A. N. POYNEER, *Chairman*.

Ordered passed on file.

BILLS ON THIRD READING.

Senate File No. 148, a bill for an act requiring the transportation of bodies of persons dead of certain diseases, in a hermetically sealed and air tight metallic case or casket or antiseptic interment sack.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bloom, Bolter, Burdick, Carr, Casey, Chambers, Chesebro, Chubb, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Glass, Henderson, Hendrie, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Reiniger, Robinson, Ryder, Schmidt, Stephens, Sutton, Sweney, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—40.

The nays were:

Senators Caldwell, Carson, Gault, Poyneer, Scott, Underwood, and Weber—7.

Absent or not voting:

Senators Cassatt, Clark, Parrott—3.

So the bill passed and the title was agreed to.

BILLS ON SECOND READING.

The Senate resumed consideration of Senate File No. 25, the question pending being shall the bill be ordered engrossed and read a third time to-morrow.

Senator Dodge moved to recommit bill with amendments to Committee on Schools.

Carried.

The hour having arrived for special order the Senate took up and considered Senate File No. 106, a bill for an act to amend section 4413 of the Code of Iowa relating to peremptory challenges of jurors in criminal cases.

Senator Sutton offered the following amendment:

That there be added to the bill under consideration as section 2 thereof—

First—That section 2782 be amended by adding thereto the following words: "But in all criminal cases the defendant's counsel shall be given the right to close the argument to the jury."

Second—That the title be amended by inserting after the words "section 4413" the words "and section 2782," and after the word "jurors" the words "and arguments."

The question being on the amendments by Senator Sutton they were lost.

On the question, shall the bill be engrossed and read a third time to-morrow, the yeas and nays were demanded.

The yeas were:

Senators Chubb, Donnan, Doud, Duncan, Earle, Gatch, Gault, Glass, Hutchison, Knight, McDonough, Parrott, Poyneer, Reiniger, Scott, Sweny, Underwood, Wolfe and Woolson—19.

The nays were:

Senators Bayless, Bloom, Bolter, Burdick, Carr, Carson, Chambers, Chesebro, Deal, Dodge, Dooley, Henderson, Hendrie, Johnson, McCoy, Miles, Robinson, Ryder, Schmidt, Stephens, Sutton, Weber, Whaley, Whiting and Wilkin—26.

Absent or not voting:

Senators Barrett, Caldwell, Cassatt, Clark and Young—5.

So the bill was lost on engrossment.

The following communication from the Governor was received at the hands of his private secretary:

February 17, 1886.

MR. PRESIDENT—I am instructed by the Governor to report that he has approved, signed, and deposited in the office of the Secretary of State, the following bills:

Senate File No. 36, an act to provide for the teaching and study of physiology and hygiene with special reference to the effects of alco-

holic drinks, stimulants and narcotics upon the human system, in public schools and educational institutions of the State.

Senate File No. 92, an act to amend chapter 24 of the acts of the Nineteenth General Assembly relating to the superior courts.

Senate File No. 16, an act to legalize certain acts of the Mason City Cemetery Association and the renewal of the same and to relinquish an escheat.

Senate File No. 156, an act appropriating money to defray the expenses of the inauguration ceremonies.

Senate File 182, an act to repeal the first subdivisions of section 2193 of the Code and to enact a substitute therefor relating to marriages.

Also, joint resolution and memorial (originating in the Senate), relating to a Northwestern branch of the National home for disabled and indigent soldiers and sailors.

FRED'K W. HOSSFELDT, *Private Secretary.*

Senator Deal 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:

Memorial and Joint Rescution relative to a Northwestern Branch of the National Home for disabled and indigent soldiers and sailors.

Senate File No. 16, a bill for an act to legalize certain acts of the Mason City Cemetery Association, and the renewal of the same, and to relinquish an escheat.

Senate File No. 182, a bill for an act to repeal the first subdivisions of section 2193 of the Code, and to enact a substitute therefor, relating to marriages.

Senate File No. 156, a bill for an act appropriating money to defray the expenses of the inauguration ceremonies.

Senate File No. 92, a bill for an act to amend chapter 24, of the acts of the Nineteenth General Assembly in relation to superior courts.

Senate File No. 36, a bill for an act to require the teaching and study of physiology and hygiene with special reference to the effects of alcoholic drinks, stimulants and narcotics upon the human system.

JNO. K. DEAL, *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 resolution in which the concurrence of the Senate is asked:

Relative to adjourning until February 24.

J. K. POWERS, *Chief Clerk.*

Senator Caldwell moved to take up House messages.

Carried.

The Senate took up and considered House concurrent resolution.

Resolved by the House, the Senate concurring, That when the General Assembly adjourns on Friday, February 19, that it be till Wednesday, February 24, 1886, at 2 o'clock.

The yeas and nays were demanded.

The yeas were:

Senators Burdick, Carson, Casey, Dodge, Donnan, Dooley, Henderson, Hendrie, Knight, Parrott, Reinger, Ryder, Schmidt and Wilkin.—14.

The nays were:

Senators Bayless, Bloom, Bolter, Carr, Chambers, Chesebro, Chubb, Deal, Doud, Duncan, Earle, Gatch, Glass, Hutchison, Johnson, McCoy, McDonough, Miles, Poyneer, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whiting, Wolfe and Woolson—29.

Absent or not voting:

Senators Barrett, Caldwell, Cassatt, Clark, Gault, Whaley, and Young—7.

So the Senate refused to concur.

On motion the Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, February 19, 1886. }

The Senate met at in regular session at 2 P. M.

The President of the Senate in the chair.

Prayer by Rev. Emory Miller.

The journal of previous day was read and approved.

Senator Sutton asked that amendment offered yesterday to Senate File No. 25, be expunged from the minutes.

So ordered.

Senator Sutton moved to reconsider concurrent resolution of House relative to adjournment.

Carried.

Senator Duncan moved to amend by inserting "Tuesday" in place of "Wednesday."

Senator Glass moved to amend the amendment by fixing the time for adjournment at "Wednesday, 9 A. M.," in place of Tuesday.

Ruled out of order.

The question recurring upon the amendment by Senator Duncan, the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bloom, Bolter, Caldwell, Carson, Casey, Chambers, Chesebro, Chubb, Dodge, Dooley, Duncan, Earle, Gatch, Gault, Henderson, Hendrie, Hutchison, McCoy, Poyneer, Robinson, Ryder, Underwood, Whaley, Wilkin and Woolson—26.

The nays were :

Senators Bayless, Bolter, Carr, Deal, Dodge, Doud, Glass, Johnson, Knight, McDonough, Miles, Parrott, Schmidt, Scott, Stephens, Sutton, Sweney, Weber, Whiting, Wolfe and Young—21.

Absent or not voting :

Senators Cassatt, Clark and Reiniger—8.

So the amendment was agreed to.

Senator Woolson moved to amend by striking out "Friday, 19th February" and insert "Saturday, 20th February," and called for the yeas and nays.

The yeas were :

Senators Barrett, Bayless, Burdick, Carr, Chambers, Chesebro, Doud, Gatch, Johnson, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Stephens, Weber, Whiting, Wolfe and Woolson—20.

The nays were:

Senators Bloom, Bolter, Caldwell, Carson, Casey, Deal, Dodge, Donnan, Dooley, Duncan, Earle, Gault, Glass, Henderson, Hendrie, Hutchison, Knight, Reiniger, Ryder, Schmidt, Scott, Sutton, Sweney, Underwood, Whaley, Wilkin and Young—27.

Absent or not voting:

Senators Cassatt, Clark and Chubb—3.

So the amendment was not agreed to.

The question recurring upon the House resolution as amended the yeas and nays were demanded.

The yeas were :

Senators Bolter, Burdick, Caldwell, Carson, Casey, Chambers, Chesebro, Dodge, Donnan, Dooley, Duncan, Earle, Glass, Henderson, Hendrie, Hutchison, Knight, Robinson, Ryder, Schmidt, Scott, Sutton, Sweney, Underwood, Wilkin, Wolfe and Young—27.

The nays were:

Senators Barrett, Bayless, Carr, Chubb, Deal, Doud, Gatch, Gault, Johnson, McCoy, McDonough, Miles, Parrott, Poyneer, Stephens, Weber, Whaley, Whiting and Woolson—19.

Absent or not voting :

Senators Bloom, Cassatt, Clark and Reiniger—4.

So the resolution 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 reconsidered the vote by which Senate substitute to "House File No. 57, a bill for an act to legalize the proceeding of the board of supervisors of Muscatine and Louisa counties in locating and constructing a sewer," was concurred in, and has amended section 2 of said substitute, in which amendment the concurrence of the Senate is asked.

Also:

MR. PRESIDENT—The House has concurred in the amendment of the resolution relative to adjournment.

J. K. POWERS, *Chief Clerk.*

The chair presented the order of exercises for reunion of present Assembly with ex members, as follows:

On the 24th inst. no special order of exercises; the session to go on as usual and ex-members to attend at their pleasure.

On the 25th the General Assembly will meet at 9 o'clock A. M., and at expiration of call of business, or morning hour, take a recess until 2 o'clock P. M., letting members in attendance on the reunion have their session.

Regular session called to order at 2 o'clock P. M., and both Houses adjourn until the 28th, and members and officers attend in a body the joint convention of old members, to be held in the opera house.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House.

Senator Sutton moved that the order be adopted.

Carried.

The Committee on Elections were granted leave of absence.

PETITIONS AND MEMORIALS.

Senator Burdick presented a petition of H. A. Baker and 31 other citizens of Winneshiek county, asking the establishment of the Iowa soldiers' home.

Referred to Committee on Military.

Senator Caldwell presented a petition of 100 citizens of Adel, Dallas county, asking the present General Assembly to make the necessary appropriations for the erection of a soldiers' home in Iowa, and that the home be located in the city of Des Moines.

Referred to same committee.

Senator Weber presented a petition of Woman's Relief Corps No. 20 G. A. R., of Fort Dodge, praying for a soldiers' home.

Referred to same committee.

Also, a remonstrance of W. K. Hardin and 38 other citizens of Webster county, against amending the pharmacy law.

Referred to Committee on Medicine, Surgery, Hygiene and Pharmacy.

Senator Stephens presented a petition from 100 citizens of Union county, asking for the erection of a soldiers' home.

Referred to Committee on Military.

Senator Parrott presented a petition of 27 business men and firms of Waterloo, Black Hawk county, asking that the present method of selecting railroad commissioners be continued.

Referred to Committee on Railroads.

Senator Reiniger presented petition of citizens of Marble Rock asking that there be erected a soldiers' home in Iowa.

Referred to Committee on Military.

Senator Scott presented memorial from county auditor and county surveyor of Hardin and Jackson counties asking for transfer of certain duties from office of county auditor to that of county surveyor.

Referred to Committee on Highways.

Senator McCoy presented memorial from members of Fort Donel-

son Woman's Relief Corps No. 2, G. A. R., asking for the passage of House File No. 4, and the establishment of a home for indigent soldiers and sailors.

Referred to Committee on Military.

Senator Parrott offered the following resolution:

Resolved, That the Committee on Schools are hereby instructed to report at as early a day as practicable, an additional section to chapter 1 of the acts of the Twenty-first General Assembly, providing for the teaching and study of physiology and hygiene, with special reference to the effects of alcoholic drinks, stimulants and narcotics upon the human system"; said additional section to provide for the examination of the text books required by said chapter, by the State Board of Health, or a suitable commission to be provided, and prohibiting the use of any such books unless they have received the endorsement of such Board of Health or Commission. And said examination board so provided for shall recommend no book where the price exceeds — cents per copy.

Adopted.

Referred to Committee on Schools.

INTRODUCTION OF BILLS.

By Senator Reiniger, Senate File No. 293, a bill for an act to provide for the registration of bonds issued by counties, school districts and municipal corporations.

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

By Senator Carson, Senate File No. 294, a bill for an act to repeal chapters 2 and 3 of title 5 of the Code, relating to registration of voters and of elections and to enact a substitute therefor.

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

By Senator Wolfe, Senate File No. 295, a bill for an act to repeal section 894 of the Code and to enact a substitute therefor relating to notice on tax sales.

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

By Senator Burdick, Senate File No. 290, a bill for an act appropriate money to pay Samuel D. Broettbeck for services rendered as aid to the Governor and as military instructor at Court Franklin, Dubuque, Iowa, with papers accompanying same.

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

By Senator Hutchison, Senate File No. 291, a bill for an act to repeal section 520 of Code and enact a substitute therefor providing for the districting of cities into wards.

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

By Senator Dooley, Senate File No. 292, a bill for an act to amend chapter 179 of the acts of the Twentieth General Assembly, relating to the protection of subcontractors.

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

By Senator Johnson, Senate File No. 296, a bill for an act to amend section 1 of chapter 104 of the laws of the Twentieth General Assembly.

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

In answer to resolution of Senate asking information as to number of State patients in asylum at Independence, Secretary read communication to President of Senate relative thereto.

Referred to Committee on Hospitals for Insane.

REPORTS OF COMMITTEES.

Senator Parrott, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 31, a bill for an act providing for giving to cities and incorporated towns parts of fines imposed by the mayors in the enforcement of the penal laws of the State, in the city or town, or within two miles of the limits thereof, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be amended by striking out of section 1 all of said section before the words "all fines"; also, that the title be amended by striking out of the same the words "parts of," and striking out all of said title after the word "imposed," and inserting in lieu thereof the words "for the violation of ordinances," and that so amended the bill do pass.

MATT. PARROTT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 107, a bill for an act exempting cemeteries from assessment for local improvements, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

MATT. PARROTT, *Chairman.*

Ordered passed on file.

Senator Donnan, from the Committee on Retrenchment, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment, to whom was referred Senate File No. 254, a bill for an act to provide for the purchasing of stationery, blank books and desk furniture for the use of the various State officers, by the Secretary of State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended, as follows: In section 1, first line, insert "office" between "all" and "stationery." In line two, section 1, after the words "blank books" insert "except such as are furnished by the State Binder." In line six, section 1, before the last

word insert "the authority granted by." In line nine, section 2, strike out "conditioned upon" and insert "for." Add to section 2: "But he may reject any and all proposals if, in his judgment, the interests of the State will be promoted thereby." In last line of section 3, after the word "quantities," insert "and prices." Add to section 4 publication clause; and when so amended that the bill do pass.

W. G. DONNAN, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 244, a bill for an act requiring notice to municipal corporations before suit for damage can be maintained, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to Committee on Municipal Corporations.

G. S. ROBINSON, *Chairman.*

So referred.

Senator Bloom, from the Committee on State Library, submitted the following report:

MR. PRESIDENT—Your Committee on State Library, to whom was referred Senate File No. 250, a bill for an act authorizing the purchase and transfer to the State Library of the library of the late Hon. S. J. W. Tabor and making an appropriation therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

MOSES BLOOM, *Chairman.*

Ordered passed on file.

Senator Chubb, 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, relative to the establishment of an additional military academy in the northwest, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CHAS. C. CHUBB, *Chairman.*

Ordered passed on file.

Senator Poyneer from the Committee on Agriculture submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 136, a bill for an act to amend section 1507 of the Code of 1873 relating to partition 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 recommendation that it be amended by striking out of the enacting clause all after the word "Iowa"; that section 1 be stricken out and the following substituted in lieu thereof, to-wit:

Section 1. That section 1507 of the Code as amended by chapter

47, acts of the Eighteenth General Assembly, be and the same is hereby amended by striking out the words "two rods" in the 17th line thereof and inserting in lieu thereof the words "thirty-two feet"; also by striking out the words "one rod" in the 18th line thereof and inserting in lieu thereof the words "sixteen feet"; provided this act shall not apply to fences already constructed.

That the title of the bill be amended so as to read :

A bill for an act to amend chapter 47, acts of the Eighteenth General Assembly establishing lawful fences.

And as amended, it do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Agriculture to whom was referred Senate File No. 8, a bill for an act to require swine having died of cholera to be either buried or burned upon the premises and to provide penalties for failure to comply with the provisions of this act, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Agriculture to whom was referred Senate File No. 153, a bill for an act to amend section 1498 of the Code, in relation to partition 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 recommendation that it be indefinitely postponed.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Agriculture to whom was referred Senate File No. 202, a bill for an act to amend section 1507, chapter 4, title 11 of the Code, concerning partition 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 recommendation that it be indefinitely postponed.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 43, a bill for an act to prohibit the traffic in hogs infected 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 section 2 be amended by inserting in the second line after the word "other" the word "infectious;" that section 2 be further amended by striking out the word "immediately" in the second line and inserting the words "within a reasonable time;" that section 3 be amended by inserting after the word "violating" in the first line thereof, the words "or failing to

comply with;" that section 3 be further amended by striking out of the second and third lines, the words "by imprisonment in the county jail not more than thirty days nor less than ten days or;" also, by striking out of the fourth and fifth lines of said section the words "or by both fine and imprisonment."

And as so amended it do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

BILLS ON SECOND READING.

Senate File No. 80, a bill for an act to legalize the incorporation of the town of Ruthven, Palo Alto county, Iowa; the election of its officers and the acts done, and ordinances passed by the council of said town, with report of committee recommending amendments and that it do pass, was taken up and amendments adopted.

The bill was ordered engrossed and read a third time to-morrow.

Senator Robinson moved to take up house messages and consider House amendment to substitute for House File No. 57.

The question being on agreeing to the House amendment.

The yeas were:

Senators Bayless, Bolter, Burdick, Carr, Carson, Chesebro, Dodge, Donnan, Dooley, Duncan, Earle, Gatch, Glass, Henderson, Hendrie, Hutchison, Knight, McCoy, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Weber, Whiting, Wilkin and Wolfe—31.

The nays were:

Senators Doud, Gault, Reiniger and Woolson—4.

Absent or not voting:

Senators Barrett, Bloom, Caldwell, Casey, Cassatt, Chambers, Chubb, Clark, Deal, Johnson, McDonough, Ryder, Underwood, Whaley and Young—15.

So the bill passed and the title was agreed to.

On motion, Senator Young was excused from voting.

Senate File No. 20, a bill for an act to amend section 3641 of Code, relating to evidence with report of committee recommending amendments, and that it do pass, was taken up, considered, and the amendments adopted.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Dodge, Donnan, Dooley, Duncan, Earle, Gatch, Gault, Henderson, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whiting, Wilkin and Woolson—38.

The nays were, none.

Absent or not voting:

Senators Bloom, Chubb, Clark, Deal, Doud, Glass, Knight, Reiniger, Ryder, Whaley, Wolfe and Young—12.

So the Senate concurred in the House amendment.

Senate File No. 18, a bill for an act to amend section 7, chapter 100,

relating to mechanics' lien, with report of committee recommending indefinite postponement was taken up and considered.

Senator Robinson moved that the bill be referred to special committee of three composed of Senators Sutton, Woolson and Dodge—

Carried and the bill so referred.

House File No. 92, bill for act to legalize the incorporation of the town of Rolfe, in Pocahontas county, Iowa, the election of officers and all acts done and ordinances passed by the council of said town, with report of committee recommending that it do pass was taken up.

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 Barrett, Bayless, Bolter, Burdick, Caldwell, Cassatt, Chambers, Chesebro, Chubb, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Gatch, Gault, Henderson, Hendrie, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Woolson—38.

The nays were, none.

Absent or not voting:

Senators Bloom, Carr, Carson, Casey, Clark, Earle, Glass, Johnson, Knight, Ryder, Schmidt and Young—12.

So the bill passed and the title was agreed to.

Senator Woolson on behalf of Committee on Elections, offered the following resolution:

Resolved, by the Senate, That the following order is hereby made to apply in the matter of the contested election in the Forty-fourth senatorial district now pending before the Committee on Elections:

The notary, who may be selected by either party, in taking testimony, in behalf of said party, and before whom depositions are taken, shall have authority to issue subpoenas *duces tecum* for the proper township clerk of any township and precinct having the ballot box tally list, etc., of the general election of 1885, in his possession, and upon his examination in the presence of the parties or their attorneys engaged in said examination, said party may have said ballot boxes opened and the clerk or judges examined as to the contents of such ballot boxes, tally lists, etc., and may have exhibits made of such ballots or tally lists as the parties may direct, or copies thereof.

Adopted.

Senator Robinson filed the following motion:

I hereby move the reconsideration of the vote, by which the Senate refused to engross Senate File No. 106, for a third reading.

Senator Robinson moved that Senate File No. 106, be taken up and considered.

Senator Bolter moved that the motion to reconsider be laid on the table.

The yeas and nays were called.

The yeas were:

Senators Bayless, Bloom, Bolter, Carson, Cassatt, Chambers, Chesebro, Dodge, Dooley, Henderson, Hendrie, Johnson, McCoy, Miles,

Ryder, Schmidt, Sutton, Underwood, Whaley, Whiting and Wilkin—21.

The nays were:

Senators Burdick, Caldwell, Casey, Chubb, Deal, Dounan, Doud, Gatch, Gault, Hutchison, McDonough, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sweny, Weber, Wolfe and Woolson—21.

Absent or not voting:

Senators Barrett, Carr, Clark, Duncan, Earle, Glass, Knight and Young—8.

The roll call as made by the Secretary was 22 yeas, and 21 nays.

So the motion was declared carried.

The corrected roll call on Tuesday, the 23d inst., showed a tie, and the chair declared the motion to the table.

Lost.

Senate File No. 83, a bill for an act to encourage manufactories and to exempt them from taxation for five years, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Senate File No. 168, a bill for an act to provide for the collection of statistics relating to manufactures in this State, with report of committee recommending amendments and that it do pass, was taken up, considered, and the amendments adopted.

Ordered engrossed.

Senate File No. 133, a bill for an act to amend section 2584 of the Code of 1873, relating to where insurance companies bring certain actions, with report of committee recommending indefinite postponement was taken up and considered.

Senator Weber moved that this bill be made the special order for Friday at 3 o'clock, p. m.

Adopted.

Senate File No. 195, a bill for an act to amend section 1146 of the Code of 1873, relating to insurance notes with report of committee recommending amendments and that it do pass, was taken up, and considered.

Senator Wolfe moved to insert after the word "fee" in the fifth line "to be taxed as costs."

Adopted.

Senator Burdick moved to amend by striking out after the word "liable" the words "the maker of said notes," and insert in line four the words, "such maker."

Adopted.

Senator Robinson moved to strike out the word "including" in fifth line of printed bill and insert "and for."

Adopted.

Senator Deal moved to strike out the word "reasonably" and insert "reasonable."

Adopted.

Senator Sutton moved to strike out at the end of section the words "said judgment" and insert the word "same."

Add to the bill the following words: "and suit may be brought in the county in which the note was given."

Adopted.

Ordered engrossed and read a third time to-morrow.

Senator Johnson moved that the Senate do now adjourn.

The yeas and nays were called.

The yeas were:

Senators Barrett, Bolter, Carson, Casey, Dodge, Dooley, Hendrie, Johnson, McCoy, Miles, Ryder and Scott—12.

The nays were:

Senators Bayless, Burdick, Caldwell, Carr, Chambers, Chesebro, Chubb, Clark, Donnan, Doud, Duncan, Gault, McDonough, Parrott, Poyneer, Reiniger, Robinson, Stephens, Sutton, Underwood, Weber, Whaley, Whiting and Wolfe—24.

Absent or not voting:

Senators Bloom, Cassatt, Deal, Earle, Gatch, Glass, Henderson, Hutchison, Knight, Schmidt, Sweney, Wilkin, Woolson and Young—14.

So the motion to adjourn was lost.

Senate File No. 248, a bill for an act to amend section 463, of the Code, with reference to taxing taverns, restaurants and eating houses, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Senate File No. 192, a bill for an act to amend section 797, of the Code of Iowa and to exempt from taxation certain homesteads, with report of committee recommending amendments, and that it do pass, was taken up and considered.

Senator McCoy moved to make Senate File No. 192 special order for Tuesday at 2:30 o'clock p. m.

Adopted.

Senator Parrott moved the Senate do now adjourn.

On which the yeas and nays were called.

The yeas were:

Senators Bolter, Burdick, Caldwell, Carr, Carson, Casey, Deal, Dodge, Dooley, Miles, Parrott, Scott, Sutton and Sweney—14.

The nays were:

Senators Barrett, Bayless, Chesebro, Chubb, Donnan, Doud, Duncan, Hendrie, Hutchison, Johnson, McDonough, Poyneer, Reiniger, Robinson, Ryder, Stephens, Underwood, Weber, Whaley, Whiting, and Wolfe—21.

Absent or not voting:

Senators Bloom, Cassatt, Chambers, Clark, Earle, Gatch, Gault, Glass, Henderson, Knight, McCoy, Schmidt, Wilkin, Woolson and Young—15.

So the motion to adjourn was lost.

Senate File No. 94, a bill for an act to provide for and require the trimming of certain hedge fences, with report of committee recommending amendments and that it do pass, was taken up, considered.

Passed on file.

Senator Scott moved the Senate do now adjourn.

On which the yeas and nays were called.

The yeas were:

Senators Barrett, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Chesebro, Dodge, Dooley, Gault, Glass, Hendrie, Hutchison, Johnson,

Miles, Parrott, Poyneer, Reiniger, Ryder, Scott, Sutton, Underwood and Wilkin—24.

The nays were:

Senators Bayless, Chambers, Chubb, Deal, Donnan, Doud, Duncan, McDonough, Robinson, Stephens, Weber, Whaley, Whiting, and Wolfe—14.

Absent or not voting:

Senators Bloom, Cassatt, Clark, Earle, Gatch, Henderson, Knight, McCoy, Schmidt, Sweney, Woolson and Young—12.

So the Senate adjourned until 2 o'clock P. M. Tuesday, February 23, 1886.

SENATE CHAMBER,
DES MOINES, IOWA, February 23, 1886. }

The Senate met in regular session at 2 P. M.

The President of the Senate in the chair.

Prayer by Rev. Wm. Remsburg.

The journal of the previous day was read and approved.

LEAVE GRANTED.

Senator Duncan asked leave to record his vote on the motion to lay the motion to reconsider the vote by which Senate File No. 106 was lost on the table, and that his vote be entered on record as "nay" on such vote.

Granted.

COMMUNICATION.

The chair presented communication as follows:

DES MOINES, IOWA, February 19, 1886.

Hon. J. A. T. Hull, Lieutenant-Governor:

DEAR SIR:—On behalf of the Committee on Invitations, I desire to tender to you, and through you to the honorable Senators and officers of the body over which you preside, a cordial invitation to be present with the pioneer law-makers of Iowa, at their meeting in Foster's Opera House, on Thursday afternoon, 25th instant, on which occasion Ex-Governor S. J. Kirkwood will deliver a message to the convention, and other addresses of a historical character will be made by old members present.

Very truly yours,

HOYT SHERMAN, *Chairman.*

REPORT OF COMMITTEE.

Senator Johnson, 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. 195, a bill for an act to amend section 1146 of the Code, relating to insurance notes, and find the same correctly engrossed.

G. L. JOHNSON, *Chairman.*

SPECIAL ORDER.

The hour having arrived for special order, the Senate took up and considered Senate File No. 192, a bill for an act to amend section 797 of the Code of Iowa, and to exempt from taxation certain homesteads.

Senator Robinson offered the following amendment:

SECTION 1. That section 797 of the Code is hereby amended by adding thereto the following as an additional subdivision, to wit: 8. The homestead of the widow of any federal soldier or sailor who died during the late war while in the service, or who has since died of wounds received or disease contracted while in such service.

Adopted.

Senator Sweney moved to amend: to insert after the word "homestead," in amendment, the words "not to exceed the value of one thousand dollars."

Lost.

On motion Senators Weber, Bolter and Gault were excused for the day.

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 Barrett, Bayless, Bloom, Burdick, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Dond, Duncan, Earle, Gatch, Glass, Henderson, Hutchison, Johnson, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—42.

The nays were, none.

Absent or not voting:

Senators Bolter, Cassatt, Gault, Hendrie, Knight, Reiniger, Ryder and Weber—8.

So the bill passed and the title was agreed to.

Senator Wilkin presented a petition of D. E. Cooper and 250 other citizens of Madison county for the establishment of a soldiers' home.

Referred to Committee on Military.

Senator Wilkin presented resolutions of Miles Post No. 273, Grand Army of the Republic, as to soldiers' home.

Referred to Committee on Military.

Senator Hutchison presented petition of 69 citizens of Wapello county asking amendment of the constitution of the State so as to re-

move all discrimination on account of sex in the exercise of elective franchise.

Referred to Committee on Suffrage.

Senator Gatch presented a petition of Mrs. R. G. Orwig and about 350 other citizens of Des Moines, including a large number of teachers in the public schools, asking the enactment of a stringent law prohibiting the sale and circulation of corrupting literature.

Referred to Committee on Judiciary.

Senator Gatch presented petition of Thos. Allum and 66 other members of Joe Hooker Post G. A. R. urgently requesting this General Assembly, at the earliest day possible, to pass a bill making the necessary appropriation for the erection of a home for infirm and disabled soldiers and sailors.

Referred to Committee on Military.

Senator Wolfe presented a petition of Miss Flora Dutton and 37 others as to woman suffrage.

Referred to Committee on Suffrage.

Senator McCoy presented a petition of S. J. Dutton and other citizens of Oskaloosa, Iowa, against election of Railroad Commissioners.

Referred to Committee on Railroads.

Senator McCoy presented petitions of F. M. Epperson of Eddyville, Iowa, and 18 others, and of H. L. Spencer and 130 other citizens, remonstrating against electing Railroad Commissioners.

Referred to Committee on Railroads.

Senator McCoy presented petition of T. E. Crawford and 150 other citizens of Mahaska and Jasper counties against the sale of butterine, and asking for a dairy commission.

Referred to Committee on Agriculture.

Senator McCoy presented the petition of 270 citizens asking for a law against the publication and circulation of corrupting literature.

Referred to Committee on Schools.

Senator Parrott presented a petition against the circulation of pernicious literature, signed by 31 citizens of Black Hawk county.

Referred to Committee on Judiciary.

Senator Young presented petition of 30 citizens of Adams county asking for the enactment of a law reducing the rate of interest from 10 to 8 per cent.

Referred to Committee on Ways and Means.

Senator Carson presented memorial from the mayor and others, members of Council Bluffs Board of Trade, in reference to passage of the mayors' bill.

Referred to Committee on Suppression of Intemperance.

Senator McCoy presented petition of Abner Allen and 48 other citizens of Mahaska county asking for a law against butterine, and asking for a dairy commission.

Referred to Committee on Agriculture.

INTRODUCTION OF BILLS.

By Senator Johnson, Senate File No. 297, a bill for an act repealing chapter 6, title 11, of Code of 1873, and all amendments thereto, and enacting a substitute in lieu thereof.

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

By Senator Wilkin, Senate File No. 298, a bill for an act to repeal sections 1570, 1571 and 1576, of the Code, in relation to bank statements, and enacting a substitute therefor.

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

By Senator Wilkin, Senate File No. 299, a bill for an act to better protect depositors in private banks.

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

By Senator Bayless, Senate File No. 300, a bill for an act to amend chapter 75, of the acts of the Eighteenth General Assembly, and chapter 137, of the acts of the Nineteenth General Assembly, relating to the practice of pharmacy.

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

By Senator Robinson, Senate File No. 301, a bill for an act to establish and maintain the Northwestern Normal School for the instruction and training of teachers.

Read a first and second times and referred, without printing, to the Committee on Normal Schools.

By Senator Wolfe, by request, Senate File No. 302, a bill for an act to amend chapter 118, laws of the Nineteenth General Assembly.

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

By Senator Whaley, Senate File No. 303, a bill for an act to secure compensation for labor.

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

By Senator McCoy, Senate File No. 304, a bill for an act to amend section 3639, of the Code of Iowa, relating to evidence.

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

By Senator Scott, Senate File No. 305, a bill for an act to legalize certain acts relating to the organization of the town of Zearing, Story county, Iowa, and certain acts of the town council of said town.

Read a first and second time and referred, without printing, to the Committee on Judiciary.

By Senator Barrett, Senate File No. 306, a bill for an act apportioning the State of Iowa into Senatorial Districts.

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

RESOLUTIONS.

Senator Whaley offered the following resolution:

Resolved, That the President of the Senate be requested to appoint two additional members to the Standing Committee on Military.

Adopted.

Senator Wilkin offered the following resolution:

Resolved, That the Committee on Ways and Means are hereby instructed to investigate and report to the Senate at as early a day as practicable, for its use and information, with such recommendations by bill or otherwise as said committee may deem for the best interests of the public:

1st. Upon what basis of valuation railroad property within this State and subject to assessment for taxation by the Executive Council has been assessed during each of the years from 1881 to 1885, inclusive.

2d. Whether or not the assessed valuation of such railroad property during the time aforesaid was in the same ratio as that of taxable property within the State in the hands of individuals, and if not, to what extent and in what direction, and for what years of said period was any discrimination made in such assessment.

3d. Whether or not there was any discrimination made in such assessment as between the railroad property of different railroad corporations, and if so, to what extent and in what direction, and as to what railroad corporations or companies.

4th. What railroad companies, if any, having taxable property within this State, failed through their officers to make to the Executive Council for the aforesaid years, or any of them, the statement required by the provisions of section 1318 of the Code, including the value of the property called for under said section, and if any failures to make such statements, did the Executive Council assess the property of the companies so failing, adding thirty per cent to the assessable value thereof. If not, why not?

Senator Hutchison moved to make the resolution a special order for Tuesday, March 2, at 3 o'clock.

Carried.

REPORTS OF COMMITTEES.

Senator Glass from the Committee on Schools submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 201, a bill for an act to amend section 1, chapter 139 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 be indefinitely postponed.

JOHN D. GLASS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 243, a bill for an act to repeal chapter one hundred and sixty (160) laws of the Nineteenth General Assembly relating to the restoration of territory in school districts beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN D. GLASS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools to whom was referred Senate File No. 27, a bill for an act to amend chapter 64 of the acts of the Fifteenth General Assembly, relating to industrial exhibitions in public schools, and to provide for an industrial department to be added to the course of study, beg leave to report 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 substitute herewith presented and attached be adopted in lieu of said bill, and that when said substitute is so adopted that the same do pass.

JOHN D. GLASS, *Chairman.*

Ordered passed on file.

Substitute for Senate File No. 27, a bill for an act to amend chapter 64 of the acts of the Fifteenth General Assembly, relating to industrial exhibitions in public schools, and to provide for an industrial department to be added to the course of study.

Be it enacted by the General Assembly of the State of Iowa:

Section 1. That chapter 64 of the acts of the Fifteenth General Assembly be and the same is hereby amended by adding thereto the following:

Section 7. And provided further that in all school districts maintaining graded schools, the boards of directors thereof, upon petition of fifty electors of such district, shall submit to the electors of such school district the following proposition: "Shall an industrial department be added to the high school of this district?" And the same shall be either written or printed on the ballots, and the word "yes" or "no" printed or written thereunder; and in event a majority of the ballots cast at such school election shall be in favor of such industrial department, the board of directors of such district shall at the beginning of the next school year use so much of the contingent fund as shall be found necessary to equip such department with tools and material necessary for the development of such department to the end that such pupils shall be taught the elements of the mechanic arts together with drawing.

Section 8. It shall be the duty of the State Superintendent of Public Instruction to prepare such a course of study and training for said industrial department as shall be deemed practical.

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

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 77, a bill for an act to amend section 3327, chapter 4, title 20, of the Code.

Also:

Senate File No. 111, a bill for an act amending sections 3327 and 3792 of the Code, and requiring satisfaction of mortgage in margin of record to be attested by the county recorder, and providing a fee therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute for the two bills be adopted, and that when adopted it do pass.

Also, that Senate Files Nos. 77 and 111, be indefinitely postponed.
G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 9, a bill for an act to amend section 2521 of chapter 1 of title 17 of the Code, relating to actions upon judgments rendered in this State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted therefor, and that when adopted it do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Senator Duncan from the Committee on Highways submitted the following report:

MR. PRESIDENT—Your Committee on Highways to whom was referred Senate File No. 139, a bill for an act to amend section 978 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 indefinitely postponed.

F. A. DUNCAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways to whom was referred Senate File No. 197, a bill for an act to amend section 996 of the Code of Iowa, relating to the time when the county supervisors make settlement with the trustees, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

F. A. DUNCAN, *Chairman.*

Ordered passed on file.

Senator Miles, from the Committee on Private Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Private Corporations, to whom was referred Senate File No. 39, a bill for an act requiring the prompt, faithful and impartial transmission and delivery of telegraphic messages, and limiting the compensation 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 be amended by striking out section three (3) of the bill, and as thus amended that the bill do pass.

LEWIS MILES, *Chairman.*

Ordered passed on file.

Senator Miles moved that Senate File No. 39, a bill for an act requiring the prompt, faithful and impartial transmission and delivery of telegraphic messages and limiting the compensation therefor, be made a special order for Tuesday, March 2, at 2:30 o'clock P. M.

Carried.

BILLS ON THIRD READING.

House File No. 80, a bill for an act to legalize the incorporation of the town of Ruthven, Palo Alto county, Iowa; the election of its officers and the acts done, and ordinances passed by the council of said town, was taken up and considered.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Burdick, Caldwell, Carr, Casey, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Glass, Henderson, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sweney, Underwood, Whaley, Whiting, Wilkin, Wolfe and Woolson—37.

The nays were, none.

Absent or not voting:

Senators Bloom, Bolter, Carson, Cassatt, Chambers, Gault, Hendrie, Johnson, Knight, Reiniger, Sutton, Weber and Young—13.

So the bill passed and the title was agreed to.

Senate File No. 168, a bill for an act to provide for the collection of statistics relating to manufactures in this State, was taken up, and considered.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Burdick, Caldwell, Carr, Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Glass, Henderson, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Whiting, Wilkin, Wolfe, Woolson and Young—39.

The nays were, none.

Absent or not voting:

Senators Bayless, Bloom, Bolter, Carson, Gault, Hendrie, Johnson, Knight, Reiniger, Weber and Whaley—11.

So the bill passed and the title was agreed to.

Senate File No. 195, a bill for an act to amend section 1146 of the Code of 1873, relating to insurance notes, was taken up.

On the question shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Burdick, Caldwell, Carr, Casey, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—38.

The nays were, none.

Absent or not voting:

Senators Bloom, Bolter, Carson, Cassatt, Dooley, Gault, Henderson, Hendrie, Johnson, Knight, Reiniger and Weber—12.

So the bill passed and the title was agreed to.

The Senate took up and considered the motion of Senator Robison to reconsider the vote by which Senate File No. 106 was lost on engrossment.

The motion was reconsidered.

Senator Robinson moved that the bill be made special order for Wednesday at 2:45 P. M.

Carried.

BILLS ON SECOND READING.

Senate File No. 240, a bill for an act to provide for the purchase or condemnation of sand, gravel, and clay banks or beds by townships and cities and incorporated towns, for the purpose of improving highways and streets.

With report of Committee on Highways, recommending amendments, and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Poyneer offered the following amendment:

To strike out all after word "land" in 4th line of section 2, and insert in lieu thereof, "land so acquired shall revert to the original owner when it shall become unfit for the purpose required by this act, or when for a period of three years it shall not have been used for such purpose."

Senator Duncan moved to amend amendment by striking out word "three" and inserting word "ten" in lieu thereof.

Lost.

Senator Duncan moved to amend amendment by inserting word "five" in lieu of word "three."

Lost.

Senator Miles moved to strike words "original owner" and insert words "owner of the fee."

Carried.

Senator Robinson moved the following amendment, to add words: "And land so purchased may be sold and conveyed by the trustees or council when it is no longer required for the purposes for which it was purchased."

Carried.

The question recurring on the amendment of Senator Poyneer.

Carried.

On motion of Senator Deal the bill was recommitted, all amendments offered by Senator Burdick to accompany same.

House File No. 365, a bill for an act to amend section 1560 of the Code of 1873, relating to labor on highways, with report of Committee on Highways, recommending that it do pass, was taken up and considered.

Senator Bayless moved the following amendment: "And be it further enacted that all honorably discharged soldiers as aforesaid of whatever age, who have heretofore paid a poll-tax, the same shall be refunded with interest at the rate of six per cent."

Lost.

On the question shall the bill be read a third time to-morrow, the yeas and nays were demanded.

The yeas were:

Senators Bloom, Caldwell, Deal, Dodge, Donnan, Doud, Duncan,

Gatch, Hutchison, McCoy, Miles, Parrott, Poyneer, Ryder, Scott, Whaley and Wilkin—17.

The nays were:

Senators Barrett, Bayless, Burdick, Carr, Casey, Cassatt, Chesebro, Chubb, Clark, Earle, McDonough, Robinson, Stephens, Sutton, Sweney, Underwood, Whiting, Wolfe, Woolson and Young—20.

Absent or not voting:

Senators Bolter, Carson, Chambers, Dooley, Gault, Glass, Henderson, Hendrie, Johnson, Knight, Reiniger, Schmidt and Weber—13.

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 concurred in the Senate amendment to House File No. 7.

Also, that the House has amended Senate resolution in relation to keeping the postoffice open.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 47, providing for the incorporation of trades unions and other organizations.

J. K. POWERS, *Chief Clerk.*

Senate File No. 185, a bill for an act to amend section 982 of the Code relating to highways, with report of Committee on Highways recommending that it be indefinitely postponed, was taken up and considered.

Pending the question of adopting the report of the committee the Senate adjourned.

SENATE, CHAMBER,
DES MOINES, IOWA, February 24, 1886. }

The Senate met in regular session at 2 o'clock P. M.

The President of the Senate in the chair.

Prayer by Rev. A. W. Safford.

The journal of the previous day was read and approved.

Senator Sutton filed the following :

I give notice that I will move to reconsider the vote by which House File No. 365 was indefinitely postponed, Friday next.

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. 147, in relation to the collection of sidewalk and dog tax.

House File No. 61, relating to the offences against morality and decency.

And certain bills presented with signature of the Governor.

J. K. POWERS, *Chief Clerk.*

PETITIONS AND MEMORIALS.

Senator Henderson presented petition of citizens of Linn county, in relation to patent medicines.

Referred to Committee on Medicine, Surgery, Hygiene, and Pharmacy.

Senator Henderson presented resolution of John A. Buck Post, No. 140 of Iowa, in favor of an appropriation for a soldiers' home.

Referred to Committee on Military.

Senator Glass presented petition of B. F. Gibbs and eighty-five other citizens of Cerro Gordo county, asking legislation against the manufacture and sale of bogus butter and cheese.

Referred to Committee on Agriculture.

Senator Bloom presented petition of A. G. Adams and forty-three other citizens and members board of trade of the city of Burlington, asking for the passage of the mayors' bill.

Referred to Committee on Suppression of Intemperance.

The chair announced Senators Young and Ryder as additional members of Standing Committee on Military.

Senator Sutton offered the following resolution:

Resolved by the Senate, the House concurring, That the Military Committee of the Senate and the Soldiers' Home Committee of the House, acting jointly and in such manner as in their judgment is deemed best, be and are hereby authorized to investigate the merits of the several localities that are mentioned as favorable locations for the proposed home, with special reference to accessibility, water and fuel supply, healthfulness, drainage, character and cost of land and building materials, etc., to report by bill or otherwise at as early a day as possible, for the consideration of the General Assembly.

Senator Wilkin moved to make special order next Monday at 2 P. M.
Lost.

Senator Doud moved to make special order Friday next at 2:30.

Pending this motion, hour for special order arrived, and the Senate took up and considered the same.

It being the motion to reconsider the vote by which Senate File No. 106, a bill for an act to amend section 4413 of the Code of Iowa, relating to peremptory challenges of jurors in criminal cases was lost on engrossment.

Pending this special order the time for the second special order arrived.

Senator Bolter moved that the consideration of Senate File No. 82, being the second special order, be deferred until the subject under consideration be disposed of.

Carried.

REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined :

Senate File No. 176, a bill for an act to amend section 3791 of the Code of Iowa, relating to compensation of county supervisors.

Senate File No. 253, a bill for an act to enable cities to aid in the construction of highway bridges over navigable boundary rivers of the State of Iowa.

Senate File No. 24, a bill for an act to amend section 1419 of the Code relating to the discharge of non-resident insane.

And find the same correctly enrolled.

Senator Robinson moved that a committee of three be appointed to notify ex-members of the House of former General Assemblies in waiting that the Senate is ready to receive them.

The chair announced as such committee Senators Scott, Casey and Woolson.

The question recurring on the motion to reconsider vote by which Senate File No. 106 was lost on engrossment, it was carried.

Senator Robinson moved that bill be made special order for 2:30 P. M. Friday, and Senators offering substitutes have leave to have same printed.

Carried.

Senator Scott, from the Committee on Receiving Ex-Senators of Former General Assemblies, announced that body, and they entered the Senate Chamber led by the committee and Ex-Governor Gue.

The President of the Senate, in appropriate words, welcomed the visiting members of former Assemblies, and invited Hon. B. F. Gue to a seat on the platform.

Senator Donnan moved to take a recess of fifteen minutes to give an opportunity to become acquainted with the honorable and distinguished guests of the Twenty-first General Assembly.

Carried.

AFTER RECESS.

The Senate met after recess.

Senator Gatch moved to make Senate File No. 82, a bill for an act providing for the exemption after the year 1887 of homesteads from ordinary taxation to the value of \$1,000 a special order for Wednesday next at 3 P. M.

Carried.

The question recurring on motion of Senator Doud to make resolution offered by Senator Sutton, relative to committees to locate Soldiers' Home, special order for Friday next at 2:30 P. M.

Pending this there appeared in a body the Ex-Representatives of

former Assemblies and led by Hon. Reuben Noble, Speaker of the House of the Fifth General Assembly.

They were welcomed in appropriate words by the President of the Senate.

Senator Bolter moved that Senate now adjourn in honor of the visiting representatives of former General Assemblies.

Carried.

Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 25, 1886. }

The Senate met in regular session at 9 A. M.

The President of the Senate in the chair.

The journal of the previous day was read and approved.

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. 207, relating to the practice of medicine and surgery in this State.

Also bills for signature of Lieut-Governor.

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 of Representatives:

House Files Nos. 7, 233, 92, 32, 45, 278 and 491; Senate Files Nos. 253, 176 and 24.

J. K. POWERS, *Chief Clerk.*

PETITIONS AND MEMORIALS.

Senator Sweney presented resolution relative to butterine and other adulterated products of butter, from Worth County Farmers' Institute.

Referred to Committee on Agriculture.

INTRODUCTION OF BILLS.

By Senator Carson, Senate File No. 307, a bill for an act to authorize boards of directors of independent school districts and district townships to establish and maintain public school libraries.

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

By Senator Sutton, Senate File No. 308, a bill for an act to amend section 3770 of the Code of Iowa.

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

By Senator Duncan, Senate File No. 309, a bill for an act to repeal section 814, chapter 1, title 6 of the Code, relating to the deduction of debts owing from moneys and credits before assessment.

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

By Senator Caldwell, Senate File No. 310, a bill for an act to amend section 296 of the Code, in relation to a quorum and adjournment of boards of supervisors.

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

By Senator McDonough, Senate File No. 311, a bill for an act to relieve the surviving members of the 37th Regiment, Iowa Infantry, known as the Gray Beards.

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

By Senator Clark, Senate File No. 312, a bill for an act to cure defects of description in the land certificate and patent No. 10759 of the State of Iowa to John W. Lytle, conveying lands in Page county, Iowa.

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

HOUSE MESSAGES.

The Senate took up and considered joint resolution relative to fixing hours for post-office service, with House amendment, concurring therein.

House File No. 47, a bill for an act to amend section 1091 of Code of 1873, providing for incorporation of trades unions and other organizations of labor.

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

House File No. 147, a bill for an act to amend section 866 of Code, relating to collection of sidewalk and dog taxes.

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

House File No. 61, a bill for an act enlarging offences against morality and decency.

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

House File No. 207, a bill for an act to regulate the practice of medicine and surgery in the State of Iowa.

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

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 42, 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 have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, another bill on the same subject having been reported.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

On motion of Senator Woolson, Senate File No. 42, 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, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

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

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 144, a bill for an act establishing the supreme court at the seat of government and providing officers 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 bill be amended as follows:

In section 1, so that the first clause thereof, shall read "the supreme court shall be held at the seat of government, and shall convene and hold four terms each year, one of which shall commence on the first Tuesday of March, one on the first Tuesday of June, one on the first Tuesday of October and one on the first Tuesday of December."

Also, in the same section insert after the word "session" in line twenty-five, (eight of printed bill) the words "so far as practicable."

Also, in same section strike from lines thirty, thirty-one and thirty-two, (ten of printed bill) the words "and the consideration and determination shall be by the court."

Also, in section 3, from line ten, strike the word "second" and insert instead the word "first" and from line eleven in the same section, strike the word "September" and insert the word "October" in lieu thereof, and thus amended that the bill do pass.

G. S. ROBINSON, *Chairman*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House File No. 132, a bill for an act legalizing the organization of the independent school district of Bertam, in Linn county, Iowa, and find the same correctly enrolled.

House File No. 32, a bill for an act to legalize the incorporation of the town of Little Sioux, Harrison county, Iowa.

House File No. 45, a bill for an act to legalize the incorporation

of the town of Bayard, in Guthrie county, Iowa, the election of officers, and all acts done and ordinances passed by the council of said town.

House File No. 278, a bill for an act to legalize the incorporation of the town of Adair, in Adair county, Iowa, and the acts of the officers thereof.

House File No. 491, a bill for an act to provide for the payment of the expense of the committee appointed to visit the State institutions.

And find the same correctly enrolled.

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined House File No. 7, a bill for an act to amend chapter 58 of the acts of the Seventeenth General Assembly, relating to the refunding of the outstanding bonded debt of counties, cities and towns, at lower rates of interest.

House File No. 92, a bill for an act to legalize the incorporation of the town of Rolfe in Pocahontas county, Iowa, the election of officers and all acts done and ordinances passed by the council of said town.

House File No. 233, a bill for an act to amend section 1381 of the Code.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

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

MR. PRESIDENT—Your Committee on Agriculture to whom was referred Senate File No. 267, a bill for an act to prevent and to punish fraud in the sale of cattle, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the word "cattle" wherever it occurs in the title or the body of the bill and insert the words "live stock" in lieu thereof and as amended it do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture to whom was referred Senate File No. 181, a bill for an act to amend chapter 4, title 11, of the Code of 1873, in relation to 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 recommendation that it be indefinitely postponed.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate Files Nos. 53, and 93, bills for an act to create an insurance and banking department, and to provide for the appointment of a commissioner thereof, and to define his duties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation

that the enclosed substitute be adopted in lieu thereof, and when so adopted that it do pass.

BEN MCCOY, *Chairman*.

Ordered passed on file.

Senator Parrott, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred House File No. 54, a bill for an act to amend chapter 27, laws of the Nineteenth General Assembly, relating to the printing and distribution of public documents, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

MATT. PARROTT, *Chairman*.

Ordered passed on file.

Senator Clarke, 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. 65, a bill for an act establishing a police commission, etc., beg leave to report that they have had the same under consideration, and a majority have instructed me to report the same back to the Senate without recommendation.

A minority consisting of Senators Johnson and Schmidt request me to report that they were in favor of the indefinite postponement of the bill.

T. E. CLARK, *Chairman*.

Ordered passed on file.

MINORITY REPORT.

MR. PRESIDENT—The undersigned, a minority of the committee to whom was referred Senate File No. 65, a bill for an act to provide for the appointment of police commissioners and policemen, and to define their duties, are unable to concur in the report of the majority thereon, and recommend instead that the bill do not pass.

The bill proposes to place the control of the entire police force of the municipalities of the State in the hands of the Governor, and to leave the people, for whose protection that force is constituted and by whom the expense of its support must be paid, without share in its administration.

It is unrepblican and reactionary. The whole scheme of republican government is based upon and is justified by the capacity of the people for self control. The affairs of the nation are therefore directed by the whole people, while the affairs of each locality are remitted to the people of that locality. This plan of government is commended by more than a century of experience. The best illustration of its wisdom is to be found in the history of our great cities. The flagrant abuses which have at times discredited their administration, have been the result of lodging too much authority with boards not directly amenable to those over whom they exercised control, and the redress of those abuses has come, in every instance, from the direct action of the people. The reason is evident. Every form of mal-administration involves, sooner or later, an increase of taxation, and

can therefore never survive the patience of the tax-payers. The people do not need protection against themselves, whatever abuses they commit; they are themselves the sufferers, and this is the self-acting check in free governments which preserves the just balance between the liberty of the individual and the security of the State.

These suggestions we know are trite. They are the well-worn arguments by which is justified "a government of the people, for the people, and by the people," and they are repeated here, because every argument in favor of such a government is an argument against such a measure as the majority propose.

The tend of the time is in the opposite direction. Laws are demanded by the almost unanimous voice of the people for the domestication of foreign corporations, for the sole purpose of withdrawing them from the jurisdiction of courts constituted by the central authority of the federal government, and bringing them within the jurisdiction of courts constituted directly by the people. The board of Railway Commissioners has for eight years been made up by appointment of the Governor, and the experience of those years has led to the demand for its election by the people. If the people can be safely entrusted with charge of the important interests to be affected by these measures, and we believe they can, they can be as safely entrusted with the administration of their own police.

To secure at the same time the liberty of the individual and the welfare of society, is the vexed problem of civilized government. The certain apprehension and prompt punishment of criminals requires the delegation of large discretionary powers to those appointed for the preservation of the public peace, and a certain risk of the abuse of those powers cannot be avoided. This risk is, however, reduced to a minimum when the persons entrusted with these powers are responsible to the people among whom and over whom they are exercised.

Under such a system the citizen is protected against an arbitrary exercise of police power, because the police officer knows that he will not be tolerated in office after an abuse of his functions. Independent of the people the policeman will prove arrogant, rather than vigilant, and zealous to serve those by whom rather than those over whom he is appointed.

The efficiency of a popular police is not less than that of a police constituted by the central authority of the State. The self interest of the citizen is the guarantee for this. Abundant proof of the fact may be found by comparison with the countries of Europe. This bill copies their system of police, but person and property are not more secure there than here.

The bill is defended upon the ground that a large portion of our people are either opposed or indifferent to the execution of the laws relating to the sale of intoxicating liquors, and that the power of the State against the people must be increased in proportion to their resistance to its authority. With us the people are the State, and general resistance to laws of uniform operation should lead rather to careful inquiry respecting their justice and policy than to the adoption of harsh and unrepblican methods for their enforcement. As an abstract proposition, all laws should be enforced, and this might seem to justify the employment of any and all means neces-

sary to that end. But government is not an abstract science. It has to deal with human nature and must be considerate of human shortcomings and infirmities. It cannot afford to be harsh and unjust. "In a Republic even the right must not be brought about in the wrong way." We submit that whatever law cannot be enforced upon a free people by methods suited to the genius of a free government is either untimely or unjust. The majority must rule, but not by arbitrary sway. Every law, every formality of judicial procedure, is an admission by the majority themselves of the justice of this limitation.

The argument that the force by which a law is backed shall be increased in a ratio with the dissent from it arrogates to a meagre majority of one the highest possible authority. This is in direct conflict with the principle of majority rule, for it inheres in that principle, that the greater the majority the greater the respect that is due to their decisions. We approve no violations of law, we claim no prerogative of disobedience for a minority however large it may be, but we insist that the means employed to punish those violations and overcome that disobedience cannot be justified alone by the end, but must be justified by themselves. If the policy sought to be enforced is a sound one it will lose nothing by pursuing the ordinary methods of the law. Radical changes cannot be at once effected in the every day customs of a people. To be sure they must be slow. Habits can be revolutionized only when character is weak.

Thirty years ago prohibition was adopted as the policy of this State. The prohibition upon the use of strong liquors has during all that time been absolute, and it has been at the option of localities to prohibit the milder beverages. When that law was enacted no one questioned the capacity of our people for self government to its fullest extent. The years that have elapsed have been years of marvelous growth and development in every sphere and mode of human activity. The higher civilization resulting has questioned the faculties of the people, and upon their character the refining agencies of the fireside and the school room, of the press and the pulpit, have impressed their beneficial influence. Despite all this it is urged that the people are less fitted than thirty years ago for the responsibilities of free citizenship. We are not convinced that the policy of prohibition has been so demoralizing in its influence as its friends imply, and therefore record ourselves against this attempt to deprive the people of the right to local self government.

WILLIAM O. SCHMIDT.

G. L. JOHNSON,

Of the minority of the Senate Committee on the Suppression of Intemperance.

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. 263, a bill for an act amendatory of chapter 143, acts of the Twentieth General Assembly, relating to intoxicating liquors and providing for the more effectual suppression of the illegal sale of intoxicating liquors and the abatement of nuisances, 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 following amendments:

Strike out the words "to prove" in the 11th line of section one of printed bill, and add in lieu thereof, the words "for purpose of proving;" strike out all after the word "paid" in the 4th line of section six, printed bill, and add in lieu thereof, the words "to the defendant;" strike out in the 5th line of section seven, printed bill, "in the future" and insert in lieu thereof, the words "therein within the period of one year thereafter." Immediately after the word "again" in the 3d line of section nine, printed bill, insert the words "directly or indirectly." In same section, beginning with the word "or" in 4th line, strike out all up to and including the word "with" in the 4th line of printed bill, and inserting "in" in lieu of the word "with;" also, strike out the words "less than three nor" in the seventh line of same section strike out the word "five" in the 7th line of same section and add in lieu thereof, the word "three."

And as thus amended with the recommendation that the same do pass.

T. E. CLARK, *Chairman.*

Ordered passed on file.

MINORITY REPORT.

MR. PRESIDENT—The undersigned, a minority of your committee to whom was referred Senate File No. 268, would respectfully recommend that the bill do not pass.

The manifest design of the bill is to deny to persons accused of violating the law relating to the sale of intoxicating liquors, the mode of trial prescribed by the Constitution for all criminal cases. It is insisted by those who approve the prohibitory liquor law that it is, while on the statute books, as much entitled to the respect and obedience of all our citizens as any other legislative mandate, but this bill goes much farther, and demands in its behalf a surrender of all the rights reserved by the people to themselves in the Bill of Rights. The extraordinary methods, the summary proceedings and the severe punishments proposed by this bill, impeach the wisdom of the entire code of criminal procedure. The methods of the law recognized to be sufficient to protect our people against direct perils to the person and property, ought to be sufficient to protect them against the consequences of their own habits. We know of no reasons for so broad a difference as this bill makes in the methods by which different penal laws are to be executed. This bill, if it formulates a wise policy, should be made applicable to all infractions of the penal code. That it is not so applied we accept as conclusive evidence that its terms and provisions are not suggested by considerations of sound principles of jurisprudence, but are dictated solely by the considerations of the exigencies of the particular policy involved.

This bill, so far as it requires the injunction proceedings to be instituted in the first instance by the prosecuting officers of the State, we believe it to be an improvement in the law as it now stands, but there is nothing else in the bill that we approve. We will briefly specify our principal objections. It is provided that if the prosecution suc-

ceeds, the prosecutor shall be entitled to an attorney's fee of twenty-five dollars, to be taxed as costs against the defendant, but for some reason, not explained and not consistent with fair dealings, while the defendant, if he succeeds, must nevertheless pay his own attorney's fees. There is another objection to this provision; it holds out to the prosecuting officer a pecuniary motive to convict, when, as the representative of the State, he should be impartial.

Bad reputation is admissible in evidence against the defendant; this makes evidence of mere rumor, of idle and malicious gossip. A temporary injunction is authorized without bond if demanded by plaintiff's attorney. This is the only instance that we know of in which the demand of a litigant is made the rule of judicial decision; in many instances it would work irreparable injuries and hardships. It is easy to perceive how a perfectly lawful industry might be ruined, and the defendant left without recourse or remedy. The penalty for the infraction is unwarrantably severe; it far transcends the limits of jurisdiction for summary punishment as fixed by our Constitution. The limitations of the Constitution are certainly, in spirit, and we believe in letter, applicable to contempt proceedings, for these are everywhere held to be criminal in their nature. Owners of buildings are held to a responsibility for the acts of their tenants; that is equally unjust and onerous. On conviction of their tenants it closes their buildings against any use whatsoever for a period of one year, unless forsooth the owner is able and will secure the costs of the proceedings against his tenant; and this, although he may have been without knowledge of the acts of his tenant.

Section nine of the bill provides imprisonment in the penitentiary for five years, as the punishment on second conviction, after having been enjoined. Experience has proven that even a penalty so severe as this does not always deter from law breaking; by way of rounding out and perfecting the bill, we recommend an amendment affixing the death penalty for the third offense.

The purpose of section ten we understand to be to so change the law as to make common carriers transporting liquors to persons not authorized to receive the same, responsible, whether they act knowingly or innocently. A guilty intent is the essence of every crime, but by this bill it is made immaterial, and punishment is inflicted upon those who neither intended nor had knowledge of the act for which they are punished; to mitigate this evil the bill introduces another. The authority conferred upon carriers and peace officers to break open and inspect the contents of every package that enters into the commerce of the State is totally inconsistent with our institutions. In practice it will impede travel and commerce and encourage espionage of the basest and most despicable character.

Section twelve is the fitting cap-stone to this structure of injustice, tyranny and oppression. The exemption from all executions allowed by the liberal spirit of our laws for the benefit of a debtor's family are entirely taken away from those convicted of offences against this law. For the many specific exemptions allowed by our laws against all other judgments, whether in civil or criminal proceedings, there is here substituted as exemption so much of the property of the defendant, as to the court may seem necessary for the support of the

defendant's family for six months, after that the bill cares not how they get their support, or whether they get it at all. The family of the man convicted of cold blooded murder may retain his homestead however valuable, and personal effects that may amount to thousands of dollars in value, and this they may hold not only against the costs incurred by the State in his prosecution, but even against demands of the victim's family for compensation for the loss they have sustained. The like property of a man convicted against this particular law is taken from a needy wife and helpless children to pay the fees of the lawyer and the moiety of the informer.

A bill thus offending everything that is liberal and humane in our institutions at once condemns itself and the policy it is invoked to enforce.

Respectfully submitted,

WILLIAM O. SCHMIDT,
G. L. JOHNSON,

of the Senate Committee on Suppression of Intemperance.

BILLS ON SECOND READING.

Senate File No. 229, a bill for an act to amend chapter 44 of the laws of the session of the legislature of the territory of Iowa, approved December 18, 1843, incorporating the Aspen Grove Cemetery Association of Burlington, and conferring upon it authority to acquire real estate, with report of committee recommending amendments and do pass, was taken up, considered, and the report of the committee was adopted.

Senator Dodge 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, Bolter, Caldwell, Carr, Carson, Chambers, Chesebro, Clark, Deal, Dodge, Donnan, Doud, Duncan, Gatch, Gault, Henderson, Hendrie, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Stephens, Sweney, Underwood, Whaley, Wolfe, Woolson and Young—34.

The nays were, none.

Absent or not voting:

Senators Burdick, Casey, Cassett, Chubb, Dooley, Earle, Glass, Johnson, Knight, Reiniger, Schmidt, Scott, Sutton, Weber, Whiting and Wilkin—16.

So the bill passed and the title was agreed to.

The Senate took up and considered the resolution by Senator Sutton, relative to location of the Soldiers' Home.

Senator Doud withdrew pending motion to make special order, and moved to postpone further consideration to Friday.

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

Relative to appointment of joint committee to prepare suitable resolutions in reference to pioneer law makers' reunion.

J. K. POWERS, *Chief Clerk.*

The Senate resumed consideration of Senate File No. 185, a bill for an act to amend section 982, of the Code, relating to highways, with report of committee recommending indefinite postponement.

Senator Young moved to refer bill to the Committee on Judiciary. Carried.

Senator Stephens moved to reconsider the vote by which resolution relative to locating the Soldiers' Home was postponed to Friday.

Carried.

The question recurring on the adoption of the resolution it was adopted.

Senate File No. 158, a bill for an act to amend section 3793, of the Code, with reference to compensation of deputy treasurers, with report of committee recommending that it do pass, was taken up and considered.

The bill was ordered engrossed, and read a third time to-morrow.

Senate File No. 60, a bill for an act to amend sections 2783 and 4423 of the Code of Iowa, relative to restricting counsel as to time in argument in both civil and criminal cases, with report of committee recommending that it do pass, was taken up and considered.

The bill was ordered engrossed and read a third time to-morrow.

Senate File No. 234, a bill for an act to amend sections 2008 and 2371, Code of Iowa, and to make all the property of a decedent liable for reasonable funeral charges, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 232, a bill for an act to confer upon certain persons and members of committees therein named, power to make arrests, and have the authority of peace officers, as provided by chapter 11, of title 25 of the Code of 1873, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate File No. 147, a bill for an act to amend section 7 of chapter 123, of the Eighteenth General Assembly, in relation to catching fish, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate file No. 203. a bill for an act to amend section 6, chapter 70, of the Sixteenth General Assembly, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate file No. 218, a bill for an act to authorize cities and incorporated towns to erect and maintain fish dams across the outlets of meandered lakes, and to provide punishment for the injury or destruction of the same, with report of committee recommending that it do pass, was taken up and considered.

On motion, Senators Bolter, Dooley and Gault were excused for the day.

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 Barrett, Bayless, Bloom, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Dodge, Donnan, Doud, Duncan, Gatch, Henderson, Hendrie, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Stephens, Sutton, Sweney, Underwood, Whaley, Wilkin, Wolfe, and Woolson—35.

The nays were, none.

Absent or not voting:

Senators Bolter, Burdick, Cassatt, Deal, Dooley, Earle, Gault, Glass, Hutchison, Reiniger, Schmidt, Scott, Weber, Whiting and Young—15.

So the bill passed and the title was agreed to.

On motion of Senator Woolson the Senate took up and considered House concurrent resolution relative to joint committee for ceremonies of veteran legislators.

Senator Wilkin moved to amend number of whole committee by striking out the word "five" and inserting "six," and striking the word "two" and inserting "three" as number of Senate committees.

Carried.

Senate File No. 230, a bill for an act to prevent persons from igniting and exploding dynamite and other explosives, in rivers, creeks and streams, near dams, embankments and other structures, and to provide a punishment therefor, with report of committee recommending amendments, and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Chubb offered the following amendment:

Insert after the word structures in the seventh line, section 1, the words: "or for the purpose of finding the bodies of any person who may have been drowned.

Adopted.

Senator Hutchison 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, Caldwell, Carr, Casey, Chesebro, Chubb, Clark, Dodge, Donnan, Duncan, Earle, Gatch, Henderson, Hutchison, Johnson, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Schmidt, Stephens, Sweney, Underwood, Whaley, Wilkin, Wolfe, Woolson and Young—30.

The nays were, none.

Absent or not voting:

Senators Bolter, Burdick, Carson, Cassatt, Chambers, Deal, Dooley, Doud, Gault, Glass, Hendrie, Knight, Reiniger, Scott, Sutton, Weber and Whiting—20.

So the bill passed.

Senator Whaley moved that title be amended to read as follows:

A bill for an act to prevent persons from igniting or exploding dynamite and other explosives in rivers, creeks, streams, ponds or lakes, and to provide a punishment therefor.

Carried.

So the title was agreed to.

Senate File No. 235, a bill for an act relating to the trial of equitable actions with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate File No. 28, a bill for an act to repeal section 2, chapter 27, acts of the Seventeenth General Assembly, and providing for the election of Railroad Commissioners, with report of majority of committee recommending amendment and that it do pass, was taken up and passed on file.

Senate File No. 22, a bill for an act to require children between the ages of seven and fifteen years to attend school, and to provide for the appointment of truant officers to compel attendance, with report of Committee recommending a substitute, and that it do pass, was taken up and considered, and the report of the committee was adopted.

Senator Woolson moved to make bill and substitute special order for next Wednesday at 2:30.

Carried.

House File No. 86, a bill for an act to amend section 457 of the Code of 1878, relating to regulations against fire, with report of committee recommending that it do pass, was taken up and considered.

Senator Gatch moved to recommit bill.

Carried.

Senate File No. 135, a bill for an act to amend section 514 of the Code, relating to selecting officers for incorporated towns, with report of committee recommending amendments and do pass, was taken up, considered, and the report of the committee was adopted.

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 Barrett, Bayless, Bloom, Caldwell, Carr, Carson, Casey, Chesebro, Chubb, Clark, Dodge, Duncan, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Sweney, Underwood, Whaley, Wilkin, Wolfe and Woolson—28.

The nays were:

Senators Donnan, Earle and Hendrie—3:

Absent or not voting:

Senators Bolter, Burdick, Cassatt, Chambers, Deal, Dooley, Doud, Gault, Glass, Henderson, Johnson, Reiniger, Schmidt, Scott, Stephens, Sutton, Weber, Whiting and Young—19.

So the bill passed and the title was agreed to.

Senate File No. 171, a bill for an act to amend section 5, of chapter 171, of the laws of the Nineteenth General Assembly, relating to the sale of idemnity lands with report of committee recommending

amendment, and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Robinson moved to amend and to strike out the words "not exceeding eight" and insert the words "not less than six."

Carried.

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 Barrett, Bayless, Bloom, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Hendrie, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Stephens, Sweney, Underwood, Whaley, Wilkin, Wolfe and Woolson—35.

The nays were, none.

Absent or not voting:

Senators Bolter, Cassatt, Dooley, Gault, Glass, Henderson, Johnson, Reiniger, Schmidt, Scott, Sutton, Weber, Whiting and Young—15.

So the bill passed and the title was agreed to.

Senate File No. 31, a bill for an act providing for giving to cities and incorporated towns, parts of fines imposed by the mayors in the enforcement of the penal laws of the State, in the city or town, and within two miles of the limits thereof, with report of committee, recommending amendments and do pass, was taken up, considered, and the report of the committee was adopted.

Senator Woolson moved that the bill be passed on file.

Carried.

Senator Gatch moved that the vote by which House File No. 86 was committed be reconsidered.

Carried.

Senator Gatch moved to amend by adding the following:

Amend by striking out the word "thereon" in the fourth line, and inserting in lieu thereof the word "therein."

Carried.

Senator Gatch 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, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Clark, Deal, Dodge, Donnan, Doud, Earle, Gatch, Henderson, Hendrie, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Stephens, Underwood, Wilkin, Wolfe, and Woolson—31.

The nays were:

Senators Bloom, Bolter, Burdick, Cassatt, Chubb, Dooley, Duncan, Gault, Glass, Reiniger, Ryder, Schmidt, Scott, Sutton, Sweney, Weber, Whaley, Whiting, and Young—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 concurred in Senate amendment to resolution relating to joint committee to prepare resolutions in reference to pioneer law makers' reunion.

J. K. POWERS, *Chief Clerk.*

Senator Woolson offered the following resolution:

Resolved, That the Senate do now proceed to consider the bills upon to-day's calendar, which have been reported with recommendation for indefinite postponement, commencing with Senate File No. 8, and that whenever the author of any bill shall object to its immediate consideration, or is absent, the bill shall pass on file without further action at this time.

Adopted.

Senate File No. 8, a bill for an act to require swine having died of cholera to be either buried or burned upon the premises, and to provide penalties for failure to comply with the provisions of this act, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 153, a bill for an act to amend section 1498 of the Code of 1873, in relation to partition fences, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 202, a bill for an act to amend section 1507, chapter 4, title 11, of the Code, concerning partition fences, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 201, a bill for an act to amend section 1, chapter 139 of the laws of the Eighteenth General Assembly, relative to independent school districts, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate File No. 139, a bill for an act to amend section 976 of the Code, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

REPORT OF A COMMITTEE.

Senator Deal 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. 176, a bill for an act to amend section 3791 of the Code of Iowa, relating to compensation of county supervisors.

Senate File No. 253, a bill for an act to enable cities to aid in the construction of highway bridges over navigable boundary rivers of the State of Iowa.

Senate File No. 24, a bill for an act to amend section 1419 of the Code, relating to the discharge of non-residents, insane.

House File No. 132, a bill for an act legalizing the organization of the independent school district of Bertram, in Linn county, Iowa.

House File No. 32, a bill for an act to legalize the incorporation of the town of Little Sioux, Harrison county, Iowa.

House File No. 45, a bill for an act to legalize the incorporation of the town of Bayard, in Guthrie county, Iowa, the election of officers, and all acts done and ordinances passed by the council of said town.

House File No. 278, a bill for an act to legalize the incorporation of the town of Adair, in Adair county, Iowa, and the acts of the officers thereof.

House File No. 491, a bill for an act to provide for the payment of the expenses of the committees appointed to visit the State institutions.

House File No. 7, a bill for an act to amend chapter 58 of the acts of the Seventeenth General Assembly, relating to the refunding of outstanding bonded debt of counties, cities and towns at lower rates of interest.

House File No. 92, a bill for an act to legalize the incorporation of the town of Rolfe, in Pocahontas county, Iowa, the election of officers, and all acts done and ordinances passed by the council of said town.

House File No. 233, a bill for an act to amend section 1381 of the Code.

JNO. K. DEAL, *Chairman.*

The Chair named as members of joint committee on commemorative resolutions, Senators Donnan, Woolson and Knight. |

On motion the Senate adjourned to 2:30 P. M.

AFTERNOON SESSION.

1:30 O'CLOCK P. M.

The Senate met at 1:30 P. M. pursuant to adjournment.

Senator Donnan from the joint committee on commemorative resolutions reported as follows:

RESOLUTIONS.

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

That as representatives of the people of Iowa here assembled, we extend to the survivors of the pioneer Territorial and State legislatures now re-assembled, our sincere and hearty congratulations.

That we note with great pleasure the complete success of this, their first reunion, and hope it may be the precursor of many such for each and every one of them.

That we recognize in the members of this reunion, the reliable and successful founders and builders of the grand system of wise and humane laws which have contributed so much to the prosperity, character and greatness of our grand commonwealth.

That we refer with pride to their example as legislators and express the conviction that if we and our successors continue to build as wisely and as well as they began, the future contains a long vista of honor, wealth and happiness for our people.

That we will cherish this occasion of commingling with our old-time leaders and legislators as a most happy incident in our lives; that we devoutly invoke for them each and all continued enjoyment in this visit, a safe return to their homes, a sunlit pathway for the remainder of their earthly existence, and finally the ineffable blessings of the life beyond.

W. G. DONNAN,

J. S. WOOLSON,

W. J. KNIGHT,

Committee on the part of the Senate.

N. B. HOLBROOK,

L. A. RILEY,

R. H. SPENCER,

Committee on the part of the House.

Senator Robinson filed a motion to reconsider the vote by which House File No. 86 was passed, also moved the reconsideration of the vote by which the rule was suspended and said House File was ordered to a third reading.

On motion the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, February 26, 1886. }

The Senate met in regular session at 2 P. M.

The President of the Senate in the chair.

Prayer by Rev. J. B. Stewart.

The journal of previous day was read and approved.

PETITIONS AND MEMORIALS.

Senator Johnson presented a petition from citizens of Bellevue asking a law to prohibit the sale of bogus butter and cheese, and asking for a dairy commission.

Referred to Committee on Agriculture.

Senator McCoy presented petition from citizens of Oskaloosa, Iowa, protesting against the action of the House in the passage of the bill regulating the practice of medicine and surgery, where it interferes with or abridges the right of certain practitioners known as magnetic healers, to use as curative agents magnetism, electricity and water.

Referred to Committee on Medicine, Surgery, Hygiene and Pharmacy.

Senator Cassatt presented petition of Jasper Nye and other citizens

of Marion county, Iowa, asking for the enactment of a law providing for State series of text books for schools.

Referred to Committee on Schools.

Senator Scott presented petition of W. M. Starr and fifty-seven other citizens of Maxwell, Iowa, for a soldiers' home.

Referred to Committee on Military.

Senator Gault presented petition asking the Twenty-first General Assembly to accept the proposition offered in the Parrott bill, Senate File No. 239, and also in House File No. 458, to furnish school books at one-half present prices.

Referred to Committee on Schools.

Senator Dodge presented petition from citizens of Burlington and members of Typographical Union and Trades and Labor Association of that city asking for the passage and acceptance of the proposition in the Parrott bill, Senate File No. 239 and House File No. 458, to furnish school books at one-half present prices.

Referred to same committee.

Senator Miles presented petition of sixteen citizens of Allerton, Wayne county, asking a law granting franchise to women in all municipal elections, and extending suffrage to women the same as men in the appointment of electors for President and Vice-President.

Referred to Committee on Suffrage.

Senator Hutchison presented petition of citizens of Ottumwa asking that the present method of selecting railroad commissioners be continued except that the appointment be approved by the Senate, and that further power be given them to enforce their decisions.

Referred to Committee on Railroads.

Senator Stephens presented memorial from farmers' alliance of Union county, asking that the office of Railroad Commissioner be made elective.

Referred to Committee on Private Corporations and ordered printed.

Senator Gatch presented petition of citizens of Iowa asking for the suppression of sensational literature, whether illustrated or otherwise.

Referred to Committee on Judiciary.

Senator Gatch, petition and memorial and resolutions of Clara E. Nichols and 36 others, members of Kinsman Woman's Relief Corps, praying for the erection by the State of a soldiers' home.

Referred to Committee on Military.

Senator Casey presented petition of John Sax and D. McCulloch of Lee county, Iowa, asking for the betterment of the school law.

Referred to Committee on Schools.

INTRODUCTION OF BILLS.

By Senator Bolter, Senate File No. 313, a bill for an act to legalize the incorporation and ordinances of and to correct errors in the proceedings and acts incorporating the town of Dunlap, in Harrison county, Iowa.

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

By Senator Young, Senate File No. 314, a bill for an act authoriz-

ing boards of supervisors in any county to appoint deputy county treasurer in certain cities not county seats.

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

By Senator Earle, Senate File No. 315, a bill for an act to amend section 400 of the Code of 1873.

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

By Senator Casey, Senate File No. 316, a bill for an act to amend section 835 of the Code of 1873, relating to tax liens upon real estate as between vendor and purchaser.

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

By Senator Chubb, Joint Resolution No. 8, relative to the appointment of an agent for the collection of any money that may be due the State of Iowa from the United States on claims that have been heretofore disallowed for money advanced by the State during the civil war.

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

SPECIAL ORDER.

The hour having arrived for special order, being on Senate File No. 106, a bill for an act to amend section 4413 of the Code of Iowa, relating to peremptory challenges of jurors in criminal cases, Senator Robinson moved special order be continued to next Tuesday at 3:15 P. M.

Lost.

Senator Casey offered a substitute for Senate File No. 106.

On motion the substitute was lost.

The hour having arrived for second special order, it being on Senate File No. 113, a bill for an act to amend section 2584 of the Code of 1873, relating to where insurance companies bring certain actions, with report of majority of committee recommending indefinite postponement, Senator Wolfe moved that consideration be postponed to next Friday at 3 o'clock.

Carried.

The Senate resumed consideration of Senate File No. 106.

Senator Glass offered the following amendment:

Amend by striking out the word "death" in the fourth line all following up to, and including the word "challenges" in the same line, and inserting in lieu thereof the following: "the State shall be entitled to ten per-emptory challenges and the defendant to twenty."

Lost.

Senator Gatch moved that the bill be recommitted and on this the yeas and nays were demanded.

The yeas were :

Senators Barrett, Carr, Carson, Casey, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Gault, Glass, Hutchison, Knight, McDonough, Parrott, Poyneer, Robinson, Scott, Sweney, Underwood, Whaley, Wolfe and Woolson—26.

The nays were:

Senators Bayless, Bloom, Bolter, Caldwell, Cassatt, Chesebro, Dodge, Dooley, Earle, Henderson, Hendrie, Johnson, McCoy, Miles, Ryder, Schmidt, Stephens, Sutton, Whiting, Wilkin and Young—21.

Absent or not voting:

Senators Burdick, Weber, Reiniger—3.

So the motion to recommit prevailed.

Senator Robinson moved that the vote by which House File No 86, was passed, be reconsidered.

Carried.

Senator Robinson moved that the vote by which the rule was suspended, and the bill ordered to a third reading be reconsidered.

Carried.

On motion of Senator Robinson the bill was recommitted.

By leave Senator Barrett introduced Senate File No. 317, a bill for an act to validate county bonds outstanding April 11, 1884.

The bill was 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 Barrett, Bayless, Bloom, Bolter, Carr, Carson, Chesebro, Chubb, Clark, Deal, Donnan, Dooley, Doud, Duncan, Gatch, Henderson, Hendrie, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Underwood, Whaley, Whiting, Wilkin and Young—34.

The nays were, none.

Absent or not voting :

Senators Burdick, Caldwell, Casey, Cassatt, Chambers, Dodge, Earle, Gault, Glass, Parrott, Reiniger, Sutton, Sweney, Weber, Wolfe and Woolson—16.

So the bill passed and the title was agreed to.

COMMUNICATIONS ON PRESIDENT'S TABLE.

The Chair submitted additional report of Dr. Gilman of Mt. Pleasant Hospital for Insane.

Referred to Committee on Hospitals for the Insane, and ordered printed.

Senator McDonough asked unanimous consent to reconsider vote by which Senate File No. 83 was indefinitely postponed.

Carried.

Ordered passed on file.

By leave, Senator Stephens introduced Senate File No. 318, a bill for an act to amend section 384 of the Code and to provide for consolidation of townships heretofore divided.

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

REPORTS OF COMMITTEES.

Senator Caldwell, from the Committee on Medicine, Surgery, Hygiene and Pharmacy, submitted the following report:

MR. PRESIDENT—Your Committee on Medicine, Surgery, Hygiene and Pharmacy, to whom was referred House File No. 207, a bill for an act to regulate the practice of medicine and surgery in the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

T. J. CALDWELL, *Chairman.*

Ordered passed on file.

On motion Senator Caldwell made special order for next Thursday at 8 P. M.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 216, a bill for an act to legalize the levy of certain taxes in Crawford 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 the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 122, a bill for an act to provide for the greater protection of the property of minors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, a bill of the same purport having already passed the Senate.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 159, a bill for an act permitting garnishees to interpose defenses 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.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 167, a bill for an act to provide for the appointment of short hand reporter in the superior courts of the State, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the same be amended in the third section by strik-

ing out the words "Iowa State," and inserting instead the words "Des Moines"; and so amended that the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Senator Carson, from the Committee on Judicial Districts, submitted the following report :

MR. PRESIDENT—Your Committee on Judicial Districts, to whom was referred Senate File No. 78, a bill for an act to provide for the election of county attorneys, define their duties and fix their salaries, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with recommendation that the accompanying substitute be adopted, and that when adopted it do pass; and that the proposed substitute be printed.

GEO. CARSON, *Chairman*.

Ordered passed on file.

Senator Bloom from the Committee on State Library, submitted the following report:

MR. PRESIDENT—Your Committee on State Library, to whom was referred Senate File No. 288, a bill for an act fixing the compensation of State Librarian and assistants, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

MOSES BLOOM, *Chairman*.

Ordered passed on file.

Senator Bloom moved that Senate File No. 288, a bill for an act fixing compensation of the State Librarian and assistants, with report of committee recommending it do pass be taken up now.

Lost.

And ordered passed on file.

BILLS ON THIRD READING.

Senate File No. 158, a bill for an act to amend section 3793 of the Code, with reference to compensation of deputy treasurers, was taken up for third reading.

Read a third time, and

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bloom, Caldwell, Carr, Carson, Casatt, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Wilkin, Wolfe and Young—37.

The nays was:

Senator Bolter—1.

Absent or not voting:

Senators Burdick, Casey, Chambers, Duncan, Earle, Knight, Reinger, Ryder, Weber, Whaley, Whiting, and Woolson—12.

So the bill passed and the title was agreed to.

Senate File No. 60, a bill for an act to amend sections 2783 and 4423 of the Code of Iowa relative to restricting counsel as to time in

argument in both civil and criminal cases, was taken up for third reading.

Read a third time, and

On the question, shall the bill pass.

The yeas were :

Senator Bayless, Caldwell, Carr, Carson, Casey, Chambers, Chubb, Clark, Dodge, Donnan, Doud, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Scott, Stephens, Sutton, Sweney, Underwood, Whiting, Wilkin, Wolfe and Young—35.

The nays were :

Senators Bolter, Chesebro, Dooley and Johnson—4.

Absent or not voting :

Senators Barrett, Bloom, Burdick, Cassatt, Deal, Duncan, Reiniger, Schmidt, Weber, Whaley and Woolson—11.

So the bill passed and the title was agreed to.

Senator Poyneer moved to take up House File No. 136, a bill for an act to amend section 1507, of the Code of 1873.

Carried.

The bill was taken up and on motion re-committed.

BILLS ON SECOND READING.

Senate File No. 107, a bill for an act exempting cemeteries from assessment for local improvement, with report of committee recommending it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Knight 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, Bolter, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Poyneer, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Whaley, Whiting, Wilkin, Wolfe and Young—42.

The nays were, none.

Absent or not voting:

Senators Burdick, Deal, Parrott, Reiniger, Ryder, Schmidt, Weber and Woolson—8.

So the bill passed and the title was agreed to.

Senate File No. 254, a bill for for an act to provide for the purchasing of stationery, blank books and desk furniture for the use of the various State officers, by the Secretary of State, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

Pending this Senator Woolson offered the following resolutions and asked that they be now considered:

WHEREAS, At the reunion assembly of members of Territorial and former General Assemblies of Iowa, Hon. James L. Mitchell was

upon yesterday stricken with death while in the midst of his eloquent and patriotic address, and,

WHEREAS, it is fitting that the present General Assembly record its recognition of the services which Judge Mitchell, while a citizen of Iowa, rendered to the State and his worth as one of its valued legislators and patriots, therefore,

Resolved by the Senate, the House concurring, That the people of Iowa recall with affectionate remembrance the personal worth and eminent public virtues which characterized the life of Hon. James L. Mitchell, while an honored citizen of this State. That his unflagging devotion to her best interests, and the patriotism which ever animated him as a private citizen, a legislator and a soldier, merit and receive our cordial recognition and highest praise, and in common with the citizens of the State he has honored with his later residence, we mourn the loss of his living example and active present usefulness.

That a committee of three from the Senate and three from the House be appointed to act with a committee of the re-union Assembly to accompany the remains to place of interment, and that a copy of these resolutions be forwarded to the family.

The resolutions were adopted by a unanimous rising vote.

The Senate resumed consideration of Senate File No. 254.

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.

Senator Donnan moved that vote by which rule was suspended and bill ordered to a third reading be reconsidered.

Carried.

Senator Donnan offered the following amendment:

Strike out in the fourth and fifth lines of section 1 the following words: "office stationery, blank books, or desk furniture," and insert in lieu thereof the word "supplies."

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 Barrett, Bayless, Bloom, Bolter, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Johnson, Knight, McCoy, McDonough, Miles, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sweney, Underwood, Whaley, Whiting, Wilkin, Wolfe and Woolson—42.

The nays were, none.

Absent or not voting:

Senators Burdick, Hendrie, Hutchison, Parrott, Reiniger, Sutton, Weber and Young—8.

So the bill passed and the title was agreed to.

MESSAGE FROM THE GOVERNOR.

The following communication was received from the Governor at the hands of his private Secretary:

STATE OF IOWA, EXECUTIVE DEPARTMENT, }
DES MOINES, February 28, 1886. }

MR. PRESIDENT—I am instructed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of State, the follows:

Senate File No. 253, an act to enable cities to aid in the construction of highway bridges over navigable boundary rivers of the State of Iowa.

Senate File No. 176, an act to amend section 3791 of the Code of Iowa, relating to compensation of county supervisors.

FRED. W. HOSSFELD, *Private Sec'y.*

Senate File No. 250, a bill for an act authorizing the purchase and transfer to the State Library at Des Moines, the library of the late Stephen J. W. Tabor, of Independence, Iowa, and making an appropriation to pay for the same, with report of committee recommending that it do pass, was taken up and considered.

Senator Donnan moved that the bill stand referred to Committee on Appropriations, with instruction to report back at earliest day practicable.

Carried and so referred.

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 resolution relating to the death of Hon. James L. Mitchell and appointment of a joint committee.

Also, That the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 444, relating to the operation of voluntary arbitration tribunals.

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

Substitute for House File No. 57.

House File No. 80.

J. K. POWERS, *Chief Clerk.*

RESOLUTION.

Senator Sutton offered the following resolution:

Resolved, That the time fixed for the Committee on Appropriations to report bill be extended to the 15th day of March next.

Adopted.

Memorial and joint resolution No. 5, relative to the establishment of an additional military academy in the northwest, with report of

committee recommending it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Carson 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 Barrett, Bayless, Bloom, Bolter, Caldwell, Carr, Carson, Casey, Cassatt, Chesebro, Deal, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Whaley, Whiting, Wilkin, Wolfe and Young—41.

The nays were, none.

Absent or not voting:

Senators Burdick, Chambers, Chubb, Clark, Dooley, Knight, Reiniger, Weber and Woolson—9.

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

Senator Sutton moved that vote by which Senate File No. 158 was passed be reconsidered, and also that vote by which rule was suspended and bill ordered to a third reading be reconsidered.

Carried.

Senator Sutton offered a substitute, and moved that the rules be suspended, and the substitute be considered engrossed, and read a third time now, which motion prevailed, and the substitute was read a third time.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bloom, Caldwell, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—41.

The nays were:

Senator Bolter—1.

Absent or not voting:

Senators Bayless, Burdick, Carr, Clark, Poyneer, Reiniger, Ryder and Weber—8.

So the bill passed and the title was agreed to.

Senate File No. 43, a bill for an act to prohibit the traffic in hogs infected with swine cholera and to prevent the spread of the same, with report of committee recommending amendments and it do pass, was taken up, considered, and the report of committee was adopted.

Senator Stephens moved that 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 Bloom, Bolter, Caldwell, Carr, Carson, Casey, Chambers, Chubb, Deal, Dodge, Donnan, Doud, Earle, Gatch, Gault, Hendrie, Hutchison, Knight, McCoy, McDonough, Miles, Poyneer, Scott, Ste-

phens, Sutton, Sweney, Whaley, Wilkin, Wolfe, Woolson and Young—31.

The nays were:

Senators Chesebro, Underwood and Whiting—3.

Absent or not voting:

Senators Barrett, Bayless, Burdick, Cassatt, Clark, Dooley, Duncan, Glass, Henderson, Johnson, Parrott, Reiniger, Robinson, Ryder, Schmidt and Weber—16.

So the bill passed and the title was agreed to.

Senate File No. 94, a bill for an act to provide for and require the trimming of certain hedge fences, with report of committee recommending amendments and that it do pass, was taken up, and on motion recommitted.

Senator Sutton asked leave to call up, at some future time, the motion to reconsider the vote by which Senate File No. 365 was indefinitely postponed.

Granted.

The chair announced as the committee to accompany the remains of Hon. Jas. L. Mitchell, Senators Carson, Poyneer and Gault.

Senator Woolson offered the following resolution:

Resolved, That the Governor is hereby requested to return to the Senate for its further consideration, Senate File No. 24.

Adopted.

Senator Deal, 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:

Substitute for House File No. 57, a bill for an act to legalize the proceeding of the boards of supervisors of Muscatine and Louisa counties, in locating and constructing a levee on Muscatine Island in said counties, and provide for an assessment of the costs thereof on the lands benefitted thereby.

House File No. 80, a bill for an act to legalize the incorporation of the town of Ruthven, Palo Alto county, Iowa, the election of its officers, and the acts done, and ordinances passed by the council of said town.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman*.

On motion the Senate adjourned to 2 P. M., on Monday.

SENATE CHAMBER,
DES MOINES, IOWA, March 1, 1886. }

The Senate met in regular session at 2 P. M.
The President of the Senate in the chair.
The minutes of the previous day were read and approved.

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:

Substitute House File No. 111, to authorize cities of the first class to provide for the construction of sewers.

Substitute House File No. 194, to amend chapter 192, acts of the Twentieth General Assembly.

Also:

Concurrent resolution relating to a joint convention of the Senate and House to select a location for the proposed soldiers' home.

Also:

That the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 556, a bill for an act to cede jurisdiction to the United States in certain lots in the city of Keokuk, Iowa.

J. K. POWERS, *Chief Clerk.*

PETITIONS AND MEMORIALS.

Senator Scott presented memorial of Jason D. Ferguson Post No. 81, G. A. R., in favor of establishing a home for indigent soldiers and sailors.

Referred to Committee on Military.

Also, memorial of J. J. Sullivan and others asking legislation on the screen evil.

Referred to the Committee on Mines and Mining.

Senator Bayless presented petition of citizens of Iowa asking legislation to reduce passenger fares and other regulation.

Referred to the Committee on Railroads.

Senator Dooley presented petition of forty-eight citizens of What Cheer, Keokuk county, and from ninety citizens of Jasper and Clinton counties, asking the Twenty-first General Assembly to adopt such measures necessary to amend the constitution of our State so as to remove all discriminations on account of sex in the exercise of the elective franchise.

Referred to the Committee on Suffrage.

Senator Bayless presented petition of citizens of Clayton county on same subject.

Referred to the Committee on Suffrage.

Also, from members of Diamond Center Alliance asking for the

passage of the free pass bill by Hon. G. L. Finn of Taylor county, and the bill by Senator Bayless of Clayton county, which cuts down first class passenger fare to 2½ cents per mile; also the anti discrimination bill by Hon. N. H. Holbrook.

Referred to the Committee on Railroads.

Senator Chambers presented petition of citizens of Cedar county asking for the extension of suffrage to women in municipal elections; also in selection of electors for president and vice-president of the United States.

Referred to the Committee on Suffrage.

Senator Barrett presented petition of citizens of Sioux City asking the continuance of the present method of selecting railroad commissioners, except that the appointments be approved by the Senate, and that further powers be granted the commission to enforce its decisions.

Referred to the Committee on Railroads.

Senator Young presented petition of citizens of Cass County, asking for a law giving lower rates on all freights; that all railroads be prohibited from issuing passes to any person; also give the people a railroad law with schedule rates as under the "Grange law," and that the railroad commissioners be elected with full and complete powers to enforce the law.

Referred to the Committee on Railroads.

Also, petition from forty-two citizens of Iowa, asking that the revenue law be so amended as to permit the assessor in assessing horses, cattle, and all other personal property, to allow a credit on the assessment for the amount of debts owing by the party assessed, the same as is now by law permitted on moneys and accounts.

Referred to the Committee on Ways and Means.

Senator Clark presented petition from Page county, asking the passage of a law allowing the board of supervisors to increase the salary of deputy county officers, where in their judgment it may appear just and equitable.

Referred to the Committee on Compensation of Public Officers.

Senator Chubb presented petition of citizens of Clay county, asking the Twenty-first General Assembly to take such steps as are necessary to amend the constitution of the State of Iowa so as to remove all discrimination on account of sex in the exercise of the elective franchise.

Referred to the Committee on Suffrage.

On motion, Senators Donnan, Stephens, Woolson, Dodge, Burdick, Hutchison and Duncan were excused.

INTRODUCTION OF BILLS.

By Senator Sweney, Senate File No. 319, a bill for an act to repeal chapter 26, of the acts of the Fifteenth General Assembly, and section 1433, of the Code, and to enact a substitute thereof, in relation to the support of insane.

Read a first and second time and referred to the Committee on Hospitals for Insane.

By Senator Wolfe, Senate File No. 320, a bill for an act to amend

section 9, of the laws of the Sixteenth General Assembly, relating to mechanic's liens.

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

By Senator Robinson, Senate File No. 321, a bill for an act to legalize the acts of the judges of the circuit courts in authorizing the sales, conveyances, and other transfers of property and of interests therein by administrator, executors and guardians, and to legalize sales and other transfers so authorized.

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

By Senator Sutton, Senate File No. 322, a bill for an act for appropriation for the Benedict Home.

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

By leave, Senator Sweney introduced by request, Senate File No. 323, a bill for an act for the appointment of three treasury inspectors and prescribing their duties and compensation.

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

RESOLUTION.

Senator Johnson offered the following resolution:

THAT, WHEREAS, on Thursday, February 25, two minority reports were introduced in the Senate to Senate Files Nos. 263 and 265, and ordered printed, that the Secretary of the Senate holds the receipt of the State Printer as having received the same on said date for printing; and

WHEREAS, Senate Files Nos. 307, 309, 310 and 311, were introduced on the same day and went to the State Printer at the same time with said minority reports, and that the same were printed and placed on the desks of the Senators, Saturday, February 27; and

WHEREAS, On the 26th day of February, Senate Files Nos. 312 to 318, inclusive, were placed in the hands of the State Printer by the secretary of the Senate, and the same were returned printed on February 27; and that

WHEREAS, The Secretary of the Senate has been this day informed by the State Printer that the printed copies of said minority reports would not be printed and returned to the Senate to day, March 1st. It is therefore apparent that said State Printer is ignoring the orders of the Senate, and showing a discrimination and partiality in the matter, and order in which he is obeying the orders of the Senate; therefore be it

Resolved, That Geo. E. Roberts be requested to communicate to the Senate why said minority reports are not printed in the order in which they are received from the Senate, and why bills received at a later date have been printed out of their order.

Senator Young moved reference to Committee on Printing,

On this yeas and nays were demanded:

The yeas were :

Senators Barrett, Caldwell, Chambers, Chesebro, Chubb, Clark, Deal, Doud, Gatch, Glass, McCoy, McDonough, Miles, Poyneer, Robinson, Sweney, Underwood, Wilkin and Young—19.

The nays were:

Senators Bayless, Bolter, Carr, Dodge, Dooley, Earle, Gault, Henderson, Johnson, Ryder, Whaley, Whiting and Wolfe—13.

Absent or not voting:

Senators Bloom, Burdick, Carson, Casey, Cassatt, Donnan, Duncan, Hendrie, Hutchison, Knight, Parrott, Reiniger, Schmidt, Scott, Stephens, Sutton, Weber and Woolson—18.

So the resolution was committed.

Senator Scott offered following resolutions:

WHEREAS, In answer to the appeals of patriotism and humanity, at a period when thousands of orphans were annually thrown upon the care of the State by the casualties of war, there was a great public charity established and known as "the soldiers' orphans' home," which has been at large expense to the State maintained during the period of its necessity; and

WHEREAS, Such necessity no longer exists; but instead thereof it is found that from exposure and casualties incident to army life, as well as from increasing years and growing infirmities, many deserving soldiers of the Nation who are now citizens of Iowa have become incapable of self-support, thus making strong appeals again to our humanity and patriotism; and

WHEREAS, The said soldiers' orphans' home has been largely diverted from its original patriotic purpose, and is now only sheltering such a limited number of soldiers' orphans as might readily find real homes among families which would gladly adopt them if further relief were needed in that direction; therefore

Resolved, That a special committee of three be appointed by the President of the Senate to inquire into the feasibility of converting the said soldiers' orphans' home into a home for indigent soldiers and sailors of the war for the suppression of the rebellion, and of the Mexican war, said committee to report by bill or otherwise.

Senator Sutton moved to refer to Committee on Military.

Lost.

On the question of adopting the resolution the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bolter, Carr, Casey, Chambers, Chesebro, Chubb, Doud, Earle, Gault, Glass, Hendrie, McDonough, Poyneer, Robinson, Scott, Stephens, Sweney and Whiting—20.

The nays were:

Senators Caldwell, Carson, Clark, Deal, Dodge, Dooley, Gatch, Johnson, McCoy, Miles, Ryder, Sutton, Underwood, Whaley, Wilkin, Wolfe and Young—17.

Absent or not voting:

Senators Bloom, Burdick, Cassatt, Donnan, Duncan, Henderson, Hutchison, Knight, Parrott, Reiniger, Schmidt, Weber and Woolson—13

HOUSE MESSAGES.

House File No. 444, a bill for an act to authorize the creation and to provide for the operation of tribunals of voluntary arbitration to adjust disputes between employers and employed.

Read a first and second time.

Senator McCoy moved that the bill be ordered to a third reading.
Carried.

Substitute for House File No. 111, a bill for an act to amend chapter 162 of the acts of the Seventeenth General Assembly, in relation to authorizing cities of the first class to provide for the construction of sewers, additional to Code, chapter 10, title 4, concerning cities and incorporated towns.

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

Substitute for House File No. 194, a bill for an act amendatory of chapter 192, acts of Twentieth General Assembly.

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

The Senate took up and considered House concurrent resolution relative to location of soldiers' home:

Resolved by the House, the Senate concurring, That after the different localities or candidates with their propositions have reported or entered their claims for the location of the soldiers' home with the joint committee, that the Senate and House hold a joint convention and determine the location by ballot.

Referred to Committee on Judiciary.

House File No. 550, a bill for an act to cede jurisdiction over certain lands owned by the United States government in the city of Keokuk, Lee county.

On motion of Senator Casey 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, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Clark, Deal, Dodge, Dooley, Doud, Earle, Gatch, Gault, Glass, Henderson, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Scott, Suttor, Sweney, Underwood, Whiting, Wilkin, Wolfe and Young—33.

The nays were, none.

Absent or not voting:

Senators Bloom, Bolter, Burdick, Cassatt, Chubb, Donnan, Duncan, Hendrie, Hutchison, Johnson, Knight, Reiniger, Schmidt, Stephens, Weber, Whaley and Woolson—17.

So the bill passed and the title was agreed to.

Senator Wilkin filed motion to reconsider vote by which Senate File No. 43 was passed, and also moved to reconsider vote by which rule was suspended and bill ordered to a third reading, and also moved that Secretary be requested to instruct House to return same.
Carried.

REPORT OF COMMITTEES.

Senator Wilkin, 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. 130, a bill for an act

making appropriations for the Institution for the Deaf and Dumb, beg leave to report that they have had the same under consideration and recommend the amendments below shown, and have instructed me to report the same back to the Senate with the recommendation that when so amended it do pass. Amendments: Strike out fourth line. Strike out in fifth line "five thousand two hundred and nineteen dollars," and insert in lieu thereof "three thousand five hundred dollars." Strike out lines 7, 8, 9, 10, 11, 12 and 13. These amendments refer to printed copy.

ELI WILKIN, *Chairman.*

Ordered referred with bill to Committee on Appropriations.

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

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 154, a bill for an act to regulate the organization and operation of mutual benefit associations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass when amended as follows: In section 7, fourth line, before the word "heir" add "husband, wife, relative, legal representative." In the same section strike out the word "organized" at end of sixth line and insert the word "operating." In section 8, after the word "receipts," in fifth line, add the words "from each assessment and all other sources." In sixth line of same section strike out the words "its last" and insert the word "each" instead. In section 9 strike out the word "the" in fourth line. In same section strike out the words "appraised at not less than double the amount loaned thereon," in fifth and sixth lines, and insert in lieu thereof the words "not to exceed forty per cent of the appraised value thereof exclusive of improvements." In same section after the word "invest" at end of eighth line, add the words "in real estate in Iowa." In ninth line of same section, after the word "for" add "its accommodation in." Also strike out the word "in" at end of ninth line and "real estate in Iowa" in tenth line of same section. Strike out all of section 11 after the word "collected" in fourth line. In section 13 strike out the word "or" after the word "value" in fourth line and insert the word "of" in place thereof. In the twenty-fifth line of same section after the word auditor strike out the words "a person" and insert instead the words "an attorney." Strike out sections twenty-one and twenty-two entire and substitute therefor the following:

Section 21. Nothing in this act shall be construed to apply to any secret fraternal society, nor any association organized solely for benevolent purposes and composed wholly of members of any one guild, occupation, profession or religious denomination: *Provided*, that every such society or association shall make the annual report hereinafter required: *Provided*, that any such organization named above in this section may, if it so desires, become incorporated under and entitled to all the privileges and amenable to the obligations of this act.

Sec. 22. All acts or parts of acts conflicting with this act are

hereby repealed. *Provided*, that nothing in this act shall be construed to affect insurance companies known as fixed or level premium companies.

In section 23, strike out the word "State" before the word "*Leader*" in the second line and insert the word "*Des Moines*" instead. It is also recommended that the bill be printed as amended.

BEN MCCOY, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 57, a bill for an act to regulate the organization and operation of mutual benefit assessment 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 it be indefinitely postponed.

BEN MCCOY, *Chairman*.

Ordered passed on file.

Senator Caldwell, from the Committee on Medicine, Surgery, Hygiene and Pharmacy submitted the following report:

MR. PRESIDENT—Your Committee on Medicine, Surgery, Hygiene and Pharmacy, to whom was referred the request of the commissioners of pharmacy, asking the appointment of a special committee to visit and examine into acts and methods of said commission in the discharge of its official 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 statement that we find no cause for such investigation; we therefore return the request without recommendation.

T. J. CALDWELL, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 219, a bill for an act repealing sections 10, 11, 12 and 13 of chapter 77 of the acts of the Seventeenth General Assembly and prohibiting railroad corporations from discriminating in furnishing cars or in transporting property, and prohibiting unreasonable charges for transporting persons or property, and providing penalties and remedies for any violation of any of the provisions of this act, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass with the following amendment: Insert the word "unjust" before the word "discrimination" in tenth line of section 2 of the printed bill.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 41, a bill for an act amending sections 10 and 13 of chapter 77 of acts of the Seventeenth General Assembly, and prohibiting railroad companies from discrimination in furnishing

cars or in transportation of property and extortionate charges for the transportation of persons and 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, for the reason that the same matter is fully covered by another bill under consideration.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred concurrent resolution relative to requesting our senators and representatives in Congress to secure the passage of a national law providing for the appointment of a board of inspectors or commissioners to examine and license all railway engineers and conductors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

Senator Gatch, 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. 308, a bill for an act to amend section 3770, of the Code of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Compensation of Public Officers to whom was referred Senate File No. 268, a bill for an act to amend sections 3755, 3756, 3757, 3758 and 3760 of the Code, and section 2, of chapter 117, laws of the Nineteenth General Assembly, relating to salaries of deputy State officers and Governor's private secretary, beg leave to report that they 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 substituting fifteen for eighteen in the several sections, and that there be added the following: The compensation of fifteen hundred dollars per annum shall be in full for all compensation to such deputy State officer and they shall receive no other compensation from the State for any services whatever while acting as such deputy, and as amended that it do pass.

C. H. GATCH, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Agriculture to whom was referred Senate File No. 121, a bill for an act to prevent deception in the manufacture and sale of imitations of butter and cheese, beg leave to report that they have had the same under consideration and have

instructed me to report the same back to the Senate with the recommendation that

Section 4, be amended by adding the following proviso, to wit: *Provided*, that this section shall not be deemed to apply to persons who have the same in their possession for their actual use or consumption. That

Section 5 be amended by striking out all after the word "maker" in the ninth line thereof. That

Section 7 be amended by changing the word "without" in the second line to the word "with" to conform with the original bill. That

Section 10 be amended by striking out the word "two" in the third line thereof, and inserting the word "one" in lieu thereof. That

Section 10 be further amended by inserting after the word "dollars" in line three the words "or by imprisonment not exceeding thirty days." That

Section 11 be amended by striking out the words "and biennially thereafter" in the first and second lines thereof. That it be further amended by striking out the words "of each even numbered year" in the fifth line thereof. That it be further amended by striking out the words "and until his successor is appointed and qualified" in the sixth line thereof. That

Section 12 be amended by inserting the words "eighteen hundred" in the blank in the first line thereof. That the words "six hundred" be inserted in the blank in the seventh line thereof. That

Section 13 be amended by striking out all after the word "act" in the second line, up to and including the word "council" in the fifth line thereof. That it be further amended by transposing the words "which he shall deem of public importance" in the eighth and ninth lines, and inserting them after the word "act" in the eighth line thereof. That

Section 16 be amended by adding thereto the following: "It shall be the duty of the district attorney, upon the application of the Dairy Commissioner, to attend to the prosecution, in the name of the State, of any suit brought for violation of any of the provisions of this act within his district, and in case of conviction he shall receive twenty-five per cent of fines collected, which shall be in addition to any salary he may receive, to be taxed as costs in the case." That

Section 17 be amended by inserting the words "thirty thousand" in the blank in the first line thereof, and as amended it do pass.

A. N. POYNEER, *Chairman.*

Referred to Committee on Appropriations.

Senator Glass from the Committee on Schools submitted the following report:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 249, a bill for an act to amend section 1725, chapter 9, title 12, of the Code, in regard to the number of pupils for which a room may be rented and a teacher employed, beg leave to report 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 substitute herewith presented and attached be

adopted in lieu of said bill, and that when said substitute is so adopted that the same do pass.

JOHN D. GLASS, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred joint resolution No. 8, relative to the appointment of an agent for the collection of any money that may be due the State of Iowa from the United States on claims that have been heretofore disallowed for 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 do pass.

CHAS. C. CHUBB, *Chairman.*

On motion of Senator Scott joint resolution No. 8, relative to the appointment of an agent for the collection of any money that may be due the State of Iowa from the United States on claims that have been heretofore disallowed for money advanced by the State during the civil war, with report of committee recommending it do pass, was taken up, considered, and on the question shall the joint resolution be ordered to a third reading, 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 concurred in Senate resolution relative to Senate Military Committee and House Soldiers' Home Committee, locating site for Soldiers' Home, with amendment.

J. K. POWERS, *Chief Clerk.*

BILLS ON SECOND READING.

Senate File No. 243, a bill for an act to repeal chapter 160, laws of the Nineteenth General Assembly, relating to restoration of territory in school districts, with report of committee recommending that it do pass, was taken up.

Senator Chambers offered a substitute.

Pending consideration of motion to commit, Senator Whaley moved to take up House messages.

Carried.

The Senate took up and considered Senate concurrent resolution with House amendment, relative to location of Soldiers' Home.

So the resolution was concurred in.

Senator Whaley moved to concur in House amendment.

Pending this the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 2, 1886. }

The Senate met in regular session at 2 P. M.

The President of the Senate in the chair.

Prayer by Rev. J. W. Taylor.

The journal of previous day was read in part.

Senator Johnson moved that further reading of the journal be dispensed with.

Carried.

Senator Johnson moved that Senate consider Senate concurrent resolution with House amendment, relative to joint committee on location of soldiers' home.

Carried.

Senator Wolfe moved the previous question and the Senate seconded the same.

The question recurring on the main question.

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 :

Substitute for House File No. 88, legalizing the orders and ordinances of the town of Seymour, Wayne county, Iowa.

House File No. 91, legalizing the establishment of highways in Pochontas county.

House File No. 317, to validate county bonds outstanding April 11, 1884.

House File No. 329, to legalize acts and ordinances of Morning Sun, Louisa county, Iowa.

House File No. 345, to legalize acts board supervisors of Pottawatamie county.

House File No. 353, to legalize certain orders and judgments of circuit courts and judges thereof.

House File No. 390, to legalize the organization of the township of Lincoln, O'Brien county.

House File No. 413, to legalize the incorporation of Guthrie Center, Iowa.

House File No. 428, to legalize ordinances of the town of West Side, Crawford county, Iowa.

House File No. 448, to legalize the acts of A. G. Smith, while acting as justice of the peace.

House File No. 452, to legalize the sale of certain school lands in Webster county, Iowa.

House File No. 484, to legalize the incorporation of Paulina, O'Brien county, Iowa.

House File No. 503, to legalize the acts of school boards of Plumb Grove and Plainview, Bloomfield Township, Polk county, Iowa.

House File No. 544, to legalize ordinances of Rock Rapids, Iowa.

House File No. 546, to legalize the acts of board of supervisors of Poweshiek county, Iowa.

House File No. 77, relating to levy of attachments and executions on personal property.

House File No. 338, to repeal section 2740 of the Code, and enact a substitute therefor.

Also, the House has passed without amendment,

Senate File No. 229, relating to the Aspen Grove Cemetery Association of Burlington, Iowa.

J. K. POWERS, *Chief Clerk.*

Senator Woolson presented a memorial of W. L. Brooks Post, G. A. R., Batavia, Iowa, for the erection of a soldiers' home.

Referred to Committee on Military.

Senator Weber presented a petition of Gen. Lyon Post, G. A. R., at Clarion, Iowa, on same subject.

Same reference.

Senator Dodge presented petition of citizens of Des Moines county (Middletown), asking for the adoption of such measures as are necessary to amend the Constitution of our State so as to remove all discriminations on account of sex in the exercise of the elective franchise.

Referred to Committee on Suffrage.

Senator Bolter presented a petition of citizens of Harrison county, asking for the suppression of the circulation of all corrupting and sensational literature.

Referred to Committee on Judiciary.

Senator Schmidt presented a petition of Local Assembly No. 2744, Knights of Labor, of Davenport, favoring the Cassatt bill, the abolition of convict contract labor, the eight hour law, the arbitration instead of militia in adjusting differences between labor and capital, the prohibition of child labor, the compulsory education, and that the State furnish all school books, prohibition of railroad discrimination; demand the abolition of the tramp law, that makes it a crime to be poor, and favor the Hutchison bill to equalize taxation.

Referred to Committee on Labor.

Also, of 21 business men and firms of Davenport, asking for the repeal of State Oil Inspector law.

Referred to Committee on Commerce.

Senator Doud presented a petition of citizens of Jasper county, asking for the enacting of a free text-book law, providing that boards of directors shall purchase with public funds school text-books for the schools within their jurisdiction.

Referred to Committee on Schools.

INTRODUCTION OF BILLS.

By Senator Miles from the Committee on Mines and Mining, Senate File No. 324, a bill for an act to authorize the creation, and to

provide for the operation of tribunals of voluntary arbitration to adjust industrial disputes between employers and employed.

Read a first and second time and passed on file.

By Senator Deal, Senate File No. 325, a bill for an act to apportion the State into senatorial districts, and declaring the ratio of representation.

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

By Senator Doud, Senate File No. 326, a bill for an act repealing section 3787, Code of 1873, and enacting a substitute therefor, in relation to fees of clerk.

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

By Senator Doud, by request, Senate File No. 327, a bill for an act to amend section 3784, of Code of 1873, in relation to compensation of clerk of courts.

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

By Senator Cassatt, Senate File No. 328, a bill for an act to legalize the acts of the board of supervisors of Marion county in relation to the preservation of Government corners.

By Senator Caldwell, Senate File No. 329, a bill for an act to reorganize the congressional districts of the State.

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

By Senator Gatch, Senate File No. 330, a bill for an act requiring adoption of screens of specific description, in certain coal mines, and to prohibit changing the same under penalty, except on a prescribed date.

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

RESOLUTION.

Senator McDonough offered the following resolution:

Resolved by the Senate, the House concurring, That the joint committee having in charge the matters pertaining to a Soldiers' Home, be and the same is hereby instructed to consider and report as to the advisability of changing the Soldiers' Orphans' Home into a home for Iowa soldiers.

Adopted.

Senator Caldwell presented the following memorial:

To the Senate and House of Representatives of the Twenty-first General Assembly of Iowa:

In behalf of the officers and members of the Womans' Christian Temperance Union of Iowa, we do hereby memorialize your honorable body to adopt and refer an amendment to the Constitution of

Iowa, as therein provided, removing the political disabilities of women, and thus will we ever pray.

MRS. J. ELLEN FOSTER, *President.*

MRS. MARY J. ALDRICH, *Cor. Secretary.*

MRS. ANNA LEE MAHIN, *Rec. Secretary.*

MRS. MARTHA G. DAVENPORT, *Treasurer.*

MRS. MARTHA C. CALLANAN, *Supt. Dept. Fran.*

Senator Doud moved to reconsider the vote taken on March 1st, by which the resolution of the Senator from Story, John Scott, was adopted, appointing a special committee to visit the Orphans' Home at Davenport, to ascertain as to its advisability of changing the same to a soldiers' home.

Carried.

The hour having arrived for special order, it being Senate File No. 39, it was on motion deferred 15 minutes.

The President of the Senate submitted a letter in reference to location of soldiers' home.

Read and referred to Committee on Military.

The question recurring on the adoption of the resolutions by Senator Scott, Senator Johnson moved to strike out last section.

On motion of Senator Donnan, resolutions were referred to Committee on Military.

REPORT OF COMMITTEE.

Senator Miles, from the Committee on Mines and Mining, submitted the following report:

MR. PRESIDENT—Your Committee on Mines and Mining, have instructed me to report the bill found herewith, a bill for an act to authorize the creation and to provide for the operation of tribunals of voluntary arbitration to adjust individual disputes between employers and employed, and recommend that the same do pass.

LEWIS MILES, *Chairman.*

Ordered passed on file.

SPECIAL ORDER.

The hour having arrived for consideration of special order, it being on Senate File No. 39, a bill for an act requiring the prompt, faithful and impartial transmission and delivery of telegraph messages and limiting the compensation therefor, with report of committee recommending amendments and do pass, was taken up and considered.

The hour having arrived for second special order it being on a resolution instructing Committee on Ways and Means to report as to assessment of railroad property, it was taken up, and on motion of Senator Poyneer was made special order for Thursday at 2:30 P. M.

The Senate resumed consideration of Senate File No. 39.

On the question of adopting the report of the committee the yeas and nays were demanded.

The yeas were:

Senators Burdick, Caldwell, Carson, Clark, Deal, Gatch, Gault

Johnson, Knight, McCoy, Poyneer, Ryder, Schmidt, Stephens, Sweney, Underwood, Weber, Whaley and Wolfe—19.

The nays were:

Senators Bayless, Bolter, Carr, Casey, Cassatt, Chambers, Chesebro, Chubb, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Glass, Hendrie, McDonough, Miles, Robinson, Scott, Sutton, Whiting, Wilkin, Woolson and Young—25.

Absent or not voting:

□ Senators Barrett, Bloom, Henderson, Hutchison, Parrott and Reiniger—6.

So the amendment was lost.

Senator Miles offered the following amendment:

Strike out of section 1 in the 5th line from the word "and" to and including the word "company," and in the 6th line the words from and including the word "or" to and including the word "company," in the 7th line.

Adopted.

Senator Miles offered the following:

Amend section 2 by inserting the after word deliver in the 3d and 4th line of printed bill the following: "or when the person to whom the dispatch is addressed resides within the corporate limits of the city or town in which the office receiving the dispatch is located."

Lost.

Senator Johnson moved to amend section 1 by inserting words "and railroad companies" in 10th line after word "Iowa," and same words after word "newspapers" in 11th line.

Senator Chubb moved to amend the amendment by adding the words "in the matter of running their trains."

Carried.

The question recurring on the amendment by Senator Johnson the yeas and nays were demanded.

The yeas were:

Senators Bolter, Caldwell, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Gault, Glass, Hendrie, Johnson, Knight, McCoy, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Wilkin, Wolfe, Woolson and Young—29.

The nays were:

Senators Bayless, Burdick, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Earle, McDonough, Miles and Whiting—12.

Absent or not voting:

Senators Barrett, Bloom, Carson, Chambers, Henderson, Hutchison, Parrott, Reiniger and Sutton—9.

So the amendment was not agreed to.

Senator Johnson moved to strike words "one hundred" in 6th line of section 2, and insert words "ten."

The yeas and nays were demanded.

The yeas were:

Senators Burdick, Carson, Deal, Donnan, Doud, Duncan, Gatch, Gault, Hendrie, Johnson, Knight, McCoy, Peyneer, Robinson, Ryder, Schmidt and Whaley—17.

The nays were:

Senators Bayless, Bolter, Caldwell, Carr, Casey, Cassatt, Chambers,

Chesebro, Chubb, Clark, Dodge, Dooley, Earle, Glass, McDonough, Miles, Parrott, Scott, Stephens, Sweney, Underwood, Weber, Whiting, Wilkin and Young—25.

Absent or not voting:

Senators Barrett, Bloom, Henderson, Hutohison, Reiniger, Sutton, Wolfe and Woolson—8.

So the amendment was not agreed to.

Senator Woolson moved to amend by striking out the words "and pay one hundred dollars" and inserting the words "a sum not exceeding one hundred dollars, to be fixed by the court or jury finding the same," after the word "dispatch" in the sixth line.

Lost.

Senator Weber moved to strike out the word "twenty" in second and fourth lines of section 3, and insert the word "fifteen" in lieu thereof.

Senator Wolfe moved to amend by striking out "fifteen" and insert "ten".

Lost.

On the question, shall the amendment be adopted, the yeas and nays were called.

The yeas were:

Senators Bolter, Burdick, Caldwell, Carr, Carson, Cassatt, Chambers, Donnan, Doud, Duncan, Gatch, Gault, Glass, Hendrie, Johnson, Knight, McCoy, McDonough, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Wilkin, and Wolfe—30.

The nays were:

Senators Casey, Chesebro, Chubb, Dodge, Dooley, Earle, Miles, Sutton, Whiting, Woolson and Young—11.

Absent or not voting:

Senators Barrett, Bayless, Bloom, Clark, Deal, Henderson, Hutchison, Reiniger and Parrott—9.

So the amendment was not agreed to.

HOUSE MESSAGES.

Substitute for House File No. 88, a bill for an act legalizing the order and ordinances of the town of Seymour, Wayne county, Iowa.

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

House File No. 91, a bill for an act legalizing the establishment of highways in Pocahontas county.

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

House File No. 329, a bill for an act to legalize acts an ordinances of Morning Sun, Louisa county, Iowa.

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

House File No. 345, a bill for an act to legalize acts of board of supervisors of Pottawattamie county.

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

House File No. 353, a bill for an act to legalize certain orders and judgments of circuit courts and judges thereof.

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

House File No. 390, a bill for an act to legalize the organization of the township of Lincoln, O'Brien county.

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

House File No. 413, a bill for an act to legalize the incorporation of Guthrie Center, Iowa.

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

House File No. 428, a bill for an act to legalize the acts of the town of West Side, Crawford county, Iowa.

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

House File No. 448, a bill for an act to legalize the acts of A. G. Smith, while acting as justice of the peace.

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

House File No. 452, a bill for an act to legalize the sale of certain school lands in Webster county, Iowa.

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

House File No. 484, a bill for an act to legalize the incorporation of Paulina, O'Brien county, Iowa.

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 school boards of Plumb Grove and Plainview, Bloomfield township, Polk county, Iowa.

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

House File No. 544, a bill for an act to legalize ordinances of Rock Rapids, Iowa.

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

House File No. 546, a bill for an act to legalize the acts of board of supervisors of Poweshiek county, Iowa.

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

House File No. 77, a bill for an act relative to levy of attachments and executions on personal property.

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

House File No. 338, a bill for an act to repeal section 2740 of the Code and enact a substitute therefor.

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

House File No. 317, a bill for an act to validate county bonds outstanding April 11, 1884.

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

REPORTS OF COMMITTEES.

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. 40, a bill for an act amending section 16, of chapter 21 of the acts of the Twentieth General Assembly, relating to the filing of charges for the removal of State mine inspectors, beg leave to report 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.

LEWIS MILES, *Chairman.*

Ordered passed on file.

Senator Miles, from the Committee on Private Corporations submitted the following report:

MR. PRESIDENT—Your Committee on Private Corporations, to whom was referred Senate File No. 241, a bill for an act to amend section 2, chapter 59, acts of the Seventeenth General Assembly, requiring an additional statement from telegraph companies, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute for the said bill be adopted, and when adopted that it do pass.

LEWIS MILES, *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. 198, a bill for an act to repeal sections 1, 2, 3, 4, 5 and 6, of chapter 21, acts of the Twentieth General Assembly, and to enact a substitute therefor, relating to mines and mining, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be amended as follows: Amend by striking out section 1 of the bill and inserting the following in lieu thereof:

SECTION 1. That there shall be appointed by the Governor with the advice and consent of the Senate, three inspectors of mines, who shall hold their offices for two years. The said inspectors subject however to be removed by the Governor for neglect of duty or malfeasance in office. Said terms of office shall commence on the first day of April of each even numbered year. Said inspectors shall have a theoretical and practical knowledge of the different systems of working and ventilating coal mines, and of the nature and properties of the noxious and poisonous gases of mines, and of mining engineering; and said inspectors, before entering upon the discharge of their duties shall take an oath or affirmation to discharge the same faithfully and impartially, which oaths or affirmations shall be en-

dorsed upon their commissions, and their commissions so endorsed shall be forthwith recorded in the office of the Secretary of State, and such inspectors shall each give bonds in the sum of two (\$2,000) thousand dollars, with sureties to the approval of the Governor, conditioned for the faithful discharge of their duties. The Governor shall divide the State into inspection districts, and shall assign the inspectors to duty in such places or districts as he shall deem proper.

Amend section 2 by striking out of the 1st line of the printed bill the words, "chief inspector and the assistant" and insert in lieu thereof the word "said."

By striking out of the 8th line of said section (in the printed bill) the words "the assistant inspectors" and inserting in lieu thereof the word "they."

By striking out the words "chief inspector" whenever they appear in said section and inserting the words "commissioner of labor statistics" in lieu thereof. By striking out the words "of mines" in the 25th line of said section in the printed bill.

By striking out all the words commencing with and including the word "management" in the 29th line and ending with and including the word "mine" in the 30th line and inserting the following words in lieu thereof, "mine where a fatal accident occurs." By striking out the word "assistant" in the 19th and 20th lines of said section in the printed bill.

Amend section 3 by striking out the words "chief inspector" in line 2 of the printed bill and inserting in lieu thereof the words "commissioner of labor statistics."

By striking out of the 4th line the words "himself and his assistants" and inserting in lieu thereof the words "mine inspectors."

Amend section 4 by striking out all of that portion of the section prior to and including the word "annum" in the 5th line of the printed bill and inserting the following in lieu thereof: "The inspectors provided for in this act shall each receive a salary of fifteen hundred dollars per annum, payable monthly, and shall be furnished with necessary stationery, and actual traveling expenses not to exceed five hundred dollars per annum." Strike out all that part of said section after and including the word "he" in the 9th line of the printed bill.

Amend section 5 by striking out the word "chief" in the first line of the printed bill.

By striking out of the 4th line of the printed bill the words "chief inspectors" and inserting in lieu thereof the word "Governor."

By striking out of the 5th line of the printed bill the words "his assistants."

By striking out all that part of the section after the word "State" in the 7th line of the printed bill, and when so amended that it do pass.

LEWIS MILES, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Agriculture to whom was referred Senate File No. 94, a bill for an act to provide for and require

the trimming of certain hedge fences, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with recommendation that section 1 be amended by striking out all of said section after the word "feet" in the third line thereof and inserting the words "at any time the same may be trimmed in each year between the first day of April and the first day of October."

That section 5 be stricken out and the following enacted as a substitute therefor, to-wit:

SEC. 5. No provisions of this act shall be construed to require thereunder the trimming of any hedge fence, the object of which shall be to give protection to a residence lot, stock lot or orchard, or where trimmed to be saved for posts, nor to require an osage orange hedge to be trimmed until after it has been planted five years; *provided*, that the provisions of this act shall be construed to apply only to hedge fences made of the osage orange or buck thorn.

A. N. POYNEER, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 283, a bill for an act in relation to canned or preserved food, beg leave to report that they 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 "knowingly" between the words "to" and "offer," in the second line thereof. That it be further amended by striking out of section 3 the words "and all goods imported or to be imported from foreign countries of foreign manufacture." That section 4 be stricken out and the following enacted as a substitute therefor, to-wit:

SEC. 4. Any packer or dealer who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor and punished by a fine of not more than fifty dollars for each offense, in the case of retail dealers; and in the case of wholesale dealers and packers by a fine of not less than five hundred dollars nor more than one thousand dollars for each offense. The terms "packer" and "dealer," as used in this act, shall be deemed to include any firm or corporation doing business as a dealer in or packer of the articles mentioned in this act. It shall be the duty of any board of health in this State, cognizant of any violation of this act, to inform the district attorney, whose duty it shall be to institute proceedings against any person who is charged with a violation of the provisions of this act, and in case of conviction shall receive twenty-five per cent of the fines actually collected, which shall be in addition to any salary he may now receive under the law.

A. N. POYNEER, *Chairman*.

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. 80, a bill for an act to amend section 1551 of 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 a majority have instructed me to report the same back to the Senate with the following amendments: After the word "before" in the 6th line of section 1551, printed bill, insert the words "any magistrate or any." In the 10th line of same section printed bill, after the word "district" insert the words "or county," and as thus amended, with the recommendation that the same 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. 91, a bill for an act for the control of the traffic in intoxicating liquors, and the suppression of intemperance, and an act to amend chapter 6, title 11 of the Code, relating to intoxicating liquors, and providing for the right and privilege of cities of the State of Iowa to license, or prohibit the sale of intoxicating liquors therein, and to repeal all acts or parts of acts contravening the provisions of this act, 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 not 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. 297, a bill for an act repealing chapter 6, title 11 of the Code of 1873, and all amendments thereto, and enacting in lieu thereof a provision for levying a tax upon the occupation of dealing in intoxicating liquors, providing for the collection thereof, and prescribing penalties for the violation thereof, 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 bill 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. 115, a bill for an act to amend section 4044 of the Code of 1873, beg leave to report that they have had the same under consideration, and a majority have instructed me to report the same back to the Senate with the recommendation that it do pass.

T. E. CLARK, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Suppression of Intemperance, to whom was referred Senate File No. 114, a bill for an act to amend section 1539 of the Code of 1873, beg leave to report that they have had the same under consideration, and a majority have instructed me

to report the same back to the Senate with the recommendation that it do pass.

T. E. CLARK, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 30, a bill for an act providing that persons may [be] held to answer indictments found by district attorneys, or Attorney-General, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 10, a bill for an act repealing sections 231, 4256, and 4291, and enacting substitutes therefor, relating to the grand jury and reducing the number of grand 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 the accompanying substitute be adopted, and that when adopted it do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 66, 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, beg leave to report 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, as follows:

1. In section 1, line two, after the word "State" insert the words "or of any Territory."
2. In same line, after the words "United States" insert the words "or of any foreign country."
3. In line 4, of same section, strike out the figure "4" and insert instead the figure "6."
4. In same section, line 9, after the first word "State," insert the words "said application to contain a stipulation that said permit shall be subject to each of the provisions of this act."
5. From same section strike out all after the word "State" in line thirteen.

Change the figure "4" in section 4, line 2, to the figure "6."

And when so amended a majority of the committee recommend that the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Senator Woolson from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor to whom was referred Senate File No. 6, a bill for an act to prohibit the employment of children under fifteen years of age in mines, factories or workshops, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that with the following amendments, viz: That the word "fifteen" in line one, section 1; line three, section 4; line five, section 6; line eight, section 8, be stricken out, and the word "fourteen" be inserted. That section 5 be amended by adding the following words: "Any child under fourteen years of age can lawfully be employed two months in each year at some light and healthful work, in factories and workshops, provided the inspector or sub-inspector shall investigate the employment at which the child is to be placed, and if he believes the work will not be harmful and that the child's health will permit, a certificate to this effect shall be issued by said inspector or sub-inspector making it lawful to employ such child." That after the word "to" in line five, section 7, the following words shall be inserted, "immediately investigate such alleged offense and if in his judgment the facts warrant it he shall." That after the word "shall" in line eight, section 8, the word "willfully" be inserted. That in lines ten and eleven, section 8, the words "less than fifty dollars nor" be stricken out. That all of section 10 after the word "year" be stricken out. That after the word "report" in line three, section 11, the following words be inserted, "requested by the inspector, and."

And as amended that it do pass.

WOOLSON, *Chairman.*

Senator Sweney moved that Senate File No. 66 be made special order for next Tuesday at 2:30 P. M.

Carried.

Senator Donnan, from the Committee on Retrenchment, submitted the following report:

MR. PRESIDENT—Your Committee on Retrenchment, to whom was referred Senate File No. 277, a bill for an act to amend section 4738 of the Code, relating to the labor of prisoners under the supervision of sheriffs and placing the same under the direction and regulation of county boards of supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

W. G. DONNAN, *Chairman.*

Ordered passed on file.

BILLS ON THIRD READING.

House File No. 444, a bill for an act to authorize the creation and to provide for the operation of tribunals of voluntary arbitration, to adjust disputes between employers and employed, was read a third time.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bloom, Burdick, Caldwell, Carr, Carson,

Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Hendrie, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—45.

The nays were, none.

Absent or not voting:

Senators Bolter, Henderson, Hutchison, Reiniger and Sutton—5.

So the bill passed and the title was agreed to.

The Senate resumed consideration of Senate File No. 243, a bill for an act to repeal chapter 160, laws of the Nineteenth General Assembly, relating to restoration of territory in school districts, with report of committee that it do pass, was taken up and considered.

Senator Chambers offered an amendment.

Senator Deal moved to recommit bill with pending amendments, and that committee report back at earliest date practicable.

Carried.

Senate File No. 27, a bill for an act to amend chapter 61, acts of the Fifteenth General Assembly, relating to industrial exhibitions in public schools, and to provide for an industrial department to be the course of study, with report of committee, recommending a substitute and that it do pass, was taken up, 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 Barrett, Bayless, Bloom, Bolter, Burdick, Caldwell, Carr, Carson, Chambers, Chesebro, Chubb, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gault, Glass, Hendrie, Johnson, Knight, McCoy, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Woolson—40.

The nays were:

Senators Cassatt and McDonough—2.

Absent or not voting:

Senators Casey, Clark, Gatch, Henderson, Hutchison, Reiniger, Ryder and Young—8.

So the bill passed and the title was agreed to.

Senate File No. 197, a bill for an act to amend section 996 of the Code of Iowa, relating to the time when county supervisors make settlement with trustees, with report of committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate File No. 9, a bill for an act to amend chapter 1 of the Code, relating to actions on judgments rendered in this State, with report of committee recommending a substitute and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Carson moved to strike out section 2, publication clause.

Carried.

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 Barrett, Bayless, Bloom, Bolter, Burdick, Caldwell, Carr, Carson, Chambers, Chesebro, Chubb, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Knight, McCoy, McDonough, Parrott, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sweney, Underwood, Weber, Whaley Whiting, Wilkin, Wolfe, Woolson and Young—40.

The nays were, none.

Absent or not voting:

Senators Casey, Cassatt, Clark, Henderson, Hendrie, Hutchison, Johnson, Miles, Reiniger and Sutton.—10.

So the bill passed and the title was agreed to.

Senate File No. 77, a bill for an act to amend section 3327, chapter 4, title 20 of the Code, with report of committee recommending a substitute, and that it do pass, was taken up and considered.

Senator Bolter moved to amend by striking in line 7 of printed bill the word in substitute "he" and inserting the words "the mortgagee or assignee."

Carried.

Senator Parrott moved to add after last word of substitute: "For attesting said signature the recorder shall receive the sum of twenty-five cents."

Senator Johnson moved to commit report of committee with substitute and pending amendments to Committee on Judiciary.

Lost.

The question recurring on the amendment by Senator Parrott.

Lost.

Senator Robinson moved to insert the words "or his deputy" after the word "recorder" in fifth line of printed bill.

Carried.

On motion the report of the committee was adopted.

Senator Duncan 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, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Gatch, Gault, Glass, Hendrie, Knight, McCoy, McDonough, Parrott, Poyneer, Robinson, Ryder, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—42.

The nays were:

Senators Johnson and Schmidt—2.

Absent or not voting:

Senators Earle, Henderson, Hutchison, Miles, Reiniger and Sutton—6.

So bill passed and the title was agreed to.

Senate File No. 111, a bill for an act amending sections 3327 and 3792 of the Code, and requiring satisfaction of mortgage in margin of record to be attested by the county recorder, and providing a fee therefor, with report of committee recommending a substitute and it do pass was taken up and considered.

Senator Robinson moved to indefinitely postpone.

Carried.

The Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, March 3, 1886. }

The Senate met in regular session at 2 P. M.

The President of the Senate in the chair.

The journal of the previous day was read in part.

Senator Gault moved that further reading of journal be dispensed with.

PETITIONS AND MEMORIALS.

Senator Parrott presented petition of citizens of Iowa relative to the establishment of a uniform system of school text-books, and asking for the passage of Senate File No. 239 and House File No. 458.

Referred to the Committee on Schools.

Senator Duncan presented petition of Hannah E. Danford of Hopkinton, Iowa, and other citizens, asking that women holding property be exempt from taxation until they can represent themselves through the ballot.

Referred to the Committee on Constitutional Amendments.

Senator Weber presented petition of Lyman Moats and fifty seven other citizens of Wright county, in favor of a bill to regulate the practice of medicine and surgery.

Referred to the Committee on Medicine and Surgery.

Senator Chubb presented petition of citizens of Iowa asking that property owned by women be exempt from taxation until they can represent themselves through the ballot.

Referred to Committee on Constitutional Amendments.

Senator Robinson presented petition of citizens of Buena Vista county asking the passage of the bill regulating the practice of medicine and surgery in Iowa.

Referred to Committee on Medicine, Surgery, Hygiene, and Pharmacy.

Senator Earle presented petition of 114 citizens of Fayette county relative to changing the Constitution of the State, so that franchise may be extended to all without regard to sex.

Referred to Committee on Constitutional Amendments.

Senator Barrett presented petition from citizens of Iowa remonstrating against the adoption of the State pharmacy law.

Referred to Committee on Medicine, Surgery, Hygiene and Pharmacy.

Senator Gatch presented petition of W. B. Bentley and 30 other business men asking for the continuation of the present method of selecting railroad commissioners, except that they be approved by the Senate.

Referred to the Committee on Railroads.

Senator Gatch presented petition of W. R. Ankney and 602 other citizens of Iowa praying an amendment to the Constitution of the State, removing discrimination on account of sex in the exercise of the elective franchise.

Referred to Committee on Constitutional Amendments.

Senator Chesebro presented petition of 316 citizens of Muscatine county asking that property owned by women be exempt from taxation until they can represent themselves through the ballot.

Referred to Committee on Suffrage.

Senator Chambers presented petition of 51 citizens of Cedar county on same subject.

Referred to Committee on Suffrage.

Senator Wolfe presented petition of M. C. Walvaven and 86 others on same subject.

Referred to Committee on Suffrage.

Senator Sutton presented petition of citizens of Iowa relative to passage of the bill to regulate the practice of medicine and surgery.

Referred to Committee on Medicine, Surgery, Hygiene and Pharmacy.

Senator Johnson presented petition from 141 citizens of Maquoketa and G. A. R. Post A. W. Drifts relative to a soldiers' home.

Referred to Committee on Military.

INTRODUCTION OF BILLS.

By Senator Young, Senate File No. 332, a bill for an act to prevent any employer of labor from compelling an employe to accept other than lawful money in advancement of his wages, or by coercion or intimidation compelling such employe to trade at any particular store or place.

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

By Senator Schmidt, Senate File No. 333, a bill for an act to legalize certain acts and orders of the circuit courts of the State and of the judges thereof, done or made under the provisions of section 2313 of Code of 1873.

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

By Senator Schmidt, joint resolution and memorial relative to passage of acts of Congress affecting manufacture of vinegar.

Read a first and second time and on motion of Senator Sutton it was taken up and considered.

Senator Robinson moved reference to Committee on Federal Relations.

Carried and so referred.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 64, a bill for an act to legalize the incorporation of the town of Riverside, in Washington county, Iowa, and its ordinances and the acts of its officers thereunder, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

First—In section 1 strike out all after the word “as,” and insert instead the words “though all the commissioners holding the said election for the incorporation of said town had been duly appointed and qualified as provided by law.”

Second—In section 2, by striking out all after the word “though” in line nine, and inserting instead “all the commissioners holding the election for the incorporation of said town had been duly appointed and qualified as provided by law.”

And as so amended that the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 112, a bill for an act to hear the claims of absent heirs, devisees, and legatees, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 180, a bill for an act to authorize administrators, executors, and guardians appointed in other States or counties to release judgments, mortgages and deeds of trust, beg leave to report 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 as follows:

First—By adding to section 2 the following: “*Provided*, That the duly attested copies of the records herein provided for also show that the judgment, mortgage or deed of trust is listed in the assets of the estate in the court from which the said records come; *and provided further*, that appended to and as a part of such release shall be the certificate of the judge or clerk of the foreign court, duly attested, that said executor, administrator or guardian is, at the date of the execution of such release or instrument, still acting as such executor, administrator or guardian, under authority of said court; *and provided, further*, that nothing herein contained shall authorize any administrator, executor or guardian of another State or county to release or discharge any judgment, mortgage or deed of trust, while any administrator, executor, or guardian of the estate to which such judg-

ment, mortgage, or deed of trust belongs is authorized to act by virtue of appointment and qualification under the laws of this State."

Second—By striking from lines 7 and 8 of section 3, the words "record of appointment" and insert instead the word "records," and as thus amended that the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Senator Chambers, from the Committee on Constitutional Amendments, submitted the following report:

MR. PRESIDENT—Your Committee on Constitutional Amendments to whom was referred Senate File No. 6, a joint resolution proposing to amend section 1, of article 2 of the Constitution of the State of Iowa, beg leave to report that they have had the same under consideration and a majority have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. C. CHAMBERS, *Chairman*.

Ordered passed on file.

Senator Young, from the Committee on Agricultural College, submitted the following report:

MR. PRESIDENT—Your Committee on Agricultural College to whom was referred Senate File No. 246, a bill for an act to amend sub division 3, of section 1606, title 12, chapter 3, of the Code, in relation to the 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.

L. YOUNG, *Chairman*.

Ordered passed on file.

Senator Wilkin, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims to whom was referred Senate File No. 58, a bill for an act for the relief of George Bennett, and to appropriate the sum of one thousand dollars 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.

ELI WILKIN, *Chairman*.

Ordered passed on file.

Senator Hutchison, 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. 284, a bill for an act to repeal section 1, of chapter 5, of the acts of the Fifteenth General Assembly, empowering cities and towns to make contracts with railroad and bridge companies for the use of wagon bridges across rivers, 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 Wilkin, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate File No. 128, a bill for an act making an appropriation to reimburse expenses incurred by the captors of certain fugitives from justice, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

ELI WILKIN, *Chairman.*

Ordered passed on file.

MR. PRESIDENT—Your committee on part of the Senate, to whom was committed the duty to escort the remains of the late Hon. J. L. Mitchell to place of interment, beg leave to report that they have discharged that duty, and your committee has been requested by the relatives of the deceased to tender to you and to the General Assembly their heart-felt thanks for the kindness bestowed in their hour of sore affliction.

GEORGE CARSON.

A. N. POYNEER.

E. J. GAULT.

Senator Woolson, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate File No. 1, a bill for an act to create a State Board of Arbitration, defining its duties, powers and jurisdiction, and providing for enforcing its judgments, 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.

WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate File No. 262, a bill for an act to provide for the trial and determination of controversies arising between employers and employes, 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.

WOOLSON, *Chairman.*

Ordered passed on file.

Senator Woolson, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee Elections, to whom was referred Senate File No. 132, a bill for an act to amend section 611 of the Code, relating to the hours of opening and closing the polls at all general elections, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the following amendments be adopted: Strike out the word "seven," in line five of section 1, and insert the word "eight"; and strike out the word "six," in eleventh line of section 1, and insert "seven"; and that as amended the bill do pass.

WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate File No. 46, a bill for an act to amend section 595 of Code of Iowa, in relation to registration of voters; beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

WOOLSON, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 224, a bill for an act to amend chapter 118 of the acts of the Nineteenth General Assembly, relating to the boundaries of independent school districts in incorporated cities and towns, March 16, 1882; beg leave to report 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 hereto attached be adopted in lieu thereof, and when so adopted that it do pass.

JOHN D. GLASS, *Chairman.*

Ordered passed on file.

Senator Woolson, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate File No. 227, a bill for an act to provide for the trial and determination of controversies arising between employers and employes, 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.

WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate File No. 183, a bill for an act to authorize the creation and to provide for the operation of tribunals of voluntary arbitration to adjust disputes between employers and employed in the industries of the State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 163, a bill for an act to create boards of arbitration, defining their duties, powers and jurisdiction, beg leave to report that they have had the same under consideration and instructed me to report the same back to the Senate without recommendation.

WOOLSON, *Chairman.*

Ordered passed on file.

Senator Weber, from the Committee on State University, submitted the following report:

MR. PRESIDENT—Your Committee on State University, to whom was referred Senate File No. 216, a bill for an act to amend section 1587, of the Code of 1873, relating to 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.

N. F. WEBER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on State University, to whom was referred Senate File No. 125, a bill for an act to provide a tax of one-eighth of a mill as a permanent income for the State University, and to amend sections 835 and 796, chapter 1, title 6 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

N. F. WEBER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on State University, to whom was referred Senate File No. 217, a bill for an act repealing section 1591 of the Code of 1873, 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.

N. F. WEBER, *Chairman.*

Ordered passed on file.

Senator Chambers moved that the joint resolution proposing amendment to constitution relative to suffrage be made special order for March 10th, at 3 P. M.

Carried and so ordered.

Senator Clark moved that Senate File No. 263 be made special order for Wednesday, March 10th at 2:30 P. M., and continue to be so until disposed of.

Carried and so ordered.

Senator Deal 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. 556, a bill for an act to cede jurisdiction over certain lots owned by the United States Government in the city of Keokuk, Lee county, Iowa, for the site of post-office, internal revenue office and other Government offices, and find the same correctly enrolled.

JNO. K. DEAL, *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 this General Assembly, been duly enrolled and signed by the Speaker of the House:

House File No. 556, ceding to the United States government certain lots in the city of Keokuk, Iowa.

J. K. POWERS, *Chief Clerk.*

Senator Donnan moved the following:

MR. PRESIDENT—I move to reconsider the vote by which Senate File No. 39 was ordered engrossed on March 2, and also to reconsider the vote by which "15" was inserted in section 3 of said bill March 3, 1886.

W. G. DONNAN.

The hour having arrived for Senate File No. 22, it being a bill for an act to require children between the ages of seven and fifteen years to attend school, and to provide for the appointment of truant officers to compel attendance, and Senate File No. 184, on same subject, with report of committee recommending a substitute, and that it do pass, was taken up and considered.

Pending which the hour arrived for second special order.

Senate File No. 82, a bill for an act providing for the exemption after the year 1887 of homesteads from ordinary taxation to the value of \$1,000, with report of committee recommending indefinite postponement, was taken up, and, on motion of Senator Gatch, postponed for twenty minutes.

The Senate resumed consideration of Senate File No. 22.

The hour again arriving for special order on Senate File No. 82,

Senator Glass moved that Senate Files Nos. 22 and 184 be continued as special order after Senate File No. 82 be disposed of.

Carried.

Senator Gatch offered the following as an amendment to Senate File No. 82:

"Section 8. The exemption provided for by this act shall not apply to any tax levied either by the direction or authority of the board of directors of any district township or independent district for school houses, or school house purposes, or by the direction or authority of the council of any incorporated city or town for municipal purpose, unless the population of such city, district township or independent district shall exceed five thousand, according to the last preceding authorized census enumeration."

Senator Gault offered a substitute, upon which the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bloom, Casey, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Glass, McDonough, Parrott, Sutton, Whaley and Woolson—20.

The nays were:

Senators Bolter, Burdick, Caldwell, Carr, Carson, Gault, Hutchison, Johnson, Knight, Miles, Poyneer, Schmidt, Scott, Stephens, Sweney, Underwood, Weber, Whiting, Wilkin, Wolfe and Young—21.

Absent or not voting:

Senators Bayless, Cassatt, Dooley, Henderson, Hendrie, McCoy, Reiniger, Ryder and Robinson—9.

So the amendment was lost.

Senator Gatch moved that Senate File No. 82, be recommitted to the committee.

Lost.

Senator Barrett offered the following amendment:

Strike out "\$1,000" and insert "\$500" in the different places in the bill.

Senator Bolter moved to lay the amendment on the table, on this the yeas and nays were called.

The yeas were:

Senators Bloom, Bolter, Burdick, Caldwell, Carr, Casey, Cassatt, Chesebro, Chubb, Deal, Donnan, Dooley, Gault, Hutchison, Johnson, Knight, McDonough, Miles, Poyneer, Robinson, Schmidt, Stephens, Sweney, Underwood, Weber and Whiting—26.

The nays were:

Senators Barrett, Carson, Chambers, Clark, Dodge, Doud, Duncan, Earle, Gatch, Glass, Hendrie, Parrott, Ryder, Scott, Sutton, Whaley, Wilkin, Wolfe and Woolson—19.

Absent or not voting:

Senators Bayless, Casey, Cassatt, Henderson, McCoy, Reiniger and Young—7.

So the motion to table was agreed to.

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. 214, a bill for an act to repeal section 1548, of chapter 6, title 11, of the Code, relating to the offense of intoxication, and to enact a substitute therefor, beg leave to report that they have had the same under consideration and a majority have instructed me to report the within substitute back to the Senate with the recommendation that the substitute do pass.

CLARK, *Chairman.*

Ordered passed on file.

The Senate resumed consideration of special order, it being a substitute for Senate Files Nos. 22 and 184.

Senator Glass offered the following amendment to section 1, "or in case such child has been excused in writing by the county superintendent for such other cause as to him seems just and right."

Adopted.

Senator Wolfe offered the following amendment to section 1, by inserting after the word "health" in eighth line: "And for the purpose of ascertaining the health of the child, the school board may employ a physician."

Adopted.

Also, to amend after the word "books" in the second line of the fifth section by inserting the words "and clothes such as the parents shall select."

INTRODUCTION OF BILLS.

By Senator Bayless, Senate File No. 334, a bill for an act to prevent discrimination against female teachers.

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

By Senator Donnan, Senate File No. 336, a bill for an act to legalize the vote upon city officers of the city of Manchester, Iowa, on Monday, March 1, 1886.

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

By Senator Glass, Senate File No. 337, a bill for an act to relating to the qualification of county and township organizations.

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

By Senator Miles, Senate File No. 335, a bill for an act to prevent the breaking down and injuring bridges and culverts on public highways by moving steam engines of any kind, corn mills, cane mills, saw mills, and threshing machines.

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

By Senator Sutton, Senate File No. 339, a bill for an act to amend section 1, and to enact a substitute for section 3, chapter 57, laws of the Sixteenth General Assembly in regard to cities and towns.

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

By Senator Sweney, Senate File No. 333, a bill for an act providing for the removal of bodies from condemned and abandoned cemeteries, and for condemnation of such abandoned and unused cemeteries for public use.

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

By Senator Bloom, Senate File No. 338, a bill for an act to amend section 589 of the Code of 1873, relating to eligibility of county officers.

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

Senator Johnson moved the previous question.

Lost.

Senator Dooley presented petition of citizens of Iowa, remonstrating against the passage of the law regulating the practice of medicine and surgery.

Referred to Committee on Medicine, Surgery, Hygiene and Pharmacy.

Senator Glass moved that the further consideration of the present order being substitute for Senate File 22 and 184 be postponed until Thursday at 2:25 P. M., and be made special order for that hour.

Adopted.

Senator Doud moved that the Senate do now adjourn.

Carried.

SENATE CHAMBER, }
DES MOINES, IOWA, March 4, 1886. }

The Senate met in regular session at 2 P. M.

The President in the chair.

Prayer by Rev. W. F. Wallace.

The journal of the previous day was read in part.

Senator Bayless moved that the further reading of the journal be dispensed with.

Carried.

PETITIONS AND MEMORIALS.

Senator Clark presented petition from citizens of Page county, asking for the suppression of sensational literature.

Referred to Committee on Judiciary.

Senator Hendrie presented petition of citizens of Iowa county on same subject.

Referred to same committee.

Senator Miles present petition from citizens of Wayne county, asking that a law be enacted extending suffrage to women.

Referred to Committee on Constitutional Amendments.

Also, petition for the suppression of sensational literature.

Referred to Committee on Judiciary.

INTRODUCTION OF BILLS.

By Senator Young, Senate File No. 340, a bill for an act to amend section 4780 of Code.

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

By Senator Knight, Senate File No. 341, a bill for an act regulating factories, work-shops and other places where labor is employed; providing for the liability of employers of labor allowing an attorney's fee in cases for the recovery of debts due for labor actually performed and in such cases doing away with the exemptions now allowed by law.

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

By Senator Chambers, Senate File No. 342, a bill for an act authorizing the Governor to convey or grant right of way through certain State lands.

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

By Senator Poyneer, Senate File No. 343, a bill for an act for an appropriation for State Fish Commissioner.

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

By Senator Poyneer, a Senate File No. 344, a bill for an act to repeal chapter 156 of the laws of the Eighteenth General Assembly, relating to an Assistant Fish Commissioner.

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

By Senator Knight, Senate File No. 345, a bill for an act to amend an act passed at the present session of this General Assembly entitled "an act to enable cities to aid in the construction of highway bridges over navigable boundary rivers of the State of Iowa.

Read a first and second time.

On motion of Senator Knight, Senate File No. 345, was taken up and considered.

Senator Knight 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 third time.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bloom, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Deal, Donnan, Dooley, Duncan, Earle, Gatch, Gault, Glass, Hendrie, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—42.

The nays were, none.

Absent or not voting:

Senators Cassatt, Dodge, Doud, Henderson, Johnson, Reiniger, Ryder and Stephens—8.

So the bill passed and the title was agreed to.

INTRODUCTION OF BILLS.

By Senator Miles, Senate File No. 346, a bill for an act to amend section 5, chapter 168, laws of the Twentieth General Assembly, relative to admitting attorneys from other States to practice in the courts of this State.

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

By Senator Underwood, by request, Senate File No. 347, a bill for an act to amend section 306 and 307 of the Code as amended by the acts of the Twentieth General Assembly providing for the publication of notices and proceedings of boards of supervisors.

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

By Senator Caldwell, by request, Senate File No. 348, a bill for an act to protect the public health.

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

RESOLUTIONS.

Senator Duncan offered the following resolution:

Resolved, That the Senate, until further ordered, hold two sessions a day on Fridays, Tuesdays and Thursdays—one session on Saturday to commence at 10 o'clock

Senator Young moved its reference to the Committee on Rules.

Carried.

The Senate resumed consideration of special order on substitute for Senate Files Nos. 22 and 184.

Pending amendment by Senator Wolfe, on this amendment the yeas and nays were demanded.

The yeas were :

Senators Bloom, Bolter, Dodge, Dooley, Hendrie, Johnson, Knight, Schmidt, Whiting and Wolfe—10.

The nays were:

Senators Barrett, Bayless, Burdick, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Deal, Donnan, Doud, Duncan, Earle, Gatch, Gault, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—35.

Absent or not voting :

Senators Cassatt, Henderson, Reiniger, Ryder and Sutton—5.

So the amendment was not agreed to.

Senator Bolter offered the following amendment :

Amend by adding to section 2 the following: "And for such services said officers shall be entitled to and receive, each for such service, the sum of three dollars per day for the time actually employed, and in addition thereto the sum of seventy-five cents for each male and eighty cents for each female child so arrested and delivered, the same to be paid out of the contingent fund belonging to the school district in which such services are rendered."

The hour for second special order having arrived it was, on motion, postponed until the present order be disposed of.

Pending amendment by Senator Bolter the hour arrived for special order on House File No. 207, a bill for an act to regulate the practice of medicine and surgery in the State.

The bill as engrossed was taken up and considered by sections.

At 3 p. m. Senator Woolson, President *pro tempore* of the Senate, took the chair.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed by the House to request a return to that body of the concurrent resolution relating to joint convention of Senate and House to select a location for the proposed soldiers' home, with the action of the Senate thereon.

Also:

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

House File No. 317.

J. K. POWERS, *Chief Clerk.*

Senator McCoy moved to amend section 1, by striking out the word "seven" in line thirteen, and inserting "five" in lieu thereof.

Carried.

So section 1 was agreed to.

Senator McCoy moved to strike out the word "seven" in line seven of section 2, and insert the word "five."

Carried.

So section 2 was agreed to.

Section 3 and section 4 were agreed to.

Senator McCoy moved to strike the word "seven" in line six of section 5.

□ Carried.

So section 5 was agreed to.

Senator Donnan moved to strike out the word "to" in lines five and eight, section 6, and insert in lieu thereof, the word "five."

Senator Wolfe moved to strike out all of section 6, beginning with and including line five, and including word "fee" in line thirteen.

Lost.

The question recurring upon the amendment by Senator Donnan.

Carried.

Senator Poyneer offered the following amendment:

Amend section 6, by striking out all up to the word "with" in the second line, also all after "examiners" in third line down to and including the word "and" in the ninth line, and to strike out "also" in the tenth line, and, also after "receive" in the tenth line add "five dollars per day and in addition thereto."

Lost.

Senator Burdick moved to amend section 6 by striking out the word fifteen in line two of printed bill, and insert the word ten.

Carried.

Senator Chubb moved to amend section 6 striking out the word "six" at the end of the twelfth line of printed bill and insert the word "twelve."

Carried.

Senator Wolfe moved to strike out from lines 2 and 3 in section 7 the words "committed in the practice of his profession, or in connection therewith."

Lost.

Senator Bolter moved to strike out the word "certificates" and insert the word "certificate" in line 1 of section 7, printed bill.

Carried.

Senator McCoy moved to amend section 8 by adding after the word "physician" in the eleventh line of printed bill the words "or magnetic healers" and to strike out the word "seven" at the end of said line, after the word "for" and insert the word "five."

Adopted.

Senator Wilkin moved to strike out in section 8, after the word "dollars" in the 16th line of the printed bill the words "and thereafter such physician shall be amenable to the provisions of this act."

On this question the yeas and nays were called.

The yeas were :

Senators Bloom, Bolter, Burdick, Carr, Carson, Cassatt, Chambers, Chubb, Clark, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Hendrie, Hutchison, Johnson, McCoy, McDonough, Parrott, Poyneer, Robinson, Sweney, Whiting, Wilkin and Wolfe—30.

The nays were:

Senators Barrett, Bayless, Caldwell, Chesebro, Deal, Knight, Miles, Ryder, Scott, Stephens, Sutton, Underwood, Weber and Young—14.

Absent or not voting :

Senators Casey, Henderson, Reiniger, Schmidt, Whaley and Woolson—6.

So the amendment was adopted.

Senator Caldwell moved to strike out in section 8 after the word "prohibit" in the 7th line to and including the word midwifery in the 8th line of the printed bill and insert in lieu thereof "women who are at this time engaged in the practice of midwifery."

Adopted.

Senator Cassatt moved to amend section 8 by striking all after word "sick" in 4th line to and including the word "whatsoever" in 5th line.

The yeas and nays were demanded.

The yeas were:

Senators Carson, Cassatt, Chesebro, Chubb, Dooley, Earle, Gault, Hendrie, McDonough and Poyneer—10.

The nays were:

Senators Barrett, Bayless, Bolter, Burdick, Caldwell, Casey, Chambers, Clark, Deal, Dodge, Donnan, Doud, Duncan, Gatch, Glass, Knight, McCoy, Miles, Parrott, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin and Woolson—30.

Absent or not voting:

Senators Bloom, Carr, Henderson, Hutchison, Johnson, Reiniger, Ryder, Whiting, Wolfe, and Young—10.

So the amendment was not agreed to.

Senator Gault moved the adoption of the following amendment:

"Nor shall this act apply to any person that professes to cure disease by means other than by the use of medicine."

The yeas and nays were demanded.

The yeas were :

Senators Carr, Cassatt, Chesebro, Chubb, Dooley, Doud, Gault, Hendrie, McCoy, McDonough, Poyneer, Ryder, Whiting and Wolfe—13.

The nays were:

Senators Barrett, Bayless, Bloom, Bolter, Burdick, Caldwell, Carson, Casey, Chambers, Clark, Deal, Dodge, Donnan, Duncan, Earle, Gatch, Glass, Hutchison, McCoy, Miles, Parrott, Robinson, Schmidt, Scott, Stephens, Underwood, Weber, Whaley, Wilkin, Woolson and Young—31.

Absent or not voting:

Senators Henderson, Johnson, Knight, Reiniger, Sutton and Sweney—6.

So the amendment was not agreed to.

Senator McDonough moved to amend by inserting after the word "midwifery" in eighth section, eighth line, "or nurse."

Lost.

Senator Bolter moved to strike "within the State of Iowa" from ninth line.

Carried.

Senator Wilkin moved to strike word "and," and insert word "or" in ninth line.

Carried.

So section 8 was agreed to.

Section 9 was read and agreed to.

Senator Sweney offered following amendment to section 11:

"And shall not apply to graduates of the medical department of the State University of Iowa so far as the payment of any fees are concerned."

Lost.

Senator Woolson moved to strike words "such person" from line 6, section 10.

Carried.

So the tenth and eleventh sections were agreed to.

On motion, Senator Gault was excused.

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 Barrett, Bayless, Bloom, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Chambers, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Gatch, Glass, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Weber, Whaley, Wilkin and Woolson—37.

The nays were:

Senators Chesebro, Earle, Hendrie, Whiting and Wolfe—5.

Absent or not voting:

Senators Cassatt, Gault, Henderson, Johnson, Reiniger, Ryder, Underwood and Young—8.

So the bill passed and the title was agreed to.

Senator McCoy moved that substitute for Senate File No. 154 be made special order for Thursday at 2:30 P. M.

Carried.

Senator Glass moved that substitute for Senate Files Nos. 22 and 184 be made special order for Tuesday at 2:40 P. M.

Carried.

On motion, Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 5, 1886. }

The Senate met in regular session at 2 P. M.

The President of the Senate in the chair.

Prayer by Rev. J. F. Webb.

The reading of the journal was on motion dispensed with.

INTRODUCTION OF BILLS.

By Senator Chambers, Senate File No. 349, a bill for an act to amend chapter 8, laws of Twentieth General Assembly relating to sale of intoxicating liquors.

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

By Senator Scott, Senate File No. 350, a bill for an act to amend section 1112 of chapter 3, title 9 of the Code relating to the payment of State aid to county and district agricultural societies.

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

RESOLUTIONS.

Senator Donnan offered the following resolution:

Resolved, That the President of the State University be requested to furnish the Senate at the earliest practicable date, a complete list of free students, or those not paying full tuition; if representing counties, what counties, and if free on any other account, state the ground of such exemption, such list to give the name, residence and the time of attendance at the University, and to comprise a list of such students from 1878 until the present time.

Adopted.

REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Federal Relations to whom was referred joint resolution and memorial for the protection of Iowa manufacturers, beg leave to report that they 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 "included" in the first line of the second section and inserting in its stead the word "proposed." And by striking out the words "ten present" in the fifth line of the second section and inserting in lieu thereof the word "numerous." And by adding after the last section the following:

Resolved, That the Secretary of State is hereby instructed to promptly forward to each of our Senators and Representatives in Congress a properly attested copy of this resolution."

And that when so amended the committee unanimously recommend the joint resolution do pass.

C. C. CHUBB, *Chairman.*

On motion Senators Wolfe and Clark were excused for the day.

On motion of Senator Schmidt memorial and joint resolution for the protection of Iowa vinegar manufacturers, with report of committee recommending amendments and that it do pass was taken up considered, and the report of the committee was adopted.

Senator Schmidt 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 Barrett, Bayless, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Chesebro, Chubb, Dodge, Dooley, Doud, Duncan, Earle Gatch, Gault, Henderson, Hendrie, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Woolson and Young—40.

The nays were, none.

Absent or not voting:

Senators Bloom, Cassatt, Chambers, Clark, Deal, Donnan, Glass, Reiniger, Ryder and Wolfe—10.

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

REPORT OF COMMITTEES.

Senator Hutchinson, 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. 279, a bill for an act regulating the payment of county warrants, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 194, a bill for an act to amend section 327 of the Code in relation to the order of payment of county warrants, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that they have had under consideration and reported favorably upon a bill embodying the same principle.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means to whom was referred Senate File No. 309, a bill for an act to repeal section 814, chapter 1, title 6, of the Code, relative to the deduction of debts owing from credits before assessment on moneys and credits, 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. G. HUTCHISON, *Chairman*,

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred House File No. 147, a bill for an act to amend section 866, chapter 2, title 6, of Code, relating to the collection of sidewalk and dog taxes, 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 that when adopted that it do pass.

J. G. HUTCHISON, *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. 311, a bill for an act to relieve the surviving members of the 37th regiment of the Iowa infantry, known as the grey beards, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WHALEY, *Chairman*.

Ordered passed on file.

Senator Whaley, 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. 81, a bill for an act to repeal chapter 80, laws of the Seventeenth General Assembly of Iowa, relating to the propagation of fish, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WHALEY, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Railroads to whom was referred House File No. 27, a bill for an act to amend chapter 159, of the laws 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 with the recommendation that it be indefinitely postponed.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Railroads to whom was referred Senate File No. 186, a bill for an act to facilitate transportation by the better protection of railways against blockades by snow, beg leave to report that they have had the same under consideration

and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. H. SWENEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railroads to whom was referred Senate File No. 245 a bill for an act to repeal section 2, chapter 77, acts of the Seventeenth General Assembly, providing for the election 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 do pass.

J. H. SWENEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railroads to whom was referred Senate File No. 296, a bill for an act to amend section 1, of chapter 104 of the laws 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 with the recommendation that it do pass, with the following amendment: Strike out the word "eighty" in the second line of section 1, of the printed bill, and insert the words "one hundred and twenty."

SWENEY, *Chairman.*

Ordered passed on file.

On motion Senator Whaley was excused until Monday.

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

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House concurrent resolution providing for a joint convention for the selection of a site for a soldiers' 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.

G. S. ROBINSON, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 28, a bill for an act legalizing the acts of the council of the city of Le Mars, in the county of Plymouth, and State of Iowa, and legalizing the ordinances passed and adopted for the government of the said city, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill be amended by adding to section 1 the following words: "As fully as if the records showed a suspension of the rules by a three-fourths vote, and the names and votes of the trustees by yeas and nays," and as thus amended that the bill do pass.

G. S. ROBINSON, *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 in relation to the satisfac-

tion of mortgages by foreign executors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 206, a bill for an act to repeal section 3327 of the Code of Iowa of 1873, and to enact a substitute therefor, in relation to the release and satisfaction of mortgages, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 186, a bill for an act to repeal section 3641 of the Code, in relation to evidence 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 the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 221, a bill for an act to legalize the acts of the board of supervisors of Sioux county, Iowa, in the establishment of highways, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting between the word "all" and the word "highways" in line seven (of the printed bill) the word "said."

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 4, 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 drafted the accompanying bill as 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 it do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 284, a bill for an act relating to the granting of new trials, or practice in the supreme court, beg leave to report that they have had the same under consideration, and have instructed

me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 286, a bill for an act to legalize the official acts of Moses R. Eastman, a notary public in and for Buchanan 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 the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 61, a bill for an act enlarging the offenses against chastity, morality and decency, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 304, a bill for an act to amend section 3639, of the Code of Iowa, in relation 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 the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 305, a bill for an act to legalize the acts of the mayor and council of Zearing, Story county, Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the blank in the sixth line of section 2, be filled by inserting therein the word "crucible" and as thus amended that the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 312, a bill for an act to cure the defects of description in the land certificate and patent No. 10,759, of the State of Iowa, to John W. Lytle, conveying lands in Page 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 the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 310, a bill for an act to amend section 296 of the Code in relation to a quorum and adjournment of boards of supervisors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting in the last line, before the word "fixed" the words "after the day"; and also, in the same line, after the word "order" the words "of the board", and as thus amended that the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee Judiciary, to whom was referred Senate File No. 315, a bill for an act to amend section 4008 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.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Senator Burdiok, 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. 189, a bill for an act requiring banking corporations, other than savings banks, to incorporate the word "State" in their corporate name and to prohibit certain other associations, partnerships or individuals engaged in banking business, buying or selling exchange, receiving deposits, discounting notes, etc., from adopting or using the word "State" in connection with such association, partnership, or individual 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 the bill be amended by striking out in the first line of section 1, the words "now or" and as amended the bill do pass.

T. W. BURDICK, *Chairman*.

Ordered passed on file.

Senator Parrott, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to was referred Senate File No. 226, a bill for an act to amend section 5, chapter 132, laws of the Twentieth General Assembly, to ascertain the cost of printing the extra copies required by the bill, beg leave to report that for a volume the size of last report the cost would be \$750.00.

MATT. PARROTT, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 287, a bill for an act to legalize the action of the board of directors of the district township of Vermillion, Appanoose county, and State of Iowa; beg leave to report that they have had the same under consideration and have instructed me to report

the same back to the Senate with the recommendation that it be amended by adding to the preamble the following words: "By reason of the fact that there was not fifteen pupils residing in said territory as required by statute," after the word township in the 38th line. Also, by adding to the fifth line of section 1, the following words: "And made valid to the same extent as if said requisite number of pupils resided in said territory at the time of the action of said board." That when so amended that the bill do pass.

A. P. STEPHENS, *Chairman pro tem.*

Ordered passed on file.

Senator Woolson, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate File No. 26, a bill for an act to provide for liability of mine owners and manufacturers for injuries done employes and laborers; 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 recommendation that it do pass.

WOOLSON, *Chairman.*

Senator Sweney moved that Senate File No. 26 be recommitted.

Carried.

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. 330, a bill for an act to require the adoption of screens of specific description in coal mines and to prohibit changing the same under penalty except on a prescribed notice; beg leave to report 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 as follows: By inserting after the word screens in the 6th line of section 1 of the printed bill the following, "on which wages for mining is based;" by adding to section 2 of the bill the following, "and shall not be at any other time than in April or September in any year;" and by striking out the words "State Mine Inspector" wherever they appear in said bill, and that when so amended it do pass.

LEWIS MILES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate File No. 13, a bill for an act to regulate the weighing and screening of coal at mines and to establish a just and uniform system of weights of coal between employers and employes, beg leave to report that they have had 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.

LEWIS MILES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate File No. 210, a bill for an act to establish a mode

of screening and paying for the mining of coal, and to prevent disputes among coal miners and coal operators, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

LEWIS MILES, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Mines and Mining, to whom was referred Senate File No. 191, a bill for an act to regulate mines and mining, and to repeal chapter 21 of the laws 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 with the recommendation that it be indefinitely postponed.

LEWIS MILES, *Chairman.*

Ordered passed on file.

Senator Young asked leave to have his vote recorded as "yea" on House File No. 207.

Granted.

Senator Duncan offered the following resolution:

Resolved, That five members of any of the standing committees of the Senate may be a quorum to consider and report on bills before them.

Adopted.

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

MR. PRESIDENT—Your Committee on Insurance to whom was referred House File No. 51, 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.

BEN MCCOY, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Agriculture to whom was referred Senate File No. 74, a bill for an act to provide for the protection of human health and life from diseased animals, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out section 2, thereof; that section 4 be amended by inserting the word "knowingly" after the word "whoever" in the first line thereof; that the words "for the first offense, and two hundred dollars for each subsequent offense" in the second and third lines of section 4, be stricken out; that section 5 be amended by striking out the words "violates section 2, of this act, or neglects or refuses to comply with the provisions of this act, or" in the first and second lines thereof; that section 6 be stricken out, and as so amended it do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

BILLS ON THIRD READING.

Senate File No. 39, a bill for an act requiring the prompt, faithful and impartial transmission and delivery of telegraph messages and limiting the compensation therefor.

On motion of Senator Donnan, the vote by which the rule was suspended and the bill was ordered engrossed and read a third time was reconsidered.

Senator Donnan moved to amend pending amendment by inserting in third section of bill the word "ten" in place of "fifteen."

Carried.

The question recurring on the original amendment, it was carried.

Senator Johnson moved to strike out the third section of the bill. Carried.

So section 3 was stricken out.

Senator Scott moved to amend to strike out in section 1 the words following the word "forfeit" in line 7 and to include the word "dispatch" in line 8 and insert "a sum not less than ten dollars nor more than one hundred dollars to the person offering or sending such dispatch."

The yeas and nays were demanded.

The yeas were :

Senators Burdick, Caldwell, Carson, Casey, Deal, Donnan, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hutchison, Johnson, Knight, McDonough, Poyneer, Scott, Sweney, Underwood, Weber and Woolson—22.

The nays were:

Senators Bayless, Bolter, Carr, Cassatt, Chubb, Dooley, Doud, Miles, Robinson, Stephens, Whiting Wilkin and Young—14.

Absent or not voting :

Senators Barrett, Bloom, Chambers, Clark, Dodge, Hendrie, McCoy, Parrott, Reiniger, Ryder, Schmidt, Sutton, Whaley and Wolfe—14.

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

Resolution relating to the manufacture of vinegar.

J. K. POWERS, *Chief Clerk.*

Senator Deal moved to amend by striking out the word "any" and insert the word "the" in the ninth line.

Lost.

Senator Miles moved to amend by adding after the word "dispatch" in the eighth line of section 1 the words "the amount to be fixed by the court or jury trying the case."

Adopted.

Senator Scott moved to amend section 2, by striking out all after the word "pay" in line six, to and including the word "dispatch" in

the sixth line and insert the following in the same line: "A sum not less than ten dollars nor more than one hundred dollars to the person sending or receiving such dispatch."

Senator Chubb moved to amend the amendment by adding the words "the amount to be fixed by the court or jury trying the case."

Adopted.

The question recurring on amendment by Senator Scott.

Carried.

Senator Woolson moved to amend by adding to section 1, the following: "Any action brought for forfeitures under the provision of this section shall be brought within sixty days of the date when the cause of action occurs."

Adopted.

Senator Miles moved to insert in seventh line, section 1, after the word "forfeit" the words "and pay."

Carried.

Senator Woolson moved to add to section 2, the same words included in the amendment offered by him to section 1.

Carried.

Senator Robinson moved to amend section 3, second line; strike out the word "public" and insert in lieu thereof the words "for hire."

Carried.

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.

Senator Miles moved to reconsider the vote by which the rule was suspended and the bill ordered to a third reading.

Carried.

Senator Miles moved to strike out the word "offering" and insert "sending or offering to send" in amendment by Senator Scott.

Carried.

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

Resolution relating to postage on seeds, bulbs, etc.

Also, resolution relating to paying pensions to prisoners of war.

Also, resolution relative to promoting peace among nations.

Also, resolution relative to amendment to State constitution.

Also, the House has passed, without amendment, Senate resolution relating to the manufacture of vinegar.

Also :

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

Senate File No. 229.

House File No. 444.

J. K. POWERS, *Chief Clerk.*

Senator Johnson moved that to-morrow be devoted to clearing the calendar of legalizing acts.

Senator Robinson moved as a substitute that the session be for the consideration of such matter on the calendar as there is no objection to.

Accepted.

Senator McCoy moved as a substitute that when we adjourn it be until Monday at 2 o'clock P. M.

Adopted.

By leave, Senator Poyneer, from the Committee on Agriculture, submitted the following report :

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 187, 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 it be amended by adding after the word "auditor" in the 22d line thereof the words "and said commissioners shall receive for each day's service when so engaged, two dollars, to be paid out of the funds so collected," and as so amended it do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture to whom was referred Senate File No. 38, a bill for an act to repeal chapter 188 of the acts of the Twentieth General Assembly in relation to underground tile drainage 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 Judiciary Committee for the purpose of ascertaining its opinion upon certain legal questions herewith submitted.

QUESTIONS.

First, Whether the said trustees would have the right, as prescribed in section 5, to enter upon the land in question without instituting condemnation proceedings in the same manner and method as provided by law, relating to obtaining the right of way for railroads, highways, school-house sites, etc?

Second, Whether the trustees, as prescribed in section 7, would have the constitutional right and authority to consider the benefits to be derived by the construction of said drain or ditch as an offset to damages he may sustain by the construction of such drain or ditch?

A. N. POYNEER, *Chairman.*

Ordered so referred.

Senator Deal, 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. 556, a bill for an act to cede jurisdiction over certain lots owned by the United States

government in the city of Keokuk, Lee county, Iowa, for the site of post office, internal revenue office and other government offices.

Senate File No. 317, a bill for an act to validate county bonds outstanding April 11, 1884.

Senate File No. 229, a bill for an act to amend chapter 44 of the laws of the session of the legislature of the Territory of Iowa, approved December 18, 1843, incorporating the Aspen Grove Cemetery Association of Burlington, and conferring upon it authority to acquire real estate.

House File No. 444, a bill for an act to authorize the location and to provide for the operation of tribunals of voluntary arbitration to adjust industrial disputes between employers and employed, and find the same correctly enrolled.

JNO. K. DEAL *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills, respectfully report that they have this day presented to the Governor for his approval House File No. 556, a bill for an act to cede jurisdiction over certain lots owned by the United States government in the city of Keokuk, Lee county, Iowa, for the site of post-office, internal revenue office and other government offices.

Senate File No. 317, a bill for an act to validate county bonds outstanding April 11, 1884.

Senate File No. 229, a bill for an act to amend chapter 44 of the laws of the session of the legislature of the Territory of Iowa, approved December 18, 1843, incorporating the Aspen Grove Cemetery Association of Burlington, and conferring upon it authority to acquire real estate.

House File No. 444, a bill for an act to authorize the creation and to provide for the operation of tribunals of voluntary arbitration to adjust industrial disputes between employers and employed.

JNO. K. DEAL, *Chairman*.

Senator Hutchison moved to make Senate File No. 330 special order for March 12th, 3 P. M.

Lost.

SPECIAL ORDER.

Senate File No. 133, a bill for an act to amend section 2584 of the Code of 1873, relating to where insurance companies bring certain actions, with report of committee recommending indefinite postponement was taken up, and considered:

Senator Woolson moved to amend section 1 by striking out all after the word "following," and insert "all actions on notes or other evidences of indebtedness hereafter taken by insurance companies for premiums for insurance shall be brought in the county where the property insured is located or where the assured resides."

Senator Casey offered amendment to be added to amendment offered by Senator Woolson, as follows: "But this act shall not apply to suits for the recovery of assessments brought by any mutual company located in this State."

Lost.

Senator Young offered the following amendment:

Section 2. All notes taken for agricultural implements, machinery, patent rights or patent medicines, shall also be made payable in the locality where the signer of the note resides and suit must be brought on such notes in the county where the defendant resides.

Pending the amendment by Senators Woolson and Young, Senator Poynear moved that the further consideration of the bill be postponed until 2:30 p. m. Monday.

Carried.

Senator Wilkin moved to take up the resolution of the Ways and Means Committee as to assessment of railroads.

Carried.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor at the hands of his private secretary:

STATE OF IOWA,
EXECUTIVE DEPARTMENT,
DES MOINES, March 5th, 1886. }

To the Senate:

GENTLEMEN—I herewith transmit to you a copy of a concurrent resolution of the Legislature of the State of Kansas, now in session at Topeka, relating to the enlargement of the soldiers' home located at Leavenworth, in that State, and soliciting concurrence of action by the General Assembly of Iowa. I request that you give this resolution such consideration as its philanthropic cause deserves.

WM. LARRABEE.

House concurrent resolution No. 25, relating to the enlargement of the soldiers' home, located at Leavenworth, Kansas.

WHEREAS, The western branch of the home for disabled volunteer soldiers has been established for the relief, and a home for such of the disabled volunteer soldiers in the States of Iowa, Kansas, Nebraska, Missouri, Arkansas, Colorado, and other States as may, by reason of their infirmities, contracted while in the service of their country, need the protection and care of the general government; and

WHEREAS, The preparations for the care of such disabled volunteer soldiers, by reason of the recent establishment of this home, are insufficient and incomplete, and the managers of this home are daily compelled to refuse admission to disabled volunteer soldiers who are worthy the care of such a home; and

WHEREAS, There is now need for buildings and accommodations for at least three thousand more disabled and worthy volunteer soldiers from the States above named, than can be cared for when the buildings now in process of construction are completed; therefore be it

Resolved, by the House of Representatives of the State of Kansas, the Senate concurring therein, That our Senators and Representatives in Congress be requested to secure, if practicable, an appropriation for the enlargement of this branch of the soldiers' home, sufficient for

the construction of building and for the accommodation of not less than three thousand more applicants than the present buildings and improvements will admit.

Resolved, That a copy of this resolution be sent to each one of our Senators and Representatives, by the Secretary of State, and that a like copy be sent by him to each of the Governors of the States named, requesting concurrence of action by their respective States in this philanthropic movement.

I, E. B. Allen, Secretary of the State of the State of Kansas, do hereby certify that the foregoing is a true and correct copy of the original resolution now on file in my office, and that the same was adopted by the House of Representatives on the 10th day of February, and concurred in by the Senate on the 16th day of February, A. D. 1886.

In testimony whereof, I have hereunto subscribed my name and affixed my official seal. Done at Topeka, this 22d day of [SEAL.] February, A. D. 1886.

E. B. ALLEN.
Secretary of State.

The communication was read and Senator Woolson moved to refer it to Committee on Military.

Carried and so referred.

The question recurring upon the resolution of Senator Wilkin instructing the committee on Ways and Means to report as to assessment of railroad property, it was adopted.

Senator Young offered the following concurrent resolution :

Resolved by the Senate, the House concurring, That our senators and representatives in congress are requested to oppose the measure now pending in the United States Senate to increase the postage on fourth class mail matter.

Resolved, That a copy of these resolutions be forwarded by the Secretary of State to our senators and representatives in congress.

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

Carried.

Senator Caldwell moved that the Senate do now adjourn.

Carried.

Senate adjourned until 2 P. M., Monday, March 8, 1886.

SENATE CHAMBER, }
DES MOINES, IOWA, March 8, 1886. }

The Senate met in regular session at 2 P. M.
The President of the Senate in the chair.
Prayer by Rev. W. M. Bartholomew.
The journal of previous day was read in part, and on motion further reading was dispensed with.

PETITIONS AND MEMORIALS.

Senator Whaley presented petition of company F, 4th regiment, Iowa National Guard, to increase the allowance for armory to one hundred dollars.

Referred to Committee on Military.

Senator Underwood presented petition of publishers of newspapers in favor of Senate File No. 347.

Referred to Committee on Judiciary.

Senator Scott presented petition of several hundred citizens of Boone county, Iowa, asking for a State board of arbitration, free text books in schools and other matters in the interest of coal miners.

Referred to Committee on Labor.

Senator Donnan presented petition of the Delaware county bar, against Senate File No. 144.

Referred to Committee on Judiciary.

Senator Parrott presented resolution from General Robert Anderson Post No. 68, G. A. R., of Waterloo, in reference to location of soldiers' home.

Referred to Committee on Military.

Senator McCoy presented petition of citizens of Mahaska county, asking for the enactment of a law compelling railroad companies to fence their tracks.

Referred to Committee on Railroads.

Senator McDonough presented memoirs from Davis City G. A. R. Post, approving of the provisions of House File No. 533, relative to the relief of ex-soldiers and sailors.

Read and referred to Committee on Military.

INTRODUCTION OF BILLS.

By Senator Donnan, Senate File No. 351, a bill for an act to repeal section 1419 of the Code, and enact a substitute therefor.

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

Report from hospital at Independence ordered printed.

By Senator Wilkin, Senate File No. 352, a bill for an act to amend section 1060 of the Code, in relation to the adoption of articles of incorporation.

Read a first and second time and referred to the Committee on Private Corporations, without printing.

By Senator Robinson, Senate File No. 353, a bill for an act to authorize the deputy clerk of the supreme court to administer oaths and take and certify acknowledgements of instruments in writing.

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

By Senator Johnson, Senate File No. 354, a bill for an act to legalize the acts of S. F. Stewart while assuming to discharge the duties of deputy Auditor of State.

Read a first and second time and referred to the Committee on Judiciary, without printing.

By Senator Doud, Senate File No. 355, a bill for an act to amend chapter 55, laws of 1876, in relation to life insurance.

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

By Senator Wilkin, Senate File No. 356, a bill for an act to recognize and declare valid the assessment of property in the city of Winterset made by D. B. Barris in the year 1886.

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

By Senator Bloom, Senate File No. 357, a bill for an act to establish county libraries.

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

By Senator Wilkin, Senate File No. 358, a bill for an act to make valid certain ordinances of the city of Winterset and the acts performed thereunder.

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

REPORT OF A COMMITTEE.

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

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate File No. 39, a bill for an act requiring the prompt, faithful and impartial transmission and delivery of telegraphic messages, and providing penalties for the violation thereof.

And find the same correctly engrossed.

JOHNSON, *Chairman.*

Senator Miles offered the following concurrent resolution:

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 31st day of March, 1886, at 12 o'clock m.

Senator Johnson moved reference of resolution to Committee on Elections.

Senator Burdick moved to amend by substituting Committee on Appropriations.

Senator Robinson moved to postpone consideration of resolution to next Tuesday at 3 p. m.

Carried.

Pending this the hour arrived for

SPECIAL ORDER.

It being on Senate File No. 133, a bill for an act to amend section 2584 of the Code of 1873, relating to where insurance companies bring certain actions, with pending amendments by Senator Young, it was taken up and considered.

By leave, Senator Young offered the following amendment in lieu of pending amendment:

Sec. 2. That all suits brought upon promissory notes given in payment for patent rights, or for any interest thereon, or given to itinerant vendors of all descriptions of personal property, shall be brought in the county wherein defendant resides.

Lost.

Senator Sweney offered an amendment to the amendment of Senator Woolson's, as follows:

That section 2584 of the Code of 1873 be, and the same is hereby, amended by adding thereto the following: "and whenever and insurance company shall take notes payable at any place other than that of the residence of the maker thereof, then in every such case such maker thereof shall have the right, until ten days after the maturity of said note, to give the said insurance company written notice of any defense he may have to said note, and in every such case said company shall institute suit thereon only in the county wherein the maker of said note resided at the time of making thereof, or at the county of his residence at the time of bringing suit."

Lost.

The question recurring upon the amendment to section 1, by Senator Woolson, it was adopted.

On motion of Senator Dodge Senator Dooley was excused.

On motion of Senator Poyneer Senator Hutchison was excused.

On the question, shall the report of the committee to indefinitely postpone be adopted, the yeas and nays were called.

The yeas were:

Senators Burdick, Carson, Donnan, Gatch, Henderson and Schmidt—6.

The nays were:

Senators Barrett, Bolter, Caldwell, Carr, Chambers, Chesebro, Dodge, Doud, Duncan, Earle, Gault, Glass, Knight, McDonough, Miles, Poyneer, Robinson, Ryder, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—29.

Absent or not voting:

Senators Bayless, Bloom, Casey, Cassatt, Chubb, Clark, Deal, Dooley, Hendrie, Hutchison, Johnson, McCoy, Parrott, Reiniger and Sutton—15.

So the report of the committee was not agreed to.

Senator Weber 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, Bolter, Caldwell, Carr, Cassatt, Chambers, Chesebro, Dodge, Doud, Duncan, Earle, Gault, Glass, Johnson, Knight, McDonough, Miles, Poyneer, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whiting, Wilkin, Wolfe, Woolson and Young—31.

The nays were :

Senators Burdick, Carson, Casey, Donnan, Gatch, Henderson, Parrott and Schmidt—8.

Absent or not voting:

Senators Bloom, Chubb, Clark, Deal, Dooley, Hendrie, Hutchison, McCoy, Reiniger, Ryder and Whaley—11.

So the bill passed and the title was agreed to.

Senator Woolson offered the following :

Resolved, That the Senate do now proceed to take up and consider those bills and resolutions upon the Senate calendar of this date which have been reported back from committees with adverse or without recommendations, provided that in any case where the Senator introducing the measure is absent or objects to its immediate consideration, such bill or resolution shall not be taken up hereunder, but retain its place on the calendar, and be acted upon without debate.

Adopted.

HOUSE MESSAGES.

House File No. 23, a joint resolution relative to certain bills in the United States Senate relative to postage on fourth class matter.

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

House resolution relative to pensions.

Read a first and second time and concurred in.

Joint resolution No. 10, relative to promoting peace among nations.

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

Joint resolution No. 11, relating to amendment of State constitution.

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

Joint resolution relative to vinegar manufacturers, was on motion indefinitely postponed.

REPORTS OF COMMITTEES.

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. 2, a bill for an act entitled an act to regulate the weighing of coal in mines, and to establish a uniform system of weights and measures between the operators of coal mines and their employes, beg leave to report that they have had the same under consideration and a majority or said committee have instructed

me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

LEWIS MILES, *Chairman*.

Ordered passed on file.

MINORITY REPORT.

MR. PRESIDENT—The undersigned, a minority of your Committee on Mines and Mining to whom was referred Senate File No. 2, 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 of coal mines and their employes, beg leave to report that we have had the same under consideration and find that this bill has been before the people of the State of Iowa for examination and discussion for the past two years. That it has been endorsed as a whole by every organization of miners known to us in this State, from the State association down to the social meetings in the miner's home, that this particular bill seems to be exactly what they want, and need, to secure an accurate and honest measure of the product of their labor. This bill has the approval of the great association of laboring men known as the Knights of Labor, the direct endorsement of two of the political parties of this State when in State convention assembled. That all political parties in this State have admitted directly or indirectly that legislation on the subject-matter contained in this bill is both proper and necessary, and have pledged themselves, in convention, on the rostrum and through the press, to favor the enactment of such laws as will secure to the miner an honest measure of his product. We believe that a bill asked for by so many citizens of Iowa should at least receive the careful consideration and deliberate action of the General Assembly, and that fidelity to the public interest demands it. In our opinion this bill provides a simple, inexpensive and accurate method of securing exact justice between employer and employe, therefore, we report the same back to the Senate with the recommendation that it do pass.

E. R. CASSATT,

E. J. GAULT,

JAMES DOOLEY,

Minority of Committee.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 302, a bill for an act to amend chapter 118 of the public acts of the Nineteenth General Assembly, in relation to the boundaries of independent districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

A. P. STEPHENS, *Chairman pro tem.*

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Schools, to whom was referred concurrent resolution No. —, by Thompson of Clayton, beg leave to

report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be adopted.

A. P. STEPHENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 301, a bill for an act to establish and main ain the Northwestern Normal School for the instruction and training of teachers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be referred to the Committee on Normal Schools.

A. P. STEPHENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 278, a bill for an act prohibiting teachers, members of a college faculty, State and county superintendents, and members of the State Board of Examiners, from using alcoholic and narcotic stimulents, and to compel them to teach by proper example as well as by precept the evil effects thereof, which have been so generally petitioned by them, beg leave to report that they have had 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. P. STEPHENS, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 243, a bill for an act to repeal chapter one hundred and sixty (160), laws of the Nineteenth General Assembly, relating to the restoration of territory in school districts, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the substitute thereto attached be adopted, and when so adopted that it do pass.

A. P. STEPHENS, *Chairman pro tem*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 25, a bill for an act to abolish corporal punishment in public or private schools, leave to report that they have had 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. P. STEPHENS, *Chairman pro tem*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 161, a bill for an act to prohibit the employment of certain persons as teachers in public schools, beg leave to re-

port that they have had 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. P. STEPHENS, *Chairman pro tem.*

Ordered passed on file.

Senator Burdick, 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. 298, a bill for an act to repeal sections 1570, 1571 and 1576 of the Code, in relation to bank statements, 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 bill be indefinitely postponed.

T. W. BURDICK, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 329, a bill for an act to legalize the acts and ordinances of the town council of the incorporated town Morning Sun, in Louisa 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 the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 448, a bill for an act to legalize the acts of A. G. Smith while acting as justice of the peace of South Fork township in Delaware 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 the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 544, a bill for an act to legalize certain ordinances of the incorporated town of Rock Rapids, Lyons county, Iowa, and to legalize acts done 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 the bill do pass.

G. S. ROBINSON, *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 suppress the circulation, advertising and vending of obscene and immoral literature, and articles of indecent and immoral use, and to confiscate such property, 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 be amended as follows:

1st. By striking from line second (lines 1 and 2 of printed bill), the words "or without."

2d. Also, by the insertion of a new section between sections 5 and 6, as follows:

"Sec. 6. Nothing in this act shall be construed to affect teaching in regularly chartered medical colleges, or the publication or use of standard medical books, or the practice of regular practitioners of medicine, or druggists in their regular business; or the possession by artists of models in the necessary line of their art."

3d. Also, by changing the number of section 6 so that it will be section 7.

And as thus amended that the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT:—Your Committee on the Judiciary, to whom was referred Senate File No. 127, a bill for an act to amend section 2745 of the Code, so as to make actions to restrain nuisances triable at the first term, beg leave to report that they 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 second section the words, "Iowa State Leader," and inserting instead the words, "Des Moines Leader;" and as so amended that the bill do pass.

G. S. ROBINSON, *Chairman.*

Order passed on file.

Also:

MR. PRESIDENT:—Your Committee on the Judiciary, to whom was referred Senate File No. 179, 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 indefinitely postponed.

G. S. ROBINSON, *Chairman.*

Order passed on file.

Also:

MR. PRESIDENT:—Your Committee on the Judiciary, to whom was referred Senate File No. 319, a bill for an act to repeal chapter 26 of the acts of the 15th General Assembly, and section 1433 of the Code, and enact a substitute therefor (relating to support of the insane), beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

G. S. ROBINSON, *Chairman.*

Order passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 336, a bill for an act to legalize the vote upon city officers of the city of Manchester, Iowa, on Monday, March 1, 1886, 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 the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

On motion of Senator Donnan Senate File No. 336, a bill for an act to legalize the vote upon city officers of the city of Manchester, Iowa, on Monday, March 1, 1886, with report of committee recommending that it do pass, was taken up and considered.

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 Barrett, Bloom, Burdick, Caldwell, Carr, Casey, Chambers, Chesebro, Dodge, Donnan, Doud, Duncan, Gatch, Gault, Glass, Henderson, Knight, McCoy, McDonough, Miles Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Underwood, Weber, Whaley, Wilkin, Wolfe, Woolson and Young—33.

The nays were, none.

Absent or not voting:

Senators Bayless, Bolter, Carson, Cassatt, Chubb, Clark, Deal, Dooley, Earle, Hendrie, Hutchison, Johnson, Reiniger, Ryder, Sutton, Sweney and Whiting—17.

So the bill passed and the title was agreed to.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 347, a bill for an act to amend sections 306 and 307 of the Code, as amended by the acts of the Twentieth General Assembly, providing for the publication of notices and proceedings of boards of supervisors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 337, a bill for an act relating to the qualification of county and 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 the bill be amended in the first section as follows:

1st. Strike out the words "means of" in line 3 (1 and 2 of printed bill.)

2d. Strike out the word "or" in line 4 (2 of printed bill); and insert after the word "weather" in line 5, the words "or other unavoidable casualty;" and as thus amended that the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Senator Doud, from the Committee on Penitentiaries, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries, to whom was referred Senate File No. 108, a bill for an act in relation to the labor of convicts and others confined in the State institutions, 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.

M. P. Doud, *Chairman*.

Ordered passed on file.

Senator Scott, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred Senate File No. 101, a bill for an act to regulate the exit doors of public buildings, beg leave to report that they have had the same under consideration, and have agreed upon 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 so amended the bill do pass.

JOHN SCOTT, *Chairman*.

Ordered passed on file.

BILLS ON SECOND READING.

Senate File No. 122, a bill for an act to provide for the greater protection of the property of minors, with report of Judiciary Committee that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate File No. 159, a bill for an act to permit garnishees to interpose defenses in certain cases, with report of Judiciary Committee recommending that it be indefinitely postponed, was taken up, considered, and the report of the committee was adopted.

Senate File No. 41, a bill for an act amending sections 10 and 13 of chapter 77 of the acts of the Seventeenth General Assembly, and prohibiting railroad companies from discrimination in furnishing cars or in transportation of property, and extortionate charges for the transportation of persons and property, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 91, a bill for an act for the control of the traffic in intoxicating liquors and the suppression of intemperance, and an act to amend chapter 6, title 4, of the Code, relating to intoxicating liquors and providing for the right and privilege of cities of the State of Iowa to license or prohibit the sale of intoxicating liquors therein, and to repeal all acts or parts of acts contravening the privileges of this act, with report of committee recommending that it do not pass, was taken up and considered.

On motion of Senator Woolson it was indefinitely postponed.

Senate File No. 30, a bill for an act providing that persons may be held to answer indictments found by district attorneys or Attorney-General, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 112, a bill for an act to bar the claims of absent

heirs and devisees and legatees, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Senate File No. 58, a bill for an act for the relief of George Bennett, with report of committee recommending indefinite postponement was taken up, considered, and the report of committee was adopted.

Senate File No. 128, a bill for an act making an appropriation to reimburse expense incurred by the captors of certain fugitives from justice, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 125, a bill for an act to provide a tax of one eighth of a mill as a permanent income for the State University of Iowa, and to amend sections 835 and 796, chapter 1, title 6, of the Code, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 227, a bill for an act to provide for the trial and determination of controversies arising between employers and employes, with report of committee without recommendation, was taken up, considered, and, on motion of Senator Young, was indefinitely postponed.

Senate File No. 194, a bill for an act to amend section 327 of the Code, in relation to the order of payment of county warrants, with report of committee recommending indefinite postponement, for the reason that a similar bill had been reported, was taken up, considered, and the report of the committee was adopted.

Senate File No. 163, a bill for an act to create boards of arbitration, defining their duties, powers and jurisdiction, with report of committee without recommendation, was taken up, considered, and, on motion of Senator Young, the bill was indefinitely postponed.

Senate File No. 1, a bill for an act to create a State board of arbitration, defining its duties, powers and jurisdiction, and providing for enforcing its judgments, without recommendation, was taken up and considered.

Senator Woolson moved to indefinitely postpone.

Carried.

Senate File No. 183, a bill for an act to authorize the creation and to provide for the operation of tribunals of voluntary arbitration to adjust disputes between employers and employed, in the State, without recommendation was taken up and considered.

Senator Caldwell moved to indefinitely postpone.

Carried.

Senate File No. 311, a bill for an act to relieve the surviving members of the 37th regiment Iowa infantry, known as the Gray Beards, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Senate File No. 81, a bill for an act to repeal chapter 80, laws of the Seventeenth General Assembly of Iowa, relating to the propagation of fish, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

House File No. 27, a bill for an act to amend chapter 159, laws of the Twentieth General Assembly, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

House File No 61, a bill for an act enlarging the offenses against ohsatity, morality and decency, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Senate File No. 178, a bill for an act in relation to satisfaction of mortgages by foreign executors, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Senate File No. 206, a bill for an act to repeal section 3327 of the Code of Iowa of 1873, and to enact a substitute therefor, in relation to the release and satisfaction of mortgages, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Senate File No. 282, a bill for an act in relation to the granting of new trials or practice in the Supreme Court, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Senate File No. 315, a bill for an act to amend section 4008 of the Code of 1873, with report of committee recommending indefinite postponement was taken up, considered and the report of the committee was adopted.

Senate File No. 191, a bill for an act to regulate mines and mining, and to repeal chapter 21 of the laws of the Twentieth General Assembly, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senator Wilkin moved that balance of session be devoted to legalizing acts and such other matters as may be taken up without objection.

Carried.

House File No. 64, a bill for an act to legalize the incorporation of the town of Riverside, in Washington county, Iowa, its ordinances and the acts of its officers thereunder, with report of committee recommending amendments and that they do pass, was taken up, considered, and the report of the committee was adopted.

Senator Duncan 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, Burdick, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Gault, Glass, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—37.

The nays were, none.

Absent or not voting:

Senators Bolter, Chubb, Clark, Deal, Dooley, Henderson, Hendrie, Hutchison, Johnson, Reiniger, Ryder, Sutton and Sweney—13.

So the bill passed and the title was agreed to.

On motion of Senator Robinson Senate File No. 180, a bill for an act to authorize administrators, executors and guardians appointed in other States or countries to release judgments, mortgages and deeds of trust, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Robinson moved that 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 Barrett, Bayless, Burdick, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Underwood, Whaley, Whiting, Wilkin, Wolfe and Woolson—37.

The nays were, none.

Absent or not voting:

Senators Bloom, Bolter, Chubb, Clark, Deal, Dooley, Hendrie, Hutchison, Johnson, Reiniger, Sweney, Weber and Young—13.

So the bill passed and the title was agreed to.

On motion of Senator Doud, House File No. 216, a bill for an act to legalize the levy of certain taxes in Crawford county, with report of Committee on Judiciary, recommending that it do pass, was taken up and considered.

Senator Doud moved to amend by striking out "Crawford County Bulletin and Denison Review" in the second line of section 2 and inserting in lieu thereof the following: "the Des Moines Leader and Iowa State Register," and striking out of the third line of section 2 the word "Denison" and inserting "Des Moines" in lieu thereof.

Carried.

Senator Doud 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, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Woolson—37.

The nays were, none.

Absent or not voting:

Senators Bayless, Bloom, Chubb, Clark, Deal, Dooley, Hendrie, Hutchison, Johnson, Reiniger, Ryder Sutton and Young—13.

So the bill passed and the title was agreed to.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor at the hands of his private secretary.

STATE OF IOWA,
EXECUTIVE DEPARTMENT,
DES MOINES, March 8, 1886. }

MR. PRESIDENT—I am instructed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of State the following bills:

Senate File No. 229, an act to amend chapter 44, of the laws of the session of the legislature of the Territory of Iowa, approved December 18, 1843, incorporating the Aspen Grove Cemetery Association of Burlington, and conferring upon it authority to acquire real estate.

Senate File No. 317, an act to validate county bonds outstanding April 11, 1884.

FREDK. W. HOSSFELD, *Private Secretary.*

On motion of Senator Miles Senate File No. 324, a bill for an act to authorize the creation, and to provide for the operation, of tribunals of voluntary arbitration to adjust industrial disputes between employers and employed, with report of committee recommending that it do pass, was taken up and indefinitely postponed.

On motion of Senator Miles Senate File No. 40, a bill for an act amending section 16, of chapter 21 of the acts of the Twentieth General Assembly, relating to the filing of charges for the removal of State Mine Inspector, with report of committee recommending a substitute and that 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 now, which motion prevailed and the bill was read a third time.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bloom, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Cassatt, Chesebro, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, McCoy, McDonough, Miles, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Woolson—38.

The nays were, none.

Absent or not voting:

Senators Bayless, Chambers, Chubb, Clark, Deal, Dooley, Hutchison, Johnson, Knight, Parrott, Reiniger and Young—12.

So the bill passed and the tittle was agreed to.

On motion of Senator Woolson Senate File No. 24, a bill for an act to amend section 1419, chapter 2, concerning care of the insane, with House amendment, was taken up and considered.

Senator Woolson moved to suspend vote by which Senate concurred in House amendment.

Carried.

Senator Woolson moved to amend House amendment by striking out the words "have been received" and inserting "are hereafter received."

On the question, shall the Senate concur in the House amendment. The yeas were :

Senators Barrett, Bayless, Bloom, Burdick, Caldwell, Carr, Carson, Cassatt, Chambers, Chesebro, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Woolson—39.

The nays were, none.

Absent or not voting :

Senators Bolter, Casey, Chubb, Clark, Deal, Dooley, Hendrie, Hutchison, Johnson, Reiniger and Young—11.

So the amendment was agreed to.

On motion of Senator Gault Senate File No. 287, a bill for an act to legalize the action of the board of directors of the district township of Vermillion, Appanoose county, Iowa, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

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 Barrett, Bayless, Bloom, Bolter, Burdick, Carr, Carson, Casey, Chambers, Chesebro, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Gault, Glass, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—37.

The nays were, none.

Absent or not voting :

Senators Caldwell, Cassatt, Chubb, Clark, Deal, Dooley, Henderson, Hendrie, Hutchison, Johnson, Reiniger, Schmidt and Sutton—13.

So the bill passed and the title was agreed to.

On motion of Senator Scott Senate File No. 305, a bill for an act to legalize certain acts relating to the organization of the town of Zearing, Story county, Iowa, also certain acts of the town council of said town, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Scott 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, Bolter, Burdick, Carr, Casey, Chambers, Chesebro, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Glass, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—36.

The nays were, none.

Absent or not voting :

Senators Caldwell, Carson, Cassatt, Chubb, Clark, Deal, Dooley, Gault, Henderson, Hendrie, Hutchison, Johnson, Reiniger and Schmidt—14.

So the bill passed and the title was agreed to.

On motion of Senator Donnan, Senate File No. 286, a bill for an act to legalize the acts of Moses R. Eastman, a notary public in and for Buchanan county, with report of committee recommending that it do pass, was taken up and considered.

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 Barrett, Bayless, Bloom, Bolter, Carr, Casey, Chambers, Chesebro, Dodge, Donnan, Doud, Duncan, Earle, Gatch, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Scott, Stephens, Sweney, Underwood, Weber Whaley, Whiting Wilkin, Wolfe and Woolson—31.

The nays were, none.

Absent or not voting :

Senators Burdick, Caldwell, Carson, Cassatt, Chubb, Clark, Deal, Dooley, Gault, Glass, Henderson, Hendrie, Hutchison, Johnson, Knight, Reiniger, Schmidt, Sutton and Young—19.

So the bill passed and the title was agreed to.

On motion of Senator Whiting, House File No. 28, a bill for an act to legalize the acts of the city of LeMars, in the county of Plymouth, and State of Iowa, and legalizing the ordinances passed and adopted for the government of the said city, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Whiting 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, Bolter, Burdick, Carr, Casey, Chambers, Chesebro, Dodge, Donnan, Duncan, Earle, Gatch, Gault, Glass, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Scott, Stephens, Sweney, Underwood, Whaley, Whiting, Wilkin, Wolfe and Woolson—32.

The nays were, none.

Absent or not voting :

Senators Caldwell, Carson, Cassatt, Chubb, Clark, Deal, Dooley, Doud, Henderson, Hendrie, Hutchison, Johnson, Knight, Reiniger, Schmidt, Sutton, Weber and Young—18.

So the bill passed and the title was agreed to.

On motion of Senator Wilkin Senate File No. 312, a bill for an act to cure defects of description in the land certificate and patent No. 10759, of the State of Iowa, to John W. Lyttle, conveying lands in

Page county, Iowa, 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 shall the bill pass.

The yeas were:

Senators, Barrett, Bayless, Bolter, Burdick, Carr, Carson, Casey, Chambers, Chesebro, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Gault, Glass, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Woolson—34.

The nays were, none.

Absent or not voting:

Senators Bloom, Caldwell, Cassatt, Chubb, Clark, Deal, Dooley, Henderson, Hendrie, Hutchison, Johnson, Knight, Reiniger, Schmidt, Sutton and Young—16.

So the bill passed and the title was agreed to.

On motion of Senator Bayless the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 9, 1886. }

The Senate met in regular session at 2 P. M.

The President of the Senate in the chair.

Prayer by Rev. H. O. Breeden.

The journal of the previous day was read in part and on motion further reading was dispensed with.

On motion of Senator Weber Senator Gault was excused.

On motion of Senator Parrott Senator Caldwell was excused.

On motion of Senator Wilkin Senator Woolson was excused.

PETITIONS.

Senator McCoy presented a petition of Tom Conner Post, No. 399, G. A. R., asking that the soldiers' home be located at Colfax, Jasper county, Iowa.

Referred to Committee on Military.

Senator Chubb presented petition signed by citizens of Iowa asking for the enactment of a law giving a certain per cent. for making flour from wheat, rye, or buckwheat; also for grinding for feed.

Referred to Committee on Agriculture.

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. 100, relating to the payment of wages of employes of corporations placed in the hands of a receiver.

Also:

The House has passed Senate File No. 149, relating to bonding county indebtedness, with amendment.

J. K. POWERS, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Duncan, Senate File No. 359, a bill for an act to provide for the assessment of mortgages or of mortgaged property and to prevent double assessment.

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

By Senator Gatch, Senate File No. 360, a bill for an act making an appropriation to complete and furnish the new capitol and to improve the grounds.

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

HOUSE MESSAGES.

House File No. 100, a bill for an act to provide for payment of wages for corporations placed in the hands of a receiver.

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

COMMUNICATION ON PRESIDENT'S TABLE.

Secretary read a communication from Traders and Travelers Union, of New York, to the President of the Senate with request that he use his influence for the adoption and passage of a bill to relieve traveling men from paying license fees.

Referred to Committee on Ways and Means.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 413, a bill for an act to legalize the incorporation of the town of Guthrie Center, in Guthrie county, 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 be indefinitely postponed.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was re-

ferred Senate File No. 199, a bill for an act to amend section 3125 of the Code of Iowa, relating to sales on 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 the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 251, a bill for an act to repeal section 2, of chapter 94, acts of the 18 General Assembly, relating to Soldiers' Orphans' Home, and enacting a substitute therefor, in relation to admitting children to the Soldiers' Orphans' 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 the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 210, a bill for an act to confirm judicial sales of real estate, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 293, a bill for an act to provide for the registration of bonds issued by counties, school districts, and municipal corporations, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Senator Duncan, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 240, a bill for an act to provide for the purchase or condemnation of gravel, sand and clay banks or beds by townships, cities and incorporated towns for the purpose of improvement of highways and streets, beg 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 for same, with recommendation that the substitute do pass.

F. A. DUNCAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 138, a bill for an act to amend certain sections and to enact a new section of chapter 200, laws of 1884 relating to the

improvement of 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 bill be indefinitely postponed.

F. A. DUNCAN, *Chairman*.

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 335, a bill for an act to prevent the breaking down and injuring bridges and culverts on public highways by moving steam engines of any kind, corn mills, cane mills, saw mills and threshing machines beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

F. A. DUNCAN, *Chairman*.

Ordered passed on file.

Senator Parrott, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred House substitute for House File No. 111, a bill for an act to amend chapter 162, Seventeenth General Assembly, in relation to authorizing cities of the first class to provide for the construction of sewers, additional to Code, chapter 10, title 4, concerning cities and incorporated towns, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Senator Miles, from the Committee on Private Corporations, submitted the following report :

MR. PRESIDENT—Your Committee on Private Corporations to whom was referred Senate File No. 352, a bill for an act to amend section 1060 of the Code in relation to the adoption of articles of incorporation, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

LEWIS MILES, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Private Corporations, to whom was referred Senate File No. 228, a bill for an act to amend section 3756 of the Code in relation to fees to be charged for filing and recording articles of incorporation 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.

LEWIS MILES, *Chairman*.

Ordered passed on file.

Senate File No. 149 was taken up with amendment from the House. On the question of concurring in the House amendment the yeas and nays were called as follows:

The yeas were :

Senators Bayless, Bloom, Bolter, Burdick, Carr, Carson, Casey, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Glass, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Stephens, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Young—38.

The nays were, none.

Absent or not voting :

Senators Barrett, Caldwell, Cassatt, Chambers, Gault, Henderson, Hendrie, Reiniger, Ryder, Schmidt, Scott, Sutton, Sweney and Woolson—14.

So the House amendment was concurred in.

BILLS ON THIRD READING.

Senate File No. 39, a bill for an act requiring the prompt, faithful and impartial transmission and delivery of telegraph messages and limiting the compensation therefor, was taken up, and the bill was read a third time.

On the question, shall the bill pass.

The yeas were :

Senators Barrett, Bayless, Bloom, Bolter, Burdick, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Young—41.

The nays were, none.

Absent or not voting :

Senators Caldwell, Gault, Henderson, Hendrie, Knight, Reiniger, Ryder, Sweney and Woolson—9.

So the bill passed and the title was agreed to.

The hour having arrived for consideration of Senate File No. 66, 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, with report of committee recommending amendments and that it do pass, was taken up and considered.

Senator Glass moved to make special order for Friday at 2:30 P. M. and so remain until disposed of.

Carried.

Senate File No. 144, a bill for an act establishing the Supreme Court at the seat of government and providing officers therefor, with report of committee recommending amendments and that it do pass, was taken up, considered and the report of the committee was adopted.

Senator Schmidt moved to amend as follows:

By adding at the end of section 1, "and from and after the 1st day of October, A. D. 1886, the judges of said court shall reside at the seat of government during their term of office.

The yeas and nays were demanded.

The yeas were :

Senators Bayless, Bloom, Bolter, Burdick, Carr, Carson, Chesebro,

Dodge, Donnan, Dooley, Earle, Johnson, Knight, Schmidt, Sutton, Whaley, Whiting, Wolfe and Young—19.

The nays were:

Senators Barrett, Casey, Chambers, Chubb, Clark, Doud, Duncan, Gatch, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Scott, Stephens, Underwood, Weber and Wilkin—20.

Absent or not voting:

Senators Caldwell, Cassatt, Deal, Gault, Glass, Henderson, Hendrie, Reiniger, Ryder, Sweney and Woolson—11.

So the amendment was lost.

The Chair called the attention of the Senate to the fact that the hour for special order, it being Senate Files Nos. 22 and 181 had arrived.

On motion of Senator Robinson, the special order was postponed until the matter under consideration be disposed of.

The question being on ordering the bill to a third reading.

The yeas were:

Senators Carr, Casey, Chambers, Chubb, Clark, Doud, Duncan, Gatch, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Scott, Underwood, Weber, Whiting, Wilkin and Wolfe—21.

The nays were:

Senators Bayless, Bloom, Bolter, Burdick, Carson, Chesebro, Deal, Donnan, Dooley, Earle, Johnson, Knight, Schmidt, Stephens, Sutton, Whaley and Young—17.

Absent or not voting:

Senators Barrett, Caldwell, Cassatt, Dodge, Gault, Glass, Henderson, Hendrie, Reiniger, Ryder, Sweney and Woolson—12.

So the bill was ordered to a third reading.

The hour having arrived for second special order at 3:40 P. M., it being the consideration of committee's substitute for Senate File No. 22, a bill for an act to require children between the ages of seven and fifteen years to attend school, and to provide for the appointment of truant officers to compel attendance, and Senate File No. 184, a bill for an act to enlarge the powers of school directors in relation to compel the attendance of pupils at school.

Pending amendment, by Senator Bolter, on the question of agreeing to the amendment, it was lost.

Senator McDonough offered the following amendment:

Insert after the word persons, 3d line, 2d section, "*provided*, such person or persons are appointed by the district court and give an approved bond for the faithful performance of his or their duties."

Lost.

Senator Deal offered the following amendment:

Strike out all that part of line two in section two after the word "more."

Lost.

Senator Poyneer moved to strike out all of section 4, of the bill.

Carried.

Question recurring upon the substitute, on the question shall the substitute be adopted, the yeas and nays were called.

The yeas were:

Senators Barrett, Burdick, Carson, Chambers, Clark, Donnan, Doud,

Duncan, Earle, Gatch, Glass, Miles, Parrott, Robinson, Schmidt, Scott, Stephens, Underwood, Weber, Whaley, Wilkin and Young—22.

The nays were:

Senators Bloom, Bolter, Carr, Casey, Chubb, Deal, Hutchison, Knight, McDonough, Poyneer, Ryder, Sutton, Whiting and Wolfe—14.

Absent or not voting:

Senators Bayless, Caldwell, Cassatt, Chesebro, Dodge, Dooley, Gault, Henderson, Hendrie, Johnson, McCoy, Reiniger, Sweney and Woolson—14.

So the substitute was adopted.

On the question shall the bill be engrossed and read a third time to-morrow, the yeas and nays were called.

The yeas were:

Senators Barrett, Burdick, Carson, Chambers, Clark, Donnan, Doud, Duncan, Gatch, Glass, Miles, Parrott, Robinson, Scott, Stephens, Underwood, Weber, Whaley, Wilkin and Young—20.

The nays were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Chesebro, Chubb, Deal, Earle, Hutchison, McCoy, McDonough, Poyneer, Ryder, Schmidt, Sutton, Whiting and Wolfe—18.

Absent or not voting:

Senators Caldwell, Cassatt, Dodge, Dooley, Gault, Henderson, Hendrie, Johnson, Knight, Reiniger, Sweney, and Woolson—12.

So the bill was ordered engrossed.

INTRODUCTION OF BILLS.

By Senator Young, Senate File No. 361, a bill for an act to amend section 3074 of the Code of 1873, relating to exemptions.

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

By Senator Bayless, Senate File No. 362, a bill for an act to apportion the State into senatorial districts and declaring the ratio of representation.

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

By Senator Scott, Senate File No. 363, a bill for an act to establish and maintain a soldiers' home.

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

Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, March 10, 1898. }

The Senate met in regular session at 2 P. M.
The President of the Senate in the chair.
Prayer by Rev. C. M. Brink.
The journal of the previous day was read and approved.
Senator Bloom presented report from the State University giving information relative to free tuition of students.
Referred to Committee on University and ordered printed.

REPORT OF COMMITTEE.

Senator Johnson, 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. 22 and 184, a bill for an act to enlarge the powers of school directors in relation to compelling the attendance of pupils at school.

Senate File No. 144, a bill for an act establishing the supreme court at the seat of government and providing officers therefor.

And find the same correctly engrossed.

G. L. JOHNSON, *Chairman.*

Senator Chambers moved to reconsider vote by which substitute for Senate Files Nos. 22 and 184 was ordered to a third reading.

Carried.

Senator Chambers moved to reconsider vote by which substitute was adopted.

Carried.

Senator Chubb moved to amend by striking out in eighth line of section 2 all of that section after word "schools."

Carried.

Senator Deal offered following amendment: Strike out all that part of line two, section 2, after word "March," and insert the word "a;" and strike out of line three, same section, the words "or persons."

Carried.

Senator Bolter moved to strike word "shall" in second line, section 2, and insert word "may."

Carried.

Senator McDonough moved to amend to strike words "and each township district," in line one, section 2.

Carried.

The substitute as amended was adopted.

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 Barrett, Burdick, Caldwell, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Miles, Parrott, Poyneer, Robinson, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—26.

The nays were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Dooley, Earle, Gault, Henderson, Hendrie, Hutchison, Johnson, Knight, McCoy, McDonough, Schmidt, Sutton, Whiting and Wolfe—21.

Absent or not voting :

Senators Dodge, Reiniger and Ryder—3.

So the bill passed and the title was agreed to.

The hour having arrived for special order, it being Senate File No. 263, a bill for an act amendatory of chapter 143 of the acts of the Twentieth General Assembly, relating to intoxicating liquors, and providing for the more effectual suppression of the illegal sale and transportation of intoxicating liquors, and abatement of nuisances, with report of a majority of committee recommending amendments and that it do pass, was taken up and considered, and the report of the committee was adopted.

The hour having arrived for special order, it being Joint Resolution No. 6, proposing to amend section 1, article 2 of the Constitution of the State of Iowa, with a report of a majority of committee recommending amendments and that it do pass, was taken up, and on motion of Senator Chambers it was postponed until the bill under consideration was disposed of, and ordered to hold its place on the calendar.

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 extending the time of the joint committee in regard to the location of the proposed soldiers' home.

Also, the House has concurred in sundry Senate amendments to House File No. 207, and refused to concur in sundry other amendments to said bill.

J. K. POWERS, *Chief Clerk.*

Senator Woolson offered the following amendment to the bill under consideration:

Insert after the word "same," in line three, section 8, printed bill, "or except in a private dwelling house, which does not include or is not used in connection with a tavern, public eating house, restaurant, grocery, or other place of public resort."

Adopted.

Senator Weber moved to amend by inserting after the word "offense," in sixteenth line of section 10, the words "and shall pay costs of prosecution."

Senator Casey moved to strike out all after the word "ordered," in section 3, seventh line.

The yeas and nays were called for.

The yeas were:

Senators Bayless, Bloom, Bolter, Burdick, Carr, Casey, Chesebro, Chubb, Dodge, Dooley, Earle, Gault, Henderson, Hendrie, Johnson, Knight, McCoy, Ryder, Schmidt, Scott, Whiting, Wilkin and Wolfe—23.

The nays were:

Senators Caldwell, Chambers, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McDonough, Miles, Parrott, Poyneer, Robinson, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Woolson and Young—23.

Absent or not voting:

Senators Barrett, Carson, Cassatt and Reiniger—4.

So the amendment was lost.

Senator Weber moved to amend by inserting after the word "prosecution" in section 4, line 3, "and the costs shall include a reasonable attorney's fee, the same to be fixed by the court."

Senator Johnson moved to amend amendment by adding thereto the words, "and in case defendant is acquitted he shall be allowed the costs and attorney's fees to be paid out of the county fund."

The yeas and nays were demanded.

The yeas were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Earle, Henderson, Hendrie, Johnson, Knight, Ryder, Schmidt and Wolfe—17.

The nays were:

Senators Barrett, Burdick, Caldwell, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Gault, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—31.

Absent or not voting:

Senators Reiniger and Whiting—2.

So the amendment to the amendment was lost.

The question recurring on the amendment by Senator Weber.

Carried.

Senator Schmidt offered the following amendment:

Amend section 1, by striking out after the word "nuisance" in the first line the words "as authorized by section 12, of chapter 143, of the acts of the Twentieth General Assembly."

The yeas and nays were demanded.

The yeas were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Earle Henderson, Hendrie, Johnson, Knight, Ryder, Schmidt, Whiting and Wolfe—18.

The nays were:

Senators Barrett, Burdick, Caldwell, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Gault, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—31.

Absent or not voting:
 Senator Reiniger—1.
 So the amendment was not 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 bills in which the concurrence of the Senate is asked :

House File No. 30, relating to terms, times and place of holding the Supreme Court, providing for a building and janitor therefor and fixing compensation.

House File No. 127, a bill for an act requiring railroads to fence their roads.

House File No. 149, a bill for an act to repeal section 976 of the Code and enact a substitute therefor relating to highway taxes.

House File No. 251, a bill for an act requiring banking corporations to incorporate the word "State" in their corporate name.

House File No. 78, a bill for an act relating to the sale of intoxicating liquors.

House File No. 312, a bill for an act to amend section 605, chapter 3, title 5, of the Code, relating to general elections.

Also:

The House has passed Senate File No. 62, amending section 2956 of the Code, relating to attachments, without amendment.

Senate File No. 257, providing for the levy of a one-half mill tax for the years 1886 and 1887 to provide a home for Iowa soldiers and sailors, making repairs and improvements on State institutions, and for other purposes. With amendment as follows, striking out the words "other purposes" and inserting "paying outstanding warrants."

J. K. POWERS, *Chief Clerk.*

Senator Weber offered the following amendment: Add after the word "prosecution" in the 16th line, section 10, and in 12th line of section 11, the words, "and the costs shall include a reasonable attorney's fee to be assessed by the court which shall be paid into the county fund."

Adopted.

Senator Sutton moved to amend as follows: Strike from the 7th line of section 1, the following words: "any citizen residing in the county may" and inserting instead thereof the following: "Upon such refusal or neglect being shown to the Attorney General, said Attorney General shall if upon investigation he deem the grounds of such action well founded." And by inserting after the word "nuisance" in the 8th line, the following: "and for the purpose of instituting and prosecuting such action, the Attorney General may appoint a special assistant, who shall be paid by the county, a compensation for such services to be assessed by the court, which compensation shall not be less than ten dollars per day."

Senator Woolson moved to amend the amendment by inserting the word "five" in lieu of the word "ten."

On this question the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bloom, Bolter, Burdick, Carr, Casey, Cassatt, Chesebro, Chubb, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Gault, Henderson, Hendrie, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Stephens, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—36.

The nays were:

Senators Caldwell, Chambers, Deal, Johnson, Ryder, Schmidt, Sutton and Sweney—8.

Absent or not voting:

Senators Carson, Clark, Dooley, Glass, Reiniger and Scott—6.

So the amendment was adopted.

By leave, Senator Scott, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred Senate File No. 360, a bill for an act making an appropriation to complete and furnish the new capitol, and to improve the 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 the bill do pass.

JOHN SCOTT, *Chairman.*

Ordered referred to Committee on Appropriations.

By unanimous consent Senator Whaley offered the following concurrent resolution relative to soldiers' home:

WHEREAS, The joint committee selected to investigate and report in regard to the location of soldiers' home, find that they cannot properly investigate and report within the time first granted; therefore,

Be it resolved by the Senate, the House concurring, That the said committee shall have until the 20th day of March within which time they shall make such a report.

Adopted.

The question recurring upon the amendment of Senator Sutton, the yeas and nays were demanded.

The yeas were:

Senators Carson, Chambers, Chubb, Duncan, Glass, McDonough, Stephens, Sutton, Sweney, Weber and Woolson—11.

The nays were:

Senators Barrett, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Clark, Dodge, Donnan, Doud, Gatch, Gault, Hendrie, Hutchison, Johnson, Knight, McCoy, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Underwood, Whaley, Whiting, Wilkin, Wolfe and Young—30.

Absent or not voting:

Senators Bayless, Burdick, Caldwell, Deal Dooley, Earle, Henderson, Reiniger and Ryder—9.

So the amendment was not agreed to.

Senator Bloom offered the following amendment:

Add to the close of section 10, "The provisions and penalties of this section shall in no way apply to express or railway companies or

their agents or employees for the transmission of intoxicating liquors, to persons not engaged in the sale of the same and in good faith to be used for their own or their family use."

The yeas and nays were demanded.

The yeas were:

Senators Bayless, Bloom, Bolter, Casey, Chesebro, Dodge, Dooley, Earle, Henderson, Hendrie, Johnson, Ryder, Schmidt, Whiting and Wolfe—15.

The nays were:

Senators Barrett, Caldwell, Carson, Chambers, Clark, Donnan, Doud, Duncan, Gatch, Glass, McDonough, Miles, Parrott, Robinson, Scott, Stephens, Sweney, Underwood, Weber, Wilkin, Woolson and Young—22.

Absent or not voting:

Senators Burdick, Carr, Cassatt, Chubb, Deal, Gault, Hutchison, Knight, McCoy, Poyneer, Reiniger and Sutton—13.

So the amendment was not agreed to.

Senator Clark offered the following amendment: Strike out of line 1, in section 8, the words "equitable or criminal," and insert the words "prosecutions and proceedings."

Adopted.

Senator Clark moved that when Senate adjourn it be to 10 A. M., to-morrow.

Carried.

Senator Casey moved to amend to add to section 9, "But no equitable proceeding, order or judgment shall be construed as a conviction under the provisions of this section."

Adopted.

On motion the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 11, 1886. }

The Senate met in regular session at 10 A. M.

The President of the Senate in the chair.

Prayer by Rev. W. A. Cain.

The journal of previous day was read and approved.

Senator Dodge asked leave to have his vote recorded in the negative on the vote by which substitute for Senate File No. 22 and Senate File No. 184 was passed.

Granted.

Senator Dodge asked unanimous consent to take up and consider House File No. 111.

Senator Clark moved to postpone consideration of special order until House File No. 111 could be disposed of.

Carried.

On motion of Senator Dodge substitute for House File No. 111, a bill for an act to amend chapter 162, Seventeenth General Assembly, in relation to authorizing cities of the first class to provide for the

construction of sewers, additional to Code, chapter 10, title 4, concerning cities and incorporated towns, with report of committee recommending that it do pass, was taken up, considered, 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 concurred in Senate resolution extending the time in which the joint committee may select a location for the proposed soldiers' home.

Also, the House has concurred in sundry amendments to House File No. 207, and refuse to concur in sundry other amendments to said bill.

J. K. POWERS, *Chief Clerk.*

SPECIAL ORDER,

being on Senate File No. 263, a bill for an act amendatory of chapter 143, of the acts of the Twentieth General Assembly, relating to intoxicating liquors, and providing for the more effectual suppression of the illegal sale and transportation of intoxicating liquors, and abatement of nuisances, was taken up and considered.

Senator Bolter moved to amend as follows: Amend section 4 by striking all said section after the word "paid" in line 4.

Senate adjourned to 2 P. M.

AFTERNOON SESSION.

Senate File No. 263 being under consideration at the hour of adjournment, it was resumed on convening of the Senate at 2 P. M.

INTRODUCTION OF BILLS.

By Committee on Railroads, Senate File No. 365, a bill for an act to protect employes of railway companies engaged in the transportation of freight in railway cars within the State of Iowa.

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

By Senator Doud, Senate File No. 366, a bill for an act to make appropriation to the Iowa prisoners' aid association.

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

By Senator Scott, Senate File No. 364, a bill for an act to provide for discontinuing the home for indigent children, for transferring the property of the State therein to the purposes of a home for indigent soldiers and sailors, and for the care of certain indigent children and children of deceased soldiers.

Read a first and second time and referred to the Committee on Orphans' Home.

REPORTS OF COMMITTEES.

Senator Whaley, 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. 344, a bill for an act to repeal chapter 156 of the laws of the Eighteenth General Assembly relating to an assistant Fish Commissioner, beg leave to report that they have 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 McCoy, 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. 323, a bill for an act for the appointment of three treasury inspectors and prescribing their duties and compensation, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

BEN MCCOY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on County and Township Organization to whom was referred Senate File No. 314, a bill for an act authorizing the board of supervisors in any county to appoint a deputy county treasurer in certain cities not county seats, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the senate with the recommendation that it be indefinitely postponed.

BEN MCCOY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on County and Township Organization to whom was referred House File No. 126, a bill for an act to amend section 976 of the Code of 1873, relating to township clerks, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass as amended by the House.

BEN MCCOY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on County and Township Organization, to whom was referred Senate File No. 318, a bill for an act to amend section 384 of the Code and to provide for consolidation of townships heretofore divided, beg leave to report that they have 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 Robinson, from the Committee on Judiciary, submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 261, a bill for an act repealing section 2214 of the Code, and enacting a substitute therefor, relating to debts incurred in the support of families, and making the same chargeable to the husband and wife, beg leave to report that they have had the same under consideration, and a majority of the committee has instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 256, a bill for an act to amend section 4239 and 4240 of the Code, relating to preliminary examinations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the substitute herewith submitted be adopted; that when adopted it do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to was referred Senate File No. 220, a bill for an act to enlarge the powers of boards of supervisors under division 10, of section 303, and to repeal section 913 of the Code, and to provide for more thorough and efficient settlements of county officers, and for their suspension and removal in certain cases, and the effect to be given to such settlements; and making certain duties of the board of supervisors mandatory, and providing a penalty for neglect 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.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 212, a bill for an act to amend section 506 of the Code, with reference to compensation of mayors when acting as magistrates, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 546, a bill for an act to legalize certain pro-

ceedings of the board of supervisors of Poweshiek county, in relation to restraining stock from running at large, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 508, a bill for an act to legalize certain acts of the school boards of Plum Grove and Plainview, in Bloomfield township, Polk county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 345, a bill for an act to legalize certain acts of the board of supervisors of Pottawattamie 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 the bill do pass.

G. S. ROBINSON, *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. 213, a bill for an act to amend chapter 2, of title 11 of the Code, relating to insane persons, and to provide that habitual drunkards shall be committed for treatment as provided by law for insane persons, beg leave to report that they have had same under consideration and have unanimously instructed me to report the same back to the Senate with the recommendation that the bill be indefinitely postponed.

T. E. CLARK, *Chairman*.

Ordered passed on file.

Senator Parrott, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred House File No. 86, a bill for an act to amend section 457 of the Code, relating to regulations against fires, beg leave to report that they have had the same under consideration and have prepared the accompanying substitute, and have instructed me to report the same back to the Senate with the recommendation that said substitute be adopted and that when adopted it do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 169, a bill for an act providing penalties for

the employment by railroad companies of persons in the habit of becoming intoxicated, and providing for punishment of certain railroad employes for being intoxicated while in the discharge of 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 indefinitely postponed.

J. H. SWENEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 96, a bill for an act defining the duties of railroad companies with reference to fencing their lines, maintaining crossings and punishing trespassers upon said lines; repealing part of section 1289 of the Code, and amending section 1268 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 a substitute, and with the recommendation that the substitute do pass.

J. H. SWENEY, *Chairman.*

Ordered so referred.

Also:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 142, a bill for an act to amend section 1265, Code of Iowa, and to compel railway companies to fence and put in cattle-guards, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass with the following amendment: Insert the word "provided" before the word "that" in the second line of section 1 of the printed bill.

J. H. SWENEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 280, a bill for an act to regulate the operating of railroads on the Sabbath day, or first day of the week, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. H. SWENEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 137, a bill for an act to repeal section 2, chapter 88, of the acts of the Fifteenth General Assembly, 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.

J. H. SWENEY, *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. 121, a bill for an act to prevent deception in the manufacture and sale of imitations of butter and cheese, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that the bill as amended by the Committee on Agriculture be further amended by striking out all of section 17 and inserting the following in lieu thereof: "Section 17. There is hereby appropriated for the purposes of this act the sum of twenty thousand dollars (\$20,000), not more than one-half of which shall be drawn from the State treasury prior to the first day of July, A. D. 1887. The amount hereby appropriated shall be expended only under the direction and with the approval of the Executive Council;" and when so amended that the bill pass.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Senator Gatch moved that the special order, it being Senate File No. 154, be postponed until the present matter under consideration be disposed of, also joint resolution No. 6, which is to be made a special order until disposed of.

Senator Johnson moved as an amendment that the matter under consideration be continued until Thursday March 18th, at 2:30 P. M., and be made special order for that date.

Lost.

The question recurring on motion of Senator Gatch.

Carried.

The question recurring upon the amendment of Senator Bolter, the yeas and nays were called.

The yeas were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Earle, Henderson, Hendrie, Johnson, Knight, Ryder, Schmidt, Whiting and Wolfe—18.

The nays were:

Senators Burdick, Caldwell, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson, and Young—29.

Absent or not voting:

Senators Barrett, Gault, and Sutton—3.

So the amendment was lost.

Senator McCoy moved to amend section 12 as follows:

After the word "property" in the fifth line of section 12, insert "except the homestead and the personal property of such person, which is exempt from execution."

On this the yeas and nays were called:

The yeas were:

Senators Bayless, Burdick, Caldwell, Casey, Chesebro, Chubb, Deal, Donnan, Dooley, Duncan, Earle, Gatch, Glass, Henderson, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Stephens, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—30.

The nays were:

Senators Chambers and Clark—2.

Absent or not voting:

Senators Barrett, Bloom, Bolter, Carr, Carson, Cassatt, Dodge, Doud, Gault, Hendrie, Johnson, Knight, Ryder, Schmidt, Scott, Sutton, Whiting and Wolfe—18.

So the amendment was adopted.

Senator McCoy moved to amend section 5 by inserting after the word "building" in the sixth line "if the property of the defendants and not used by him or any other person as a homestead."

Senator Weber moved as a substitute to amendment of Senator McCoy as follows: Insert after the word "place" in the sixth line of section 5 the words "as against the use of the same for saloon purposes."

Lost.

Senator Gatch offered a substitute to the amendment of Senator McCoy as follows: Insert after the word "building" in sixth line, section 5, "except any part thereof actually occupied by the family of the defendant as a homestead."

Senator Donnan moved that when the Senate adjourn that it adjourn until 7:30 P. M. to day.

Lost.

Senator Donnan moved that the further consideration of this question be postponed until Thursday, March 18, at 2:30 P. M., and be made special order for that time and so continue until disposed of.

Carried.

Senator Carson moved that when the Senate adjourn that it adjourn until 10 A. M. to-morrow.

Carried.

Senator Carson moved that substitute for Senate File No. 78 be made special order for 10:30 A. M. on Friday, March 12.

Carried.

PETITIONS.

Senator Glass presented a petition relative to location of soldiers' home.

Referred to Committee on Military.

Senator Whaley presented a petition relative to location of soldiers' home.

Referred to Committee on Military.

On motion of Senator Sweney Senate File No. 66 was made a special order for Wednesday, March 17, at 2:30 P. M.

On motion of Senator Whaley the Committee on Military was excused while on tour of inspection for the purpose of locating a soldiers' home.

On motion Senator Clark was granted indefinite leave of absence.

On motion of Senator Gault the Senate adjourned until Friday morning, March 12, at 10 o'clock.

SENATE CHAMBER, }
DES MOINES, IOWA, March 12, 1886. }

The Senate met in regular session at 10 A. M.

The President of the Senate in the chair.

Prayer by Rev. D. R. Lucas.

The journal of the previous day was read and approved.

On motion of Senator Weber, Senate File No. 280, was referred back to Committee on Railroads.

On motion of Senator Dodge, House File No. 111, a bill for an act to amend chapter 162, Seventeenth General Assembly, in relation to authorizing cities of the first class to provide for the construction of sewers, additional to Code, chapter 10, title 4, concerning cities and incorporated towns, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Dodge 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 Bayless, Bloom, Bolter, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Dodge, Donnan, Dooley, Doud, Duncan, Gatch, Gault, Henderson, Hendrie, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Underwood, Weber, Wilkin, Wolfe and Woolson—34.

The nays were, none.

Absent or not voting:

Senators Barrett, Burdick, Caldwell, Cassatt, Clark, Deal, Earle, Glass, Johnson, Ryder, Schmidt, Sutton, Sweney, Whaley, Whiting and Young—16.

So the bill passed and the title was agreed to.

Senator Wilkin presented a communication from the Capitol Commissioners, which was read by the Secretary and placed on file.

COMMUNICATION.

! DES MOINES, IOWA, February 12, 1886.

To the Committee appointed to investigate and report as to the expenditures of the appropriations made with reference to the State Capitol:

GENTLEMEN—The undersigned were appointed by a statute approved April 11, 1872, commissioners "charged with the execution of the provisions of law in respect to the erection of the New Capitol," and assumed the duties imposed April 17, 1872.

Since that time they have carried on the work as rapidly as the appropriations would allow, there having been expended in finishing and furnishing the building and matters connected therewith, \$2,828,007.74.

This large amount of money has been expended without any investigation or any full examination of the vouchers and accounts by any authority delegated by the General Assembly. While the commissioners are conscious that all these amounts are exactly correct, they feel that the people of the State should authoritatively know that this is so, they therefore request that you give these expenditures such full examination that you will be able to report from your own knowledge that they are absolutely correct.

Very respectfully,

JOHN G. FOOTE,
R. S. FINEBINE,
PETER A. DEY,
Capitol Commissioners.

INTRODUCTION OF BILLS.

By unanimous consent Senator Wilkin introduced Senate File No. 387, a bill for an act to provide for a settlement with the board of commissioners charged with the execution of the provision of law in respect to the erection of the capitol, to require each member of said board except the Governor to execute new bonds and to limit the liability of sureties on the bonds heretofore given.

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

Senator Gatch moved that Senate File No. 154 be made special order for 2:30 P. M.

Carried.

On motion of Senator Weber Senator Burdick and Senator Parrott were excused.

On motion of Senator Miles Senate File No. 10, a bill for an act repealing sections 231, 4256 and 4291, and enacting a substitute therefor relating to the grand jury and reducing the number of grand jurors, with report of committee recommending substitute and do pass was taken up.

SPECIAL ORDER.

The hour having arrived for special order, substitute for Senate File No. 78, a bill for an act to provide for the election of county attorneys, was taken up and considered.

Senator Carson moved that consideration of Senate File No. 10 be substituted for special order until disposed of.

Carried.

Senate File No. 10 was taken up and considered, and the report of the committee agreed to.

On motion of Senator Miles the rule was suspended and the bill was read a third time.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Carr, Carson, Chambers, Chubb, Dodge, Donnan, Doud, Duncanson, Earle, Gatch, Gault, Henderson, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson,

Scott, Stephens, Underwood, Weber, Wilkin, Wolfe and Woolson—
29.

The nays were:

Senators Bloom, Bolter, Chesebro, Dooley, Hendrie and Schmidt
—6.

Absent or not voting:

Senators Bayless, Burdick, Caldwell, Casey, Cassatt, Clark, Deal,
Glass, Johnson, Ryder, Sutton, Sweney, Whaley, Whiting and Young
—15.

So the bill passed and the title was agreed to.

The next special order being a substitute for Senate File No. 78, a bill for an act to provide for the election of county attorneys with report of committee recommending it do pass was taken up and considered, and the substitute was adopted.

Senator Wolfe moved to amend by inserting words "and section 3775" after word "3" in line one, section 3, as printed.

Carried.

Senator Bolter moved to strike all after word "attend" in line 3, section 6, as printed.

Lost.

Senator Johnson moved to amend section 5 by striking the words "the court" in lines 1 and 2 and insert the words "any court of record" in lieu thereof; to strike the words "when such appearance is before a magistrate" in line 5; also to strike words after the word "rendered" in line 6, to and including word "and" in line 7.

INTRODUCTION OF BILLS.

By unanimous consent, by Senator Dodge, Senate File No. 368, a bill for an act to prevent non-resident aliens acquiring title to real estate in Iowa, and for the acquiring of such property now held by them by the State.

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

By Senator Bloom, Senate File No. 369, a bill for an act to legalize the proceedings of the board of supervisors and acts of certain officers of Johnson county, etc.

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

By Senator McCoy, Senate File No. 370, a bill for an act fixing compensation of the deputies of county clerk, county treasurer and county auditor.

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

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

AFTERNOON SESSION.

2 O'CLOCK P. M.

Senator Hutchison moved to suspend special order for a call of reports from standing committees.

Carried.

REPORTS OF COMMITTEES.

Senator Hutchison, 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. 351, a bill for an act to repeal section 1419 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.

J. G. HUTCHISON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means to whom was referred Senate File No 266, a bill for an act to provide for levying and enforcing taxes on royalties or license fees paid on the manufacture or use of patented articles in the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. G. HUTCHISON, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 211, a bill for an act to amend chapter 188 of the Twentieth General Assembly and the title to said chapter, beg leave to report that they have 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 Agriculture to whom was referred Senate File No. 75, a bill for an act supplemental to chapter 189, laws of the Twentieth General Assembly, and Senate File No. 124, a bill for an act to amend chapter 189 of the laws of the Twentieth General Assembly, and to prevent contagious diseases from being brought into the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report back to the Senate the accompanying substitute in lieu thereof,

with the recommendation that it be adopted and when so adopted it do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 54, a bill for an act to appropriate funds to aid the Iowa State Agricultural Society in the improvement of the permanent fair 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 striking out in the second line of section 1 the figures "50,000," and inserting in lieu thereof the figures "40,000;" that it be further amended by striking out the word "in" in the fifth line of section 1, and inserting the words "prior to July 1st," in lieu thereof; that it be further amended by striking out the word "June" in the sixth line of section 1 and inserting the word "July" in lieu thereof; that it be further amended by striking out all that part of section 1 commencing with the word "that" in the sixth line, and inserting in lieu thereof the following: "That no part of this appropriation shall be paid out of the State treasury until the full sum of \$50,000 has been realized by said Agricultural Society from the subscription made by citizens of Des Moines, as provided for in section 1, chapter 199, acts of the Twentieth General Assembly, and until said sum of \$50,000 has been expended by said Society in permanent improvements of the said grounds."

And as so amended it do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture to whom was referred Senate File No. 273, a bill for an act to allow underground tile drains across public highways and defining the duties of road supervisors relative to the same, and repeal section 1225, chapter 2, title 10 of the Code of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the words "underground tile drain" in the first line of section 2; that it be further amended by striking out the word "over" in the second line of section 2 and inserting the word "across;" that section 3 be amended by striking out the word "over" in the third line thereof and inserting the word "across;" and as so amended it do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Senator Parrott, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was reserred Senate File No. 291, a bill for an act to repeal section 520 of the Code of 1873, and enact a substitute therefor providing for the districting of cities into wards, beg leave to report that they 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 "one-fourth" from the 5th and 9th lines of the printed bill and insert in lieu thereof the word "one-half," and that as so amended the bill do pass.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 264, a bill for an act limiting the time of making claims and bringing suits against municipal coporations, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

MATT PARROTT, *Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS.

By unanimous consent, by Senator Donnan, Senate File No. 371, a bill for an act to authorize the building of an additional cottage adjacent to the hospital, to the Iowa Hospital for the Insane at Independence.

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

The Senate resumed consideration of Senate File No. 78, pending amendment by Senator Johnson, and the yeas and nays were demanded.

On motion, Senators Caldwell and Henderson were excused.

The yeas were:

Senators Bloom, Bolter, Carson, Chesebro, Doud, Gatch, Hutchison, McCoy, Parrott, Poyneer and Weber—11.

The nays were:

Senators Barrett, Bayless, Carr, Chambers, Donnan, Dooley, Duncan, Hendrie, Knight, McDonough, Robinson, Scott, Stephens, Underwood, Wilkin, Wolfe and Woolson—17.

Absent or not voting:

Senators Burdick, Caldwell, Casey, Cassatt, Chubb, Clark, Deal, Dodge, Earle, Gault, Glass, Henderson, Johnson, Miles, Reiniger, Ryder, Schmidt, Sutton, Sweney, Whaley, Whiting and Young—22.

So the amendment was lost.

Senator Weber offered the following amendment: Add to section 5, "but in criminal cases less than a felony, a justice of the peace or magistrate cannot appoint an attorney at the expense of the county or county attorney."

Adopted.

Senator Bolter offered the following amendment: Amend section 6, by striking out all after the word "pending" in the fourth line and inserting the following: "Or arising in his county or State is a party involving the same issue or issues of fact or law."

The hour having arrived for special order, Senate File No. 154, a bill for an act to regulate the organization and operation of mutual benefit associations, with report of committee recommending amendments and that it do pass, was taken up.

Senator Gatch moved to defer special order to 4 o'clock P. M., unless the same was disposed of.

Carried.

Senator Wolfe offered the following amendment: Amend by striking out after the word "same" in the fourth line, section 6, the words "State of" and inserting after the words "prosecuted in" in the fifth line the words "in the county."

Division of the amendment was called for, and the Senate adopted the motion to strike out the words "State of."

On the question of inserting after the words "prosecuted in" in the fifth line, the words "in the county."

Adopted.

Senator McCoy moved to amend section 5 by adding "provided that a justice of the peace shall not appoint an attorney to act as county attorney in any case unless written notice has been served upon the county attorney at least two clear days before any such appointment, that his services will be required before such justice at such time."

Pending which Senator Parrott, from Committee on Enrolled Bills submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 149, a bill for an act to amend chapter 80, of the acts of the Twentieth General Assembly, relating to the bonding of county indebtedness.

Joint resolution and memorial No. 9.

For the Protection of Iowa manufacturers.

Memorial and joint resolution No. 12.

Requesting Senators and Representatives in Congress relative to pensioning soldiers of the union army of the late war.

And find the same correctly enrolled.

MATT PARROTT, *Chairman pro tem.*

Senator Wilkin moved to adjourn.

The yeas and nays were demanded.

The yea was:

Senator Chubb—1.

The nays were:

Senators Barrett, Bayless, Bloom, Bolter, Carr, Carson, Casey, Chesebro, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Hendrie, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Scott, Stephens, Underwood, Weber, Wilkin, Wolfe and Woolson—32.

Absent or not voting:

Senators Burdick, Caldwell, Cassatt, Chambers, Clark, Deal, Dodge, Henderson, Johnson, Robinson, Ryder, Schmidt, Sutton, Sweney, Whaley, Whiting and Young—17.

So the Senate refused to adjourn.

The question recurring on the amendment of Senator McCoy, the yeas and nays were demanded:

The yeas were:

Senators Bayless, Bloom, Bolter, Carson, Casey, Chesebro, Chubb,

Doud, Earle, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Scott, Stephens and Weber—19.

The nays were:

Senators Carr, Chambers, Donnan, Dooley, Duncan, Gault, Hendrie, Knight, Robinson, Underwood and Wolfe—12.

Absent or not voting:

Senators Barrett, Burdick, Caldwell, Cassatt, Clark, Deal, Dodge, Gatch, Glass, Henderson, Johnson, Ryder, Schmidt, Sutton, Sweney, Whaley, Whiting, Wilkin and Young—19.

So the amendment was adopted.

Senator McCoy moved to amend to strike word "magistrate" from 5th line section 5, and insert "justice of peace."

Carried.

Senator Bloom moved to amend section 11 by striking out in said section the words: "In counties of not more than 500 inhabitants a salary of \$300 and having over 5,000 and."

Adopted.

Senator Bloom moved to amend same section by inserting "\$1,000" instead of "\$300" in line 4.

On this the yeas and nays were called.

The yeas were:

Senators Bloom, Donnan, Doud, Knight, Schmidt, Sutton, Wilkin and Wolfe—8.

The nays were:

Senators Bayless, Bolter, Carr, Casey, Cassatt, Chambers, Chesebro, Chubb, Duncan, Earle, Gatch, Gault, Hendrie, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Stephens, Underwood, Weber and Woolson—25.

Absent or not voting:

Senators Barrett, Burdick, Caldwell, Carson, Clark, Deal, Dodge, Dooley, Glass, Henderson, Johnson, Ryder, Scott, Sweney, Whaley, Whiting and Young—17.

So the amendment was lost.

Senator Woolson moved to amend as follows: Strike out all of section 6 after the word "pending" in line 4 and insert, "or arising in his county upon the same facts upon which any criminal action or civil action within the State or county was a party, has been by such attorney commenced or prosecuted."

Adopted.

Senator Woolson moved to reconsider the vote by which the last amendment by Senator McCoy was adopted.

Carried.

Senator Woolson moved to add to section 5, "Provided that a justice of the peace shall not appoint an attorney to act as county attorney in any case unless reasonable notice in writing has been given the county attorney that his services will be required before such justice at a time therein named."

Adopted.

So the bill was ordered engrossed.

Senator Miles, from the Committee on Private Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Private Corporations, to

whom was referred Senate File No. 140, a bill for an act to amend section 1078 of the Code of Iowa, regarding corporations for pecuniary profit, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Lewis Miles, *Chairman*.

Ordered passed on file.

Senator Miles moved that Senate File No. 385 be recommitted to Committee on Highways.

Carried.

INTRODUCTION OF BILLS.

By Senator Gatch, Senate File No. 373, a bill for an act making an appropriation to pay expenses incurred in escorting the remains of the late Hon. J. L. Mitchell to the place of interment.

Read a first and second time.

On motion of Senator Dooley Senator Dodge was excused.

Senator Gatch moved that the rule 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 Barrett, Bloom, Bolter, Carr, Casey, Cassatt, Chambers, Chesebro, Chubb, Donnan, Doud, Duncan, Earle, Gatch, Hendrie, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Schmidt, Scott, Stephens, Sutton, Underwood, Weber, Wilkin, Wolfe and Woolson—33.

The nays were, none.

Absent or not voting:

Senators Bayless, Burdick, Caldwell, Carson, Clark, Deal, Dodge, Dooley, Gault, Glass, Henderson, Johnson, Ryder, Sweney, Whaley, Whiting and Young—17.

So the bill passed and the title was agreed to.

SPECIAL ORDER.

Senate File No. 154, a bill for an act to regulate the organization and operation of mutual benefit associations, with report of committee recommending amendments, and that it do pass, was taken up and considered.

Senator Donnan moved that the bill be taken up by sections.

Carried.

Senator McCoy moved to amend section 2 by adding the words:

Nothing in this section shall be construed to require the new corporation of such corporation already duly incorporated and operating under the laws of Iowa.

Adopted.

Senator Wolfe moved to amend section 4, line two, after the word "amendment," by inserting:

If said association has not membership sufficient to pay the full amount of the certificate or policy on an assessment it shall cause the

application for insurance to have printed in red ink, in a conspicuous manner, along the margin of said application the words: "It is understood and agreed that the amount to be paid, when the certificate or policy issued upon this application becomes a claim, shall be dependent upon the amount collected from an assessment made to meet such claim, and they must".

On the question shall the amendment be adopted the yeas and nays were called.

The yeas were:

Senators Bayless, Bloom, Carr, Chambers, Donnan, Dooley, Earle, Gatch, Gault, Hendrie, McDonough, Miles, Poyneer, Scott, Stephens, Underwood, Wilkin, Wolfe and Woolson—19.

The nays were:

Senators Carson, Casey, Chubb, Duncan, Hutchison McCoy, Parrott, Robinson and Sutton—9.

Absent or not voting:

Senators Barrett, Bolter, Burdick, Caldwell, Cassatt, Chesebro, Clark, Deal, Dodge, Doud, Glass, Henderson, Johnson, Knight, Reiniger, Ryder, Schmidt, Sweney, Weber, Whaley, Whiting and Young—22.

So the amendment was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House :

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

Senate File No. 149.

Joint resolution and memorial, relating to the protection of Iowa manufactures.

Memorial joint resolutions, relative to granting pensions to ex-soldiers who were prisoners of war.

J. K. POWERS, *Chief Clerk.*

The amendments of the committee to section 7 were adopted.

Senator Bloom moved to amend section 8 as follows, insert in line 5, section 8 after the word "expenditures," the words "salaries of officers."

Adopted.

The amendments of the committee to section 8 were adopted.

Senator Chubb moved to insert before the word "for" in line 10 the word "and."

Adopted.

The amendments recommended by committee to section 9 were adopted.

Senator Wolfe moved to strike out all of section 9 down to and including the word "that" in line 8 of printed substitute.

On motion of Senator Hutchison, Senator Mills was excused until his return.

On motion of Senator Reiniger Senate File No. 293, was recommitted to Committee on Judiciary.

Senator Weber moved Senate do adjourn until 10 A. M., Saturday,

March 13, and that the bill now under consideration be special order at that time.

On motion of Senator Hutchison, Senate File No. 257, was taken up and on the question shall the Senate concur in the House amendments.

The yeas and nays were called.

The yeas were:

Senators Bayless, Bloom, Bolter, Carr, Carson, Casey, Chambers, Chubb, Donnan, Dooley, Doud, Duncan, Gatch, Gault, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Stephens, Sutton, Underwood, Weber, Wilkin, Wolfe and Woolson—29.

The nay was:

Senator Earle—1.

Absent or not voting:

Senators Barrett, Burdick, Caldwell, Cassatt, Chesebro, Clark, Deal, Dodge, Glass, Henderson, Hendrie, Johnson, Knight, Ryder, Schmidt, Scott, Sweeney, Whaley, Whiting and Young—20.

So the House amendments were agreed to.

The question recurring upon the motion of Senator Weber, the Senate adjourned until 10 A. M. Saturday, March 13.

SENATE CHAMBER, }
DES MOINES, IOWA, March 13, 1896. }

The Senate met in regular session at 10 A. M.

The President of the Senate in the chair.

Prayer by Rev. Geo. C. Henry.

The journal of the previous day was read and approved.

RESOLUTION.

By leave, Senator Woolson offered the following concurrent resolution:

WHEREAS, The General Assembly of the State of Iowa has at different sessions, by memorials and by joint resolutions, expressed the sympathy of the State with its citizens who, in good faith, and under the invitation of the officers of the United States government, settled upon the lands lying within the limits of what is now known as the grant to the Des Moines Navigation and Railroad Company, and the urgent desire of the State that Congress should promptly pass a bill looking to proceedings quieting the title to such settlers and permitting them to own and continue to occupy the homes they have made on such lands; and

WHEREAS, a bill has passed both houses of Congress having for its purpose to secure to said settlers the peaceful possession and title to the homes they have created by their labor, and the expenditure of their

means through many years, and to which they are justly entitled, and the eviction from which must inevitably cause them severe hardships and very great pecuniary loss, which bill the President of the United States has refused to approve; therefore,

Be it resolved by the Senate of the Twenty-first General Assembly of Iowa, the House of Representatives concurring, That the Iowa delegation in Congress merit the thanks of this General Assembly, which are hereby tendered, for their efficient efforts in obtaining the passage of said bill.

Resolved further, That it is with deepest regret that this General Assembly has learned of the veto of said measure by the President, and that by this veto, the President has disappointed the just expectations of the people of Iowa.

Resolved, That the Secretary of State is hereby directed to forward to each of our Senators and Representatives in Congress a certified copy of these resolutions.

Unanimously adopted.

On motion, Senators Chambers, Hutchison and Dodge, were excused.

Senate resumed consideration of substitute for Senate File No. 154, being special order after reading journal.

Senator Wolfe withdrew the amendment to section 9, offered March 12, and accepted the following as a substitute therefor by Senator Donnan:

Amend section 9, insert after the word deposit in the 8th line, the following: Showing the purpose of such deposit, and to what fund the same is to be applied when paid out; and also showing the aggregate liabilities of such corporation or association at the date of issuance of such certificate.

Adopted.

Senator Bloom moved that the following be adopted as a substitute for section 10:

"Such association may have the right to change its securities on deposit with the Auditor of State, by substituting for those being withdrawn a like amount in other valid, safe and sufficient securities as provided for in this act, and provided that a majority of the directors or trustees of such corporation or association consent to a substitute or exchange of such securities."

Lost.

The amendments to section 11, recommended by the committee were adopted.

Senator Wolfe offered the following: Amend section 11, line 3, by striking out after the word "are" the words "necessary and" and at the end of said section by striking out the words "collected" and inserting in lieu thereof the words "deposited in his office."

Adopted.

The amendments to section 13, recommended by the committee was adopted.

Senator Donnan offered the following as an amendment to section 13:

Strike out of section 13 all preceding word "upon" in thirty eighth line and insert in lieu thereof such corporations or organization if or-

ganized under the laws of any other State or foreign country, shall before issuing any policies in this State in accordance with the laws governing corporations of similar character and shall by sworn statements of its officers satisfy the condition of and state that it possesses all the qualifications required of such corporations or organizations originally incorporated in this State and shall execute and file with the Auditor of State a bond to the State of Iowa for the use and benefit of any person interested in said company in a sum not less than ten thousand dollars which bond shall be signed by at least five sureties who shall justify in a sum double the amount named in said bond; such bond shall be conditioned that the said company will account for and pay over to the persons entitled thereto any and all money recovered by such company or organization from any assessment made upon its members to pay losses by death, accident or disease, according to the by-laws, rules and regulations of such company. Provided that such company may in lieu of such bond deposit with said Auditor of State, bonds of this State, of the United States or bona fide first mortgage securities upon real estate double in value to the amount required in said bonds.

Lost.

Senator Chubb moved to strike out the word "six" in the 58th line of section 13 and insert the word "five" in lieu thereof.

Adopted.

Senator Wolfe moved to amend section 13 as follows: Insert at the end of line 48 after the word "association," and a failure to pay the full limit named in its certificate or policy shall be such evidence that it is not solvent, and to require the Auditor to investigate.

Adopted.

Senator Wilkin moved to amend section 13 as follows: Strike out the word "may" in the 49th line and insert "must for this or other good cause."

Adopted.

Senator Wilkin moved to strike out the word "weekly" in 12th line of section 18, and insert after the word "newspaper" the words "of general circulation."

Adopted.

Senator Chubb moved to add as follows: Insert in section 18 as the sixth paragraph "the amount of securities deposited in his office and for what purpose."

Adopted.

By agreement the "sixth" paragraph of section 18 was changed to the "seventh."

The substitute offered for section 21 by the committee was read.

Senator Wilkin moved to insert the word "be" before the word "amenable" at close of said substitute.

Adopted.

Senator Parrott, 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. 149, a bill for an act to amend chapter 80 of the

acts of the Twentieth General Assembly relating to the bonding of county indebtedness.

Joint resolution and memorial No. 9, for the protection of Iowa manufacturers.

Memorial and joint resolution No. 12, requesting senators and representatives in Congress, relative to pensioning soldiers of the Union army of the late war.

MATT PARROTT, *Chairman pro tem.*

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,
EXECUTIVE DEPARTMENT,
DES MOINES, March 13th, 1886. }

MR. PRESIDENT:—I am instructed by the Governor to inform you that he has approved, signed and deposited in the office of the Secretary of the State the following:

Senate File No. 149, an act to amend chapter eighty of the acts of the Twentieth General Assembly, relating to the bonding of county indebtedness.

Joint resolution and memorial No. 9, for the protection of Iowa manufacturers.

FRED. W. HOSSFELD, *Private Secretary.*

Senator Bloom moved to strike out in line 3 section 21, after the word "denomination" as follows: "Provided that every such society" or association shall make the annual report herein before required.

By agreement of Senator Bloom said motion was withheld for Senator Bolter to file a motion to reconsider the vote by which the concurrent resolution by Senator Woolson relative to the Des Moines river lands was adopted and that the House be requested to return said resolution.

Senator Robinson moved to lay the motion on the table. On this the yeas and nays were called.

The yeas were :

Senators Barrett, Bayless, Caldwell, Chubb, Doud, Duncan, Glass, McCoy, McDonough, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Wilkin, Wolfe and Woolson—21.

The nays were:

Senators Bloom, Bolter, Casey, Chesebro, Donnan, Dooley, Earle, Gatch, Gault and Hendrie—10.

Absent or not voting:

Senators Burdick, Carr, Carson, Cassatt, Chambers, Clark, Deal, Dodge, Henderson, Hutchison, Knight, Miles, Ryder, Schmidt, Sweney, Whaley, Whiting and Young—19.

So the motion to reconsider was laid on the table.

Senators Underwood and Weber, from Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT:—Your Committee on Engrossed Bills respectfully report that they have examined substitute for Senate File No. 78, a bill for an act to provide for the election of county attorneys, defining

their duties and fix their compensation and to repeal chapter 8, title 8, and section 3775 of the Code of 1878, and find the same correctly engrossed.

MYRON UNDERWOOD.
N. F. WEBER.

The question recurring upon the amendment to section 21, by Senator Bloom, it was adopted.

Senator McCoy moved to amend section 21, as follows:

Strike out after the word "section" in 5th line, "may if it so desire become incorporated under" and insert "shall by complying with the provisions of this act."

Adopted.

Senator McCoy offered the following as section 22:

"The provisions of this act shall be applied to all assessment or co-operative live stock insurance companies or associations now existing or hereafter organized in this or other states, so far as the same can be made to apply, and the Auditor of State shall have the same power and authority in regard to such companies, or associations as in regard to mutual benefit associations."

Adopted.

Section 22 of the bill was made section 23, and the amendments recommended by committee were adopted.

Senator Wolfe moved to amend section 23, as follows:

Add to section 23, "having a mathematical annual reserve."

Adopted.

Senator Wolfe moved to amend section 15, as follows: Insert after the word "for" in the 4th line of section 15, "or shall take applications, when the assessments will not pay the certificate or policy in full, without having the application form comply with the requirements of section four of this act."

Adopted.

The bill was ordered engrossed.

On motion, Senate adjourned until 2 P. M., Monday, March 15th.

SENATE CHAMBER,
DES MOINES, IOWA, March 15, 1886. }

The Senate met in regular session at 2 P. M.
The President of the Senate in the chair.
Prayer by Rev. Bishop E. B. Kephart.
The journal of the previous day was read and approved.

REPORT OF COMMITTEE.

Senator Underwood, 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. 154, and find the same correctly engrossed.

MYRON UNDERWOOD, *Chairman.*

PETITIONS AND MEMORIALS.

Senator McDonough presented a petition of James Stewart and many other citizens of Leon, Iowa, requesting the enactment of a law requiring railroads to fence their roads.

Referred to Committee on Railroads.

Also, a petition of R. D. Gardner and others on same subject.

Same reference.

Senator Donnan presented a petition of A. S. Blair and other members of the bar of Delaware county, requesting the enactment of a law relative to abolishing the circuit court, and in its stead establishing a county court in counties having a population of 10,000 or over.

Referred to Committee on Judicial Districts.

Senator Weber presented a petition of P. L. Gilderstuve and 27 other citizens of Wright county, requesting the enactment of a law requiring cheap and uniform text-books.

Referred to Committee on Schools.

Senator McDonough presented a petition of Francis Varga and many other citizens of Leon, Iowa, requesting the enactment of a law requiring railroads to fence their roads.

Referred to Committee on Railroads.

Also, a petition of N. P. Bullock and others on same subject.

Same reference.

Also, a petition of W. F. Kelley and others on same subject.

Same reference.

INTRODUCTION OF BILLS.

By Senator Robinson, Senate File No. 373, a bill for an act to amend section 4073 of the Code, relating to false pretenses.

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

HOUSE MESSAGES.

House File No. 30, a bill for an act fixing the terms, the times and place for holding the terms of the supreme court and providing for the appointment and compensation of a bailiff and janitor.

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

Substitute for House File No. 127, a bill for an act requiring railroads to fence their roads.

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

House File No. 149, a bill for an act to repeal section 976 of the Code of 1873, and enact a substitute therefor relating to highway taxes.

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

House File No. 251, a bill for an act requiring banking corporations to incorporate the word "State" in their corporate name, etc.

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

House File No. 78, a bill for an act in relation to sale of intoxicating liquors.

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

House File No. 312, a bill for an act to amend section 806, chapter 3, of title 5 of the Code, relating to general elections.

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

Senator Donnan moved that the documents now in the possession of the Secretary of the Senate be referred to the Committee on Elections.

So ordered.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred concurrent resolution No. —, by Senator Young, requesting our Senators and Representatives in Congress, to oppose the measure now pending to increase postage on fourth-class mail matter, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

CHUBB, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred joint resolution No. 10, relative to the settlement by arbitration of difficulties between nations, beg leave to report that they have had the same under consideration and have instructed me

to report the same back to the Senate with certain amendments, and that as thus amended the joint resolution do pass.

CHUBB, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Federal Relations, to whom was referred joint resolution No. 23, asking Iowa members of Congress, to use all proper means to defeat bill for increase of postage on fourth-class mail matter, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

CHUBB, *Chairman.*

Ordered passed on file.

Senator Parrott, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred House substitute for House File No. 194, a bill for an act to amend chapter 192 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 with the recommendation that it do pass.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Senator Woolson, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred House File No. 47, a bill for an act to amend section 1091 of Code of 1873, providing for incorporation of trade unions and other organizations 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 do pass.

WOOLSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate file No. 303, a bill for an act to secure compensation for labor, 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 be indefinitely postponed.

WOOLSON, *Chairman.*

Ordered passed on file.

RESOLUTIONS.

Senator Sutton offered the following resolution:

Resolved, That the committee on appropriations be given until March 24 in which to report upon the bills referred to it.

Adopted.

Senator Scott offered the following resolution:

WHEREAS, It has been the custom in all nations by statute or other

proper memorial to perpetuate the memory of its distinguished and cherished statesmen, jurists and warriors.

Therefore, be it resolved by the Senate, the House concurring:

That the Board of Capitol Commissioners are hereby authorized to procure the services of Mrs. Harriett Ketcham to carve in marble a statute of some one of Iowa's distinguished and deceased citizens, the selection to be made by said board, and the members of the executive council (acting as a committee jointly for that purpose), such statue to be placed in appropriate position in the capitol building.

Referred to Committee on Appropriations.

On motion of Senator Stephens, Senate File No. 318, a bill for an act to amend section 384, of the Code, and to provide for consolidations of townships heretofore divided, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

On motion, Senator Whiting was excused until Wednesday, 17th.

On motion, Senators Poyneer, Dodge, and all other Senators absent were excused.

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 Barrett, Bayless, Bloom, Bolter, Caldwell, Carr, Carson, Chesebro, Chubb, Donnan, Dooley, Doud, Earle, Gatch, Gault, Henderson, Hendrie, Hutchison, McCoy, McDonough, Reiniger, Robinson, Scott, Stephens, Underwood, Weber, Wilkin, Wolfe and Woolson—29.

The nays were, none.

Absent or not voting:

Senators Burdick, Casey, Cassatt, Chambers, Clark, Deal, Dodge, Duncan, Glass, Johnson, Knight, Miles, Parrott, Poyneer, Ryder, Schmidt, Sutton, Sweney, Whaley, Whiting and Young—21.

So the bill passed and the title was agreed to.

RESOLUTION.

By Senator Weber:

Resolved, That the Senate proceed to consider the bills on second reading, and those that are recommended to be indefinitely postponed in the order as they appear on the calendar, passing those bills on which there will be discussion and those bills, the author of which is not present.

Adopted.

REPORT OF COMMITTEE.

Senator Woolson, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred petition of Edward Hume and others, relating to a State Board of arbitration and other matters, beg leave to report 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 petition be referred to the Committee on Schools, a portion thereof relating to schools, and the remainder of said petition having been considered by the committee.

WOOLSON, *Chairman.*

Ordered passed on file.

Senate File No. 57, a bill for an act to regulate the organization and operation of mutual benefit assessment associations, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Concurrent Resolution No. 5, relative to requesting our Senators and Representatives in Congress to secure the passage of a national law providing for the appointment of a board of inspectors or commissioners to examine and license all railway engineers and conductors, with report of committee recommending indefinite postponement, was taken up, considered and the report of the committee was adopted.

Senate File No. 262, a bill for an act to provide for the trial and determination of controversies arising between employers and employes, with report of committee without recommendation, was taken up and considered.

Senator Dooley moved that it be indefinitely postponed.

Adopted.

Senate File No. 298, a bill for an act to repeal sections 1570, 1571 and 1576 of the Code, in relation to bank statements, and to enact a substitute therefor, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Senate File No. 169, a bill for an act providing penalties for the employment by railroad companies of persons in the habit of becoming intoxicated, and providing for punishment of certain railroad employes for being intoxicated while in the discharge of their duties, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 323, a bill for an act for the appointment of three treasury inspectors, and prescribing their duties and compensation, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Senate File No. 351, a bill for an act to repeal section 1419 of the Code, and to enact a substitute therefor, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 266, a bill for an act to provide for levying and enforcing taxes on royalties or license fees paid on the manufacture or use of patented articles in the State of Iowa, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 314, a bill for an act authorizing the boards of supervisors in any county to appoint deputy county treasurer in certain cities not county seats with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 212, a bill for an act to amend section 506 of Code with reference to compensation of mayors when acting as magistrates, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

Senate File No. 161, a bill for an act to prohibit the employment of certain persons as teachers in public schools, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 302, a bill for an act to amend chapter 118, laws of the Nineteenth General Assembly, with report of committee recommending indefinite postponement, was taken up considered, and the report of the committee was adopted.

Senator Robinson moved that Senate File No. 121, be made special order for Tuesday, March 16, at 3 P. M.

Adopted.

Senator McCoy moved that Senate File, No. 198 be made special order for Thursday, March 18th at 3 P. M.

On this the yeas and nays were called.

The yeas were:

Senators Barrett, Caldwell, Carr, Carson, Casey, Cassatt, Dooley, Doud, Gatch, Gault, Henderson, Hutchison, McCoy, Parrott, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Wilkin, Wolfe and Woolson—23.

The nays were:

Senators Bayless, Bolter, Chesebro, Chubb, Donnan, Earle, Hendrie and McDonough—8.

Absent or not voting:

Senators Bloom, Burdick, Chambers, Clark, Deal, Dodge, Duncan, Glass, Johnson, Knight, Miles, Poyneer, Reiniger, Ryder, Schmidt, Sweney, Whaley, Whiting and Young—19.

Senate File No. 198, was made special order for Thursday, March 18th, at 3 P. M.

BILLS ON THIRD READING.

On motion of Senator Wolfe, substitute for Senate File No. 78, a bill for an act to provide for the election of county attorneys, was taken up and read a third time.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bloom, Bolter, Caldwell, Carr, Carson, Casey, Cassatt, Chesebro, Chubb, Dodge, Donnan, Dooley, Doud, Earle, Gatch, Gault, Henderson, Hendrie, Hutchison, McCoy, McDonough, Parrott, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Wilkin, Wolfe and Woolson—34.

The nays were none:

Absent or not voting:

Senators Burdick, Chambers, Clark, Deal, Duncan, Glass, Johnson, Knight, Miles, Poyneer, Ryder, Schmidt, Sweney, Whaley, Whiting and Young—16

So the bill passed and the title was agreed to.

Senator Donnan asked leave to have his vote recorded in the affirmative on the vote by which Senate File No. 78, was passed.

So ordered.

Senator Robinson moved that the Senate do now take up legalizing acts and such other measures as the friends of the same may desire.

Carried.

On motion of Senator Sutton, Senate File No. 308, a bill for an act to amend section 3770 of the Code of Iowa, was taken up and read.

Ordered engrossed.

On motion of Senator McCoy, Senate File No. 304, a bill for an act to amend section 3639, Code of Iowa, in relation to evidence, with report of committee recommending that 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 Barrett, Bloom, Boltor, Caldwell, Carr, Carson, Casey, Cassatt, Chesebro, Chubb, Dodge, Donnan, Dooley, Doud, Earle, Gatch, Gault, Henderson, Hendrie, Hutchison, McCoy, McDonough, Parrott, Reiniger, Robinson, Scott, Stephens, Underwood, Weber, Wilkin, Wolfe and Woolson—32.

The nays were, none.

Absent or not voting:

Senators Bayless, Burdick, Chambers, Clark, Deal, Duncan, Glass, Johnson, Knight, Miles, Poyneer, Ryder, Schmidt, Sutton, Sweney, Whaley, Whiting and Young—18.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Senate File No. 111.

J. K. POWERS, *Chief Clerk.*

On motion of Senator Donnan Senate File No. 251, a bill for an act to repeal section 2, chapter 94, acts of Sixteenth General Assembly, enacting a substitute therefor, relating to admitting children to the Soldiers' Orphans' Home, with report of committee recommending that it do pass, was taken up and considered.

Ordered engrossed.

On motion of Senator Caldwell House File No. 207, a bill for an act regulating the practice of medicine and surgery in the State of Iowa, was taken up.

The question being shall the Senate recede from the amendments to sections 6 and 8.

On this the yeas and nays were called.

The yeas were, none.

The nays were:

Senators Barrett, Bayless, Caldwell, Carr, Carson, Casey, Chesebro,

Chubb, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Gault, Henderson, Hendrie, Hutchison, McCoy, McDonough, Parrott, Reiniger, Robinson, Scott, Sutton, Underwood, Weber, Wilkin, Wolfe and Woolson—30.

Absent or not voting:

Senators Bloom, Bolter, Burdick, Cassatt, Chambers, Clark, Deal, Dooley, Glass, Johnson, Knight, Miles, Poyneer, Ryder, Schmidt, Sweney, Stephens, Whaley, Whiting and Young—20.

So the Senate did not recede.

Senator Caldwell moved to appoint a Committee of Conference on House File No. 207.

Adopted.

Senators Caldwell, McCoy and Bolter were appointed as such committee.

Senate File No. 167, a bill for an act to provide for the appointment of short hand reporter in the superior courts of the State, with report of committee recommending it do pass, was taken up, and considered, and the amendments recommended by the committee were adopted.

Senator Robinson moved to further amend by adding "newspapers published at Des Moines and Cedar Rapids, Iowa."

Adopted.

Senator Henderson moved that 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 Barrett, Bayless, Bolter, Caldwell, Carr, Carson, Casey, Chesebro, Chubb, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Henderson, Hendrie, Hutchison, McCoy, McDonough, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Wilkin, Wolfe and Woolson—32.

The nays were, none.

Absent or not voting:

Senators Bloom, Burdick, Cassatt, Chambers, Clark, Deal, Glass, Johnson, Knight, Miles, Parrott, Poyneer, Ryder, Schmidt, Sweney, Whaley, Whiting and Young—18.

So the bill passed and the title was agreed to.

On motion of Senator Caldwell Senate File No. 310, a bill for an act to amend section 296 of the Code, in relation to a quorum and adjournment of boards of supervisors, with report of committee recommending amendments do pass, was taken up and considered, and the amendments recommended by the committee were adopted.

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 Barrett, Bayless, Bolter, Caldwell, Carr, Carson, Casey, Chesebro, Chubb, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Henderson, Hendrie, Hutchison, McCoy, McDonough,

Parrott, Reiniger, Robinson, Scott, Stephens, Underwood, Weber, Wilkin, Wolfe and Woolson—32.

The nays were, none.

Absent or not voting :

Senators Bloom, Burdick, Cassatt, Chambers, Clark, Deal, Glass, Johnson, Knight, Miles, Poyneer, Ryder, Schmidt, Sutton, Sweney, Whaley, Whiting and Young—18.

So the bill passed and the title was agreed to.

On motion of Senator Barrett, Senate File No. 221, a bill for an act to legalize highways in Sioux county, Iowa, with report of committee recommending that it do pass, was taken up and considered, and the amendments recommended by committee were adopted.

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 Barrett, Bayless, Bolter, Caldwell, Carr, Carson, Casey, Cheesebro, Chubb, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Henderson, Hendrie, Hutchison, McCoy, McDonough, Parrott, Reiniger, Robinson, Scott, Stephens, Underwood, Weber, Wilkin, Wolfe and Woolson—32.

The nays were, none.

Absent or not voting:

Senators Bloom, Burdick, Cassatt, Chambers, Clark, Deal, Glass, Johnson, Knight, Miles, Poyneer, Ryder, Schmidt, Sutton, Sweney, Whaley, Whiting and Young—18.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has passed the following Senate bills without amendment:

Senate File No. 287, to legalize the action of the board of the district township of Vermillion, Appanoose county, Iowa.

Senate File No. 305, to legalize certain acts relating to the organization of the town of Zearing, Story county, Iowa.

Senate File No. 286, to legalize the official acts of Moses R. Eastman, a notary public, in Buchanan county, Iowa.

Senate File No. 336, to legalize the vote upon city officers of the city of Manchester, Iowa.

Senate File No. 312, to cure defects of description in the land certificate and patent No. 10,759 of the State of Iowa to John W. Lytle, conveying land in Page county, Iowa.

Also:

The House has concurred in Senate amendments to House Files Nos. 28, 64 and 216.

J. K. POWERS, *Chief Clerk.*

On motion of Senator Scott, Senate File No. 273, a bill for an act to allow underground tile drain across public highways, and defining

the duties of road supervisors relative to the same, and repeal section 1225, chapter 2, title 10, of the Code of Iowa, with report of committee recommending that it do pass, was taken up and considered, and the amendments recommended by the committee were adopted.

Senator Scott moved that the publication clause be stricken out. Adopted.

Senator Scott 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, Bolter, Caldwell, Carr, Carson, Casey, Chesebro, Chubb, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Henderson, Hendrie, Hutchison, McCoy, McDonough, Parrott, Robinson, Scott, Stephens, Underwood, Weber, Wilkin, Wolfe and Woolson—31.

The nays were, none.

Absent or not voting:

Senators Bloom, Burdick, Cassatt, Chambers, Clark, Deal, Glass, Johnson, Knight, Miles, Poyneer, Reiniger, Ryder, Schmidt, Sutton, Sweney, Whaley, Whiting and Young—19.

So the bill passed and the title was agreed to.

On motion of Senator Chubb substitute for Senate File No. 243, a bill for an act to repeal chapter 111 of the laws of the Eighteenth General Assembly, and chapter 180 of the laws of the Nineteenth General Assembly, relative to the restoration of territory in school districts, and to enact a substitute therefor, with report of committee recommending that it do pass, was taken up and considered.

Senator Chubb 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, Bolter, Caldwell, Carr, Carson, Casey, Chesebro, Chubb, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Henderson, Hendrie, Hutchison, McCoy, McDonough, Parrott, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Wilkin and Wolfe—32.

The nays were, none.

Absent or not voting:

Senators Bloom, Burdick, Cassatt, Chambers, Clark, Deal, Glass, Johnson, Knight, Miles, Poyneer, Ryder, Schmidt, Sweney, Whaley, Whiting, Woolson and Young—18.

So the bill passed and the title was agreed to.

REPORT OF A COMMITTEE.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined substitute for House File No. 111, a bill for an act to amend chapter 182 of the acts of the Seventeenth

General Assembly authorizing cities of the first class to provide for the construction of sewers, and find the same correctly enrolled.

MATT PARROET, *Chairman pro tem.*

On motion of Senator Gault Senate File No. 142, a bill for an act to amend section 1265 of the Code of Iowa, and to compel railway companies to fence and build cattle guards, with report of committee recommending amendments and as amended do pass, was taken up, considered, the amendments recommended by the committee were adopted.

Senator McCoy moved to amend as follows: Inserting after the word "intersect" the words "when one of the roads only is fenced or shall hereafter be."

Adopted.

Senator McCoy offered the following as section 2: "Any violation of the provisions of this act by any railway company or corporation owning or operating such railway shall be deemed a misdemeanor and shall be punished accordingly, and each two weeks that said company or corporation to so comply shall be deemed a separate offense."

Senator Bolter moved to strike out all after the word "misdemeanor."

Lost.

Senator Bolter moved to strike out the word "separate" and insert "second."

Adopted.

The question recurring upon the amendment of Senator McCoy as section 2, it was adopted.

Ordered engrossed.

INTRODUCTION OF BILLS.

By Senator Scott, Senate File No. 374, a bill for an act to provide for the appointment and compensation of a custodian of public buildings, and property and prescribing his duties.

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

On motion of Senator Weber, Senate File No. 256, a bill for an act to amend sections 4239 and 4240 of the Code of 1873, relating to preliminary examinations, with report of committee recommending a substitute was taken up and considered, and the substitute recommended by the committee was adopted.

Senator Weber 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, Caldwell, Carson, Casey, Chubb, Donnan, Duncan, Earle, Gatch, Gault, Hendrie, Hutchison, McCoy, McDonough, Parrott, Reiniger, Robinson, Scott, Stephens, Wilkin and Wolfe—21.

The nays were:

Senators Bolter, Carr, Dodge, Dooley, Doud, Underwood, Weber and Woolson—8.

Absent or not voting:

Senators Bayless, Bloom, Burdick, Cassatt, Chambers, Chesebro, Clark, Deal, Glass, Henderson, Johnson, Knight, Miles, Poyneer, Ryder, Schmidt, Sutton, Sweney, Whaley, Whiting and Young—21.

So the bill having failed to receive a constitutional majority was lost.

Senator Caldwell moved the Senate do now adjourn.

Adopted.

SENATE CHAMBER,
DES MOINES, IOWA, March 16, 1886. }

The Senate met in regular session at 2 P. M.

The President of the Senate in the chair.

Prayer by Rev. R. H. Hartley.

The journal of the previous day was read and approved.

REPORT OF COMMITTEE.

Senator Underwood, 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. 142, and

Senate File No. 251, and

Senate File No. 308, and

Senate File No. 144,

And find the same correctly engrossed.

MYRON UNDERWOOD, *Chairman pro tem.*

PETITIONS AND MEMORIALS.

Senator Woolson presented a petition of Timothy Whiting, Presley Sanders and 200 other citizens of Henry county, asking for the passage of Senate File No. 281.

Referred to Committee on Insurance.

Senator Parrott presented a petition of F. G. Bronson and other citizens of Black Hawk county, requesting the enactment of a law relating to free text-books.

Referred to Committee on Schools.

Senator Doud presented a petition of J. H. Moses and 64 other citizens of Jasper county, in favor of free text-books in the schools.

Referred to Committee on Schools.

Also, a petition of D. R. Hill and 24 other citizens of Jasper county, in favor of a pharmacy bill.

Referred to Committee on Medicine and Surgery.

Also, a petition from A. L. Dalrymple and 124 other citizens of Jasper county, on same subject.

Same reference.

Senator Scott presented a petition from citizens of Boone and Greene counties, requesting that a law be enacted relating to the relief of miners.

Referred to the Committee on Mines and Mining.

INTRODUCTION OF BILLS.

By Senator Carr, Senate File No. 375, a bill for an act to amend section 891 of the Code, to authorize township trustees to procure a site and erect thereon a town hall.

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

By Senator Parrott, Senate File No. 376, a bill for an act to prevent the vacating of highways.

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

RESOLUTION.

Senator Casey presented the following resolution:

WHEREAS, Mr. J. W. Campbell, of Fort Madison, Iowa, has painted an excellent and faithful likeness of the Indian Chief Keokuk, and generously offers the same to the State of Iowa; therefore,

Be it resolved by the Senate, the House concurring. That the State accept said gift, and thank the donor therefor. And that there be appointed a committee consisting of three Senators and three members of the House of Representatives, with the President of the Senate and Speaker of the House as ex-officio members, to present said portrait to the State through his excellency Governor Larrabee, and that the same have a place with the portraits of the ex-Governors of Iowa.

And that the Secretary of State be and he is hereby requested to send a copy of this resolution to Mrs. J. W. Campbell as a token of the high appreciation of her valuable donation.

Adopted.

REPORTS OF COMMITTEES.

Senator Woolson from the Committee on Rules, submitted the following report:

MR. PRESIDENT—Your Committee on Rules to whom was referred resolution offered by Senator Duncan relating to forenoon session of the Senate, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be adopted.

WOOLSON, *Chairman.*

Ordered passed on file.

Senator Caldwell, from the Committee on Medicine, Surgery, Hygiene and Pharmacy, submitted the following report:

MR. PRESIDENT—Your Committee on Medicine, Surgery, Hygiene and Pharmacy, to whom was referred Senate File No. 348, a bill for an act to protect the public 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.*

Ordered passed on file.

Senator Caldwell, from the Committee on Congressional Districts, submitted the following report:

MR. PRESIDENT—Your Committee on Congressional Districts to whom was referred Senate File No. 329, a bill for an act to reorganize the Congressional Districts of the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CALDWELL, *Chairman.*

Ordered passed on file.

Senator Parrott, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations to whom was referred Senate File No. 244, a bill for an act requiring notice to municipal corporations before suits for damages can be maintained, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

PARROTT, *Chairman.*

Ordered passed on file.

RESOLUTION.

Senator Woolson offered the following resolution:

Resolved, That unless otherwise ordered the Senate will hold sessions commencing at 10 A. M. on Tuesdays, Thursdays and Saturdays, and that no afternoon session be held on Saturdays.

Adopted.

SPECIAL ORDER.

The Chair called the attention of the Senate to the fact that the hour for special order had arrived, it being concurrent resolution relative to adjournment of the House and Senate.

Senator Sutton moved to strike out March 31 and insert April 9.

Senator Wilkin moved to defer the further consideration of the resolution until Thursday at 10:30 A. M. and be made special order for that hour.

Adopted.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 19, a bill for an act amendatory of section 1923 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 be indefinitely postponed.

G. S. ROBINSON, *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 making void all sales of household goods without concurrence of both husband and wife, beg leave to report that they have had the same under consideration, and have drafted the accompanying substitute, which have instructed me to report the same back to the Senate with the bill, and the recommendation that the substitute be adopted, and that when so adopted it do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 37, a bill for an act to amend section 3398 of the Code, in regard to proceedings in civil actions where proceedings are sought to be enjoined, and fixing the place where such actions must be brought, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

1st. By inserting after the words "another county," in line 10, the words, "when the judgment is alleged to have been fraudulently obtained, or obtained without jurisdiction;"

2d. Also, by inserting between the words "the" and "execution," in line 11, the words "petition alleges that the," and as thus amended that the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 100, a bill for an act to provide for the payment of wages to employes of corporations placed in the hands of a receiver, beg leave to report that they 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 enacting clause, and inserting in lieu thereof the following: That "when any corporation, organized or doing business under the laws of this state, shall, under the order of any court, be placed in the hands of a receiver, the employes thereof shall be entitled to the payment of the amount due them, for services of every character theretofore rendered, in preference to any or all other debts, or liabilities of such corporation," and as thus amended that the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 143, a bill for an act to amend section 1923 of

the Code, relating to mortgages of personal 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 the bill be indefinitely postponed.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 165, a bill for an act to compel notice of pendency of an action relating to real property, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman*.

Order passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 236, a bill for an act to provide for notice of pendency of actions affecting the title to real estate, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 170, a bill for an act to repeal section 3396 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, for the reason that another bill upon the same subject has been recommended.

G. S. ROBINSON, *Chairman*.

Order passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 233, a bill for an act requiring both husband and wife to sign written instruments creating a lien, or affecting the title of personal property exempt 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.

G. S. ROBINSON, *Chairman*.

Order passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 353, a bill for an act to authorize the deputy clerk of the supreme court to administer oaths and to take and certify acknowledgments of instruments in writing, beg leave to report that they have had the same under consideration, and have instructed me

to report the same back to the Senate with the recommendation that the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 356, a bill for an act to recognize and declare valid the assessment of property in the city of Winterset, made by D. B. Davis, in the year 1886, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Senator Woolson, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate File No. 95, a bill for an act to amend section 593 of the Code of 1873, relating to the election of justices of the peace and constables, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate File No. 269, a bill for an act to repeal section 680 of the Code of 1873, relating to elections and enacting a substitute therefor, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate File No. 276, a bill for an act to repeal sections 94 and 106 of chapters 6 and 7 of title — of the Code, relating to State Printer and State Binder, and to enact substitutes therefor, and to provide that said officers shall be elected at the general election in 1886, and every four years thereafter, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Also:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate File No. 338, a bill for an act to amend section 589 of the Code of 1873, relating to eligibility of county 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 indefinitely postponed.

JNO. S. WOOLSON, *Chairman*.

Ordered passed on file.

Senator Weber moved to reconsider the vote by which Senate File No. 256 was lost.

Carried.

Senator Weber moved to reconsider the vote by which Senate File No. 256 was ordered to a third reading.

Carried.

Senator Weber moved to reconsider the vote by which the substitute for Senate File 256 was adopted.

Carried.

Senator Weber moved that Senate File No. 256 and substitute be recommitted to Committee on Judiciary.

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. 416, to legalize the sale of certain school lands in Webster county, Iowa.

House File No. 488, to legalize the ordinances of the city of Keokuk.

House File No. 500, to legalize the incorporation of the town of Lohrville, Calhoun county, Iowa.

House File No. 617, to legalize the acts of the independent school district of Hawkeye and independent school districts of Farmersburg and Wagner, in Clayton county, Iowa.

House File No. 613, to legalize the acts of the board of school directors of the district township of Fairfield, Buena Vista county, Iowa.

House File No. 468, to legalize the incorporation of the town of Oakland, Pottawattamie county, Iowa.

House File No. 523, to legalize certain acts of the board of supervisors of Humboldt county, Iowa.

House File No. 478, to legalize the acts of Edmond W. Durston, while acting as justice of the peace.

House File No. 561, to legalize the acts of the auditor and board of supervisors of Ida county, Iowa.

House File No. 545, to legalize the acts of the board of supervisors of Sioux county, Iowa.

House File No. 602, to legalize the revised ordinances of the town of Ida Grove, Ida county, Iowa.

Also:

The House has passed the following Senate bills without amendment:

Senate File No. 7, a bill for an act to repeal section 3909 and enact a substitute therefor, defining and punishing embezzlement.

Senate File No. 372, appropriating money to pay expenses of committee to accompany the remains of the late Hon. J. L. Mitchell to the place of interment.

J. K. POWERS, *Chief Clerk.*

SPECIAL ORDER.

The hour having arrived for second special order, Senate File No. 121, a bill for an act to prevent deception in the manufacture and sale of imitations of butter and cheese, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Robinson moved that the amendments of the committees be taken up in their order.

Adopted.

Senator Robinson moved to amend first amendment recommended by Committee on Agriculture by striking out the words after the word "for" in the amendment, and inserting the words "the actual consumption of themselves or family."

Adopted.

Amendment as amended was adopted.

Amendment recommended by Committee on Agriculture to section 5 was adopted.

Amendments recommended by Committee on Agriculture to section 10, was adopted.

The amendments by Committee on Agriculture to section 11 were adopted.

Senator Robinson moved to amend the committee amendments to section 11 as follows: "The term of office of such committee shall commence on the first day of May, 1886, and continue two years."

Adopted.

The amendments recommended by the committee on Agriculture to section 12, were adopted.

The amendments recommended by the Committee on Agriculture to section 13 were adopted.

The amendments recommended by the Committee on Agriculture to section 16 were adopted.

The substitute offered by the Committee on Appropriations for section 17 was adopted.

Senator Bolter moved to strike out all of sections 11, 12, 13 and 14, of the bill.

On this the yeas and nays were demanded.

The yeas were:

Senator Bayless, Bolter, Carson, Chesebro, Dodge, Dooley, Gatch, Hendrie and McDonough—9.

The nays were:

Senators Barrett, Bloom, Caldwell, Carr, Chambers, Chubb, Donnan, Doud, Duncan, Earle, Gatch, Henderson, Hutchison, McCoy, Parrott, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Wilkin and Woolson—24.

Absent or not voting:

Senators Burdick, Casey, Cressatt, Clark, Deal, Glass, Johnson, Knight, Miles, Poyneer, Ryder, Schmidt, Sweney, Whaley, Whiting, Wolfe and Young—17.

So the amendment was lost.

Senator Robinson moved to insert after the word "shall" in the second line of section six printed bill the word "knowingly."

Adopted.

Senator Dooley offered the following amendment: Amend by adding at the end of section 17 as amended "any person, firm or corporation guilty of manufacturing a substitute for butter in this State shall be deemed guilty of a misdemeanor and for each offense shall pay a fine of not less than \$100 or more than \$300, and all such substitute imported to this State shall be confiscated where found."

On this the yeas and nays were demanded.

The yeas were:

Senators Bloom, Bolter, Casey, Chesebro, Dodge, Dooley, Gault, Henderson, Hendrie, McDonough, Sutton and Weber—12.

The nays were:

Senators Barrett, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Donnan, Doud, Duncan, Gatch, Hutchison, McCoy, Parrott, Reiniger, Robinson, Scott, Stephens, Underwood, Wilkin and Woolson—21.

Absent or not voting:

Senators Bayless, Burdick, Cassatt, Deal, Earle, Glass, Johnson, Knight, Miles, Poyneer, Ryder, Schmidt, Sweney, Whaley, Whiting, Wolfe and Young—17.

So the amendment was lost.

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

Carried.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bloom, Caldwell, Carr, Carson, Casey, Chambers, Chubb, Clark, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Gault, Henderson, Hutchison, McCoy, Parrott, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Wilkin and Woolson—29.

The nays were:

Senators Bolter, Chesebro, Dooley and McDonough—4.

Absent or not voting:

Senators Bayless, Burdick, Cassatt, Deal, Glass, Hendrie, Johnson, Knight, Miles, Poyneer, Ryder, Schmidt, Sweney, Whaley, Whiting, Wolfe and Young—17.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Parrott, from 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 to legalize the official acts of Moses R. Eastman, a notary public, in and for Buchanan county.

Senate File No. 336, a bill for an act to legalize the vote upon city officers of the city of Manchester, Iowa, on Monday, March 1, 1886.

Senate File No. 305, a bill for an act to legalize certain acts relating to the organization of the town of Zearing, Story county, Iowa; also, certain acts of the town council of said town.

Senate File No. 312, a bill for an act to cure defects of description in the land certificate and patent, No. 10,759 of the State of Iowa, to John W. Lytle conveying lands in Page county, Iowa.

And find the same correctly enrolled.

MATT PARBOTT, *Chairman 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 concurred in Senate resolution relative to the veto by the President of the United States of the bill quieting the title of certain Des Moines river lands to certain settlers thereon.

J. K. POWERS, *Chief Clerk.*

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Appropriations, to whom referred Senate File No. 174, a bill for an act authorizing the Board of Trustees of the Iowa Industrial School to use funds appropriated for changing mansard roof of main building to repairing and strengthening 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.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

On motion of Senator Sutton Senate File No. 174, a bill for an act authorizing the board of trustees of the Iowa Industrial School to use funds appropriated for changing mansard roof of main building to repairing and strengthening the same, with report of committee recommending that it do pass, 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 Barrett, Bloom, Bolter, Caldwell, Carr, Carson, Chambers, Chubb, Clark, Dodge, Donnan, Doud, Duncan, Gatch, Gault, Hutchison, Knight, McCoy, McDonough, Parrott, Reiniger, Robison, Scott, Stephens, Sutton, Underwood, Weber, Wilkin, Wolfe and Woolson—80.

The nays were, none.

Absent or not voting:

Senators Bayless, Burdick, Casey, Cassatt, Chesebro, Deal, Dooley, Earle, Glass, Henderson, Hendrie, Johnson, Miles, Poyneer, Ryder, Schmidt, Sweney, Whaley, Whiting and Young—20.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Weber, 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 for an appropriation for the support of the State University, beg leave to report that they have had the same under consideration and a minority, by N. F. Weber have instructed me to report the same back to the Senate with the recommendation that it do pass with amendments.

N. F. WEBER, *Chairman.*

Ordered passed on file.

MINORITY REPORT.

Minority recommend Senate File No. 126 be amended as follows:

SECTION 1. Amend by striking out fiscal year, 1886-7 in lines 5 and 6, and insert in lieu thereof biennial period, commencing with July 1, 1886.

SEC. 1. Amend by striking out 20 in 6th line, and insert in lieu thereof 40; also strike \$20,000 in 6th line, and insert in lieu thereof \$40,000.

SEC. 3. Amend by striking out Iowa State Leader and insert in lieu thereof Des Moines Leader.

Senator Weber, 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 for an appropriation for the support of the State University, 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 with amendments.

N. F. WEBER, *Chairman.*

Ordered passed on file.

Majority recommend Senate File No. 126, amended as follows:

SECTION 1. Amend by striking out the words twenty-two thousand, of fourth and fifth line, and insert in lieu thereof, fourteen thousand five hundred; also strike out \$20,000.00 in fifth line, and insert in lieu thereof \$14,500.00.

SEC. 1. Amend by striking out fiscal year 1886-7, in fifth and sixth lines, and insert in lieu thereof, biennial period commencing July 6th, 1886.

SEC. 1. Amend by striking out twenty in sixth line, and insert in lieu thereof, thirty; also strike out 2 in sixth line, and insert in lieu thereof 3.

SEC. 1. Amend by striking out all after the word institution in line seven.

SEC. 3. Amend by striking out Iowa State Leader, and insert in lieu thereof Des Moines Leader.

Senator Weber moved that the reports on Senate File No. 126, be referred to Committee on Appropriations.

Adopted.

Senator Woolson, from the Committee on Elections, submitted the following report:

MR. PRESIDENT—Your Committee on Elections, to whom was referred Senate File No. 152, a bill for an act to amend chapter 161, 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 the same be amended as follows:

1st. Amend by striking out "1884" in line 8 and inserting "1886."

2d. Amend by adding the following to section one. "And said incumbents shall on or before the first Monday in January, 1887, execute a new bond, with conditions and with sureties in the penalty and to be approved as by law, now provided for said offices. If any of said incumbents shall fail to execute said bond as above provided, a vacancy shall be held to have occurred as to such office, and the trustees of said township shall proceed to fill said vacancy in the manner now provided by law."

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 with amendment:

Senate File No. 257, a bill for an act to provide for the levy of one-half mill tax in 1886 and 1887, to provide a home for Iowa soldiers and for other purposes.

Also:

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

Senate Files Nos. 312, 305, 336, 286.

J. K. POWERS, *Chief Clerk.*

Senator Robinson moved that the third reading of Senate File No. 144 be postponed.

Adopted.

Senate File No. 257 reported from the House with amendment was taken up, and on the question, shall the Senate concur in the House amendment.

The yeas were:

Senators Barrett, Bayless, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Dodge, Donnan, Doud, Duncan, Gatch, Gault, Hutchison, Knight, McCoy, McDonough, Parrott, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Wilkin, Wolfe and Woolson—31.

The nays were:

Senators Bolter and Earle—2.

Absent or not voting:

Senators Bloom, Burdick, Cassatt, Deal, Dooley, Glass, Henderson, Hendrie, Johnson, Miles, Poyneer, Ryder, Schmidt, Sweney, Whaley, Whiting and Young—17.

So the Senate concurred in the House amendment.

Senator Gatch moved that the third reading of Senate File No. 154, be postponed until to-morrow.

Adopted.

Senate File No. 808, a bill for act to amend section 3770 of the Code of Iowa, was taken up and read a third time, and

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bloom, Bolter, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Dodge, Donnan, Doud, Duncan, Gatch, Gault, Hutchison, Knight, McCoy, McDonough, Parrott, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Wilkin, Wolfe and Woolson—32.

The nays were, none.

Absent or not voting:

Senators Bayless, Burdick, Cassatt, Deal, Dooley, Earle, Glass, Henderson, Hendrie, Johnson, Miles, Poyneer, Ryder, Schmidt, Sweney, Whaley, Whiting and Young—18.

So the bill passed and the title was agreed to.

Senate File No. 142, a bill for an act to amend section 1265, Code of Iowa, and to compel railway companies to fence and build cattle-guards, was taken up and read a third time.

On the question shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bloom, Bolter, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Clark, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Gault, Hendrie, Hutchison, McCoy, McDonough, Reiniger, Robinson, Scott, Stephens, Sutton, Weber, Wilkin and Wolfe—30.

The nays were:

Senator Chubb—1.

Absent or not voting:

Senators Burdick, Cassatt, Deal, Dooley, Glass, Henderson, Johnson, Knight, Miles, Parrott, Poyneer, Ryder, Schmidt, Sweney, Underwood, Whaley, Whiting, Woolson and Young—19.

So the bill passed and the title was agreed to.

On motion of Senator Barrett Senate File No. 544, a bill for an act to legalize ordinances of the incorporated town of Rock Rapids, with report of committee recommending that it do pass was taken up.

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 Barrett, Bayless, Bloom, Bolter, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Hendrie, Hutchison, Knight, McCoy, McDonough, Parrott, Reiniger, Robinson, Scott, Stephens, Underwood, Wolfe and Woolson—33.

The nays were, none.

Absent or not voting:

Senators Burdick, Cassatt, Deal, Glass, Henderson, Johnson, Miles,

Poyneer, Ryder, Schmidt, Sutton, Sweney Weber, Whaley, Whiting, Wilkin and Young—17.

So the bill passed and the title was agreed to.

On motion of Senator Gatch House File No. 503, a bill for an act to legalize certain acts of the school boards of Plum Grove and Plainview, in Bloomfield township, Polk county, Iowa, with report of committee recommending that it do pass was taken up.

Senator Gatch 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, Bolter, Caldwell, Carr, Carson, Casey, Chesebro, Chubb, Clark, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Hendrie, Hutchison, Knight, McCoy, McDonough, Parrott, Reiniger, Robinson, Scott, Stephens, Underwood, Wilkin and Woolson—32.

The nays were, none.

Absent or not voting :

Senators Burdick, Cassatt, Chambers, Deal, Glass, Henderson, Johnson, Miles, Poyneer, Ryder, Schmidt, Sutton, Sweney, Weber, Whaley, Whiting, Wolfe and Young—18.

So the bill passed and the title was agreed to.

On motion of Senator Duncan House File No. 329, a bill for an act to legalize the acts done and ordinances passed by the town council of the incorporated town of Morning Sun, Louisa county, Iowa, with report of committee recommending that it do pass, was taken up.

Senator Duncan 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, Bolter, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gault, Hendrie, Hutchison, McCoy, Parrott, Reiniger, Robinson, Scott, Stephens, Underwood, Weber, Wilkin and Woolson—31.

The nays were, none.

Absent or not voting:

Senators Burdick, Cassatt, Deal, Gatch, Glass, Henderson, Johnson, Knight, McDonough, Miles, Poyneer, Ryder, Schmidt, Sutton, Sweney, Whaley, Whiting, Wolfe and Young—19.

So the bill passed and the title was agreed to.

On motion of Senator Carson House File No. 345, a bill for an act to legalize certain acts of the board of supervisors of Pottawattamie county, with report of committee recommending that it do pass, was taken up.

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 Barrett, Bayless, Bloom, Bolter, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Clark, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Hendrie, Hutchison, Knight, McCoy, McDonough, Parrott, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Wilkin, Wolfe and Woolson—35.

The nays were, none.

Absent or not voting :

Senators Burdick, Cassatt, Chubb, Deal, Glass, Henderson, Johnson, Miles, Poyneer, Ryder, Schmidt, Sweney, Whaley, Whiting and Young—15.

So the bill passed and the title was agreed to.

On motion of Senator Dodge Senate File No. 224, a bill for an act to amend chapter 188, acts of the Nineteenth General Assembly relating to the boundaries of independent school districts in incorporated cities and towns, with report of committee recommending that it do pass, was taken up.

Senator Dodge 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, Bolter, Caldwell, Carr, Carson, Casey, Chesebro, Chubb, Clark, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Hendrie, Hutchison, Knight, McCoy, McDonough, Parrott, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Wilkin, Wolfe, and Woolson—34.

The nays were, none.

Absent or not voting:

Senators Burdick, Cassatt, Chambers, Deal, Glass, Henderson, Johnson, Miles, Poyneer, Ryder, Schmidt, Sweney, Weber, Whaley, Whiting and Young—16.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Parrott, 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, a bill for an act to legalize the official acts of Moses R. Eastman, a notary public, in and for Buchanan county.

Senate File No. 336, a bill for an act to legalize the vote upon city officers of the city of Manchester, Iowa, on Monday, March 1, 1886.

Senate File No. 305, a bill for an act to legalize certain acts relating to the organization of the town Zearing, Story, county, Iowa; also certain acts of the town council of said town.

Senate File No. 312, a bill for an act to cure defects of in the land certificate and patent No. 10,759 of the State of Iowa, to John W. Lytle, conveying lands in Page county, Iowa.

MATT PARROTT, *Chairman pro tem.*

On motion of Senator Donnan House File No. 448, a bill for an act to legalize the acts of A. G. Smith, while acting as justice of the peace of South Fork township, Delaware county, Iowa, with report of committee recommending that it do pass, was taken up.

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 Barrett, Bayless, Bloom, Bolter, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Hendrie, Hutchison, Knight, McCoy, McDonough, Parrott, Reiniger, Robinson, Scott, Stephens, Underwood, Weber, Wilkin, Wolfe and Woolson—84.

The nays were, none.

Absent or not voting:

Senators Burdick, Cassatt, Clark, Deal, Glass, Henderson, Johnson, Miles, Poyneer, Ryder, Schmidt, Sutton, Sweney, Whaley, Whiting, and Young—16.

So the bill passed and the title was agreed to.

On motion of Senator Bayless the Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 17, 1896. }

The Senate met in regular session at 2 P. M.

The President of the Senate in the chair.

Prayer by Rev. T. A. Shaw.

The journal of the previous day was read in part and on motion of Senator Caldwell the further reading was dispensed with.

PETITIONS AND MEMORIALS.

Senator Donnan presented petition of F. Fernald and other citizens of Buchanan county in favor of woman suffrage.

Referred to Committee on Suffrage.

Senator Poyneer presented petition of 145 citizens of Montour, Iowa, and vicinity asking for a stringent law prohibiting the circulating of immoral literature in Iowa.

Referred to Committee on Judiciary.

On motion of Senator Sutton, Senator Woolson was excused.

HOUSE MESSAGES.

House File No. 457, a bill for an act to provide for the consolidation of the coupon fund in the State Treasurer's office with the general revenue fund.

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

House File No. 500, a bill for an act to legalize the incorporation of the town of Lohrville, in Calhoun 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.

House File No. 478, a bill for an act to legalize the official acts of Edmund W. Durston as justice of the peace in and for Chickasaw county, Iowa.

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

House File No. 561, a bill for an act to legalize the acts of the auditor and board of supervisors of Ida county, Iowa, in vacating and establishing a certain highway.

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

House File No. 545, a bill for an act to legalize highways in Sioux county, Iowa.

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

House File No. 19, 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 Judiciary.

House File No. 602, a bill for an act to legalize the revised ordinances of the town of Ida Grove, Ida 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.

House File No. 617, a bill for an act to legalize certain acts of the independent school districts of Hawkeye, and of the independent school districts of Farmersburg and Wagner in Clayton county, Iowa.

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

House File No. 385, a bill for an act to legalize certain acts of the board of supervisors of Humboldt county.

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

By House File No. 468, a bill for an act to legalize the incorporation and ordinances of the town of Oakland, Pottawattamie county, Iowa.

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

By House File No. 618, a bill for an act to legalize the acts of the board of school directors of the district township of Fairfield, Buena Vista county, Iowa, in redistricting the township.

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

By House File No. 488, a bill for an act to legalize the ordinances of the city of Keokuk.

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

By House File No. 416, a bill for an act to legalize the sale of certain school lands in Webster county.

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

REPORTS OF COMMITTEES.

Senator Hutchinson, from the Committee on Ways and Means, submitted the following report:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred the resolution instructing your committee to report as to assessments of railroad property, beg leave to report that they have had the same under consideration, and have instructed me to report that, in answer to the first question propounded in said resolution your committee find that the basis of valuation of railroad property subject to assessment adopted by the Executive Council, for the years named, was the gross earnings, the right of way, road bed, bridges, culverts, rolling stock, depots, station grounds, shops, buildings, gravel beds and all other property, real and personal, used exclusively in operating the road.

In answer to the second question, your committee find that for the years named, the assessment of railroad property was in substantially the same ratio as other taxable property in the hands of individuals.

In answer to your third question, your committee find that while in some cases there is an apparent difference in the ratio of assessment of different roads, this difference appears to have been based on equitable consideration of the earnings of such roads. We are therefore of the opinion that there has been no material discrimination in the assessment of property as between different corporations.

In answer to your fourth question, your committee find that with but slight exception, all railroad companies having taxable property within this State, have made to the Executive Council substantially the statements provided for in section 1318 of the Code, for the years named, giving such facts as were necessary to enable the Council to make a just and equitable assessment of the property of such roads. The exceptions referred to include roads of comparatively small value and importance, such as the Dubuque and Dakota, and the Ft. Madison and Northwestern. In the case of these roads we find that the Executive Council failed to assess the thirty per cent penalty provided by law for a failure to report. The reasons stated by members of said Council for failing to impose such penalty in the case of one of said roads, was that the road had been in the hands of receivers, and that all books and surveys, including contracts for right of way had been lost or stolen and that the present receiver had absolutely no memoranda or data from which to make any report whatever; that the number of employes of the entire road did not exceed twenty-eight persons; that the road had been sold and re-sold for taxes and that the Council believed that the collection of taxes

would be jeopardized by attempting to enforce the penalty. In the case of the other road mentioned as failing to report, it was stated that while the condition of the road was not impoverished to the same extent as the former, yet the reasons for withholding the assessment of the penalty were of much the same character.

Your committee do not favor any amendment or change of the present law relating to the assessment of railroad property, as they believe it to be ample for the purposes intended. Your committee believe that the Executive Council have all the necessary authority and provision in their hands under the law to secure satisfactory assessments of railroad property.

J. G. HUTCHISON, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 285, a bill for an act to amend section 1362 of the Code in relation to the support of the poor, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. G. HUTCHISON, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 353, a bill for an act to legalize certain orders and judgments of circuit courts and judges in probate matters, beg leave to report 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 do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT:—Your Committee on Judiciary, to whom was referred House File No. 390, a bill for an act to legalize the organization of the civil township of Lincoln, in O'Brien county, and the acts of its 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 the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 331, a bill for an act to legalize certain acts and orders of the circuit courts of the State, and of the judges thereof, done or made under the provisions of section 2313 of the Code, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, for the reason that another bill upon the same subject has been favorably reported.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Senator Parrott, from the Committee on Municipal Corporations, submitted the following report :

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 294, a bill for an act to repeal chapters 2 and 3 of title 5 of the Code relating to registration of voters and elections, and to enact a substitute therefor, and provide for a board of registration and that all voters shall be registered to entitle them to vote at elections, and to provide that there shall be three judges and clerks in each precinct, and to define their duties and powers and to provide rules for election contests, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 129, a bill for an act to provide for ascertaining the citizens who shall be entitled to vote in all incorporated cities. To repeal section 618 of the Code, and to repeal chapter (2) two, title (5) five of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

Insert after the word "city" in the 11th line of section 2 of the bill, the following: "or if a ward or wards are divided into voting precincts in any city, then for such city or cities such divisions shall be the voting precincts."

Insert in section 5, in the heading of form for registration book in the 6th column after the word "precinct" the words "street and number."

Insert after the word "residence" in the 28th line of section 5 the words "street and number."

Insert after the word "vote" in the 16th line of section 9, the following: *Provided*, "that if an elector is, on account of sickness which confines him to his residence in his precinct, unable to go to the registers on any day they shall be in session, it shall be the duty of the registers, on the affidavit made before them of a registered elector, to visit such sick elector at his place of residence in the precinct and place such sick person on the registration list if he be found entitled to be registered, such visits by the registers for the registration of such invalids shall be at no time during any registration day except between the hours of 7 A. M. and 8 A. M., or between 9 P. M. and 10 P. M.," and that as thus amended the bill do pass.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Senator Scott, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred Senate File No. 374, a bill for an act to provide for the appointment and compensation of a custodian of public buildings and property, and prescribing 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 bill do pass.

JOHN SCOTT, *Chairman.*

Ordered passed on file.

The hour having arrived for the consideration of special order, it being Senate File No. 66, a bill for an requiring foreign corporations to file their articles of incorporation with the Secretary of State, and imposing certain condition upon such corporations transacting business in this State, with report of committee recommending that it do pass, was taken up.

On motion of Senator Scott, the special order was passed until after the call for reports from Standing Committee.

REPORTS OF COMMITTEES.

Senator Woolson, from the Committee on Labor, submitted the following report:

MR. PRESIDENT:—Your Committee on Labor, to whom was referred Senate File No. 341, a bill for an act regulating factories, workshops and other places where labor is employed, providing for the liability of employers of labor, allowing an attorney's fee in cases for the recovery of debts due for labor performed, and in such cases doing away with the exemptions now allowed by law, beg leave to report that they have had he 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 be amended as follows:

1st. Strike out of section 4 all after words "extinguishing fires" in 6th line

2d. Strike out section 7 and insert the following:

SECTION 7. Every corporation or company, firm or person owning or operating any mine or manufactory shall be liable for all damages sustained by any person, including employes and laborers of such corporation or person, in consequence of the neglect of agents, or by any mismanagement of the engineers or other employes of such corporation or person, and in consequence of the willful wrongs, whether of commission or omission, of such agents, engineers or other employes, when such wrongs are in any manner connected with the use and operation of any mine or manufactory, on or about which they shall be employed, and no contract which restricts such liability shall be legal or binding.

3d. Strike out of section 8, in line 16, the words "thirty days" and insert the words "fourteen days."

4th. Strike out of line 19 of said section 8, the words "six months" and insert the words "three months."

5th. Add at end of section 8, the following: *Provided*, That homesteads to the value of \$5,000, and personal property to the extent of \$90 to each judgment debtor, shall be exempt from execution under the provisions of this section.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor at the hands of his private secretary:

STATE OF IOWA, }
EXECUTIVE OFFICE, }
DES MOINES, March 17, 1886. }

MR. PRESIDENT—I am instructed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of State, the following bills:

Senate File No. 286, an act to legalize the official acts of Moses R. Eastman, a notary public in and for Buchanan county.

Senate File No. 805, an act to legalize the acts of the mayor and council of Zearing, Story county, Iowa.

Senate File No. 312, an act to cure defects of description in the land certificate and patent No. 10,759 of the State of Iowa to John W. Lytle, conveying lands in Page county, Iowa.

Senate File No. 336, an act to legalize the vote upon city officers of the city of Manchester, Iowa, on Monday, March 1, 1886.

REPORT OF COMMITTEE.

Senator McDonough, from the Committee on Suffrage, submitted the following report:

MR. PRESIDENT—Your Committee on Suffrage, to whom was referred Senate File No. 86, a bill for an act to grant suffrage to women at municipal 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 referred to the Committee on Judiciary, with the request that it be reported back to the Senate as soon as possible, with their opinion as to its constitutionality.

JOHN McDONOUGH, *Chairman.*

Referred to Committee on Judiciary.

On motion of Senator Robinson Senate File No. 66 which had been passed at time when the hour for its consideration had arrived, was taken up, considered, and the report of the committee was adopted.

Senator Sweeney offered the following amendment: Insert after the word "profit," in the first line, the words "other than for carrying on mercantile or manufacturing business."

Adopted.

Senator Robinson moved to amend section 1 as follows: "Provided, that nothing in this act contained shall be construed to prevent any foreign corporation from buying, selling and otherwise dealing in notes, bonds, mortgages, and other securities, or from enforcing the collection of the same in the federal courts in the same manner and to the same extent as is now authorized by law."

Adopted.

Senator Knight offered the following amendment. Insert after fourth section as an additional section:

The provisions of this act shall not be construed to prevent a cor-

poration that has complied herewith from removing causes against it from the state courts of a county wherein the United States court is held to such last named court in such county.

Lost.

Senator Sweney moved that the rule be suspended and the bill be considered engrossed and read a third time now.

Adopted.

On the question, shall the bill pass.

The yeas were :

Senators Bayless, Caldwell, Carr, Chambers, Chubb, Clark, Deal, Dodge, Doud, Duncan, Earle, Gatch, Gault, Glass, Hendrie, Hutchison, Johnson, McCoy, McDonough, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Weber, Whaley, Whiting, Wilkin, and Young—32.

The nays were:

Senators Carson, Casey, Chesebro, Donnan and Knight—5.

Absent or not voting :

Senators Barrett, Bloom, Bolter, Burdick, Cassatt, Dooley, Henderson, Miles, Ryder, Schmidt, Underwood, Wolfe and Woolson—13.

So the bill passed and the title was agreed to.

PETITIONS.

Senator Deal presented petition of citizens of Boone and Greene counties relative to the passage of Senate File No. 191 and House Files Nos. 178 and 213.

Referred to Committee on Mines and Mining.

Senator Deal presented petition of citizens of Greene county relating to woman suffrage and to exempt them from taxation until suffrage be granted.

Referred to Committee on Suffrage.

Senator Deal presented petition relative to free text-books in the schools of Iowa.

Referred to Committee on Schools.

On motion of Senator Hutchison Senate File No. 129 was made special order for Wednesday, March 24th, at 2:30 P. M.

On motion of Senator Duncan Senate adjourned until 10 A. M. tomorrow.

SENATE CHAMBER, }
DES MOINES, IOWA, March 18, 1886. }

The Senate met in regular session at 10 A. M.
The President of the Senate in the chair.
Prayer by Rev. S. W. Heaton.
The journal of previous day was read and approved.
Senator Dooley asked leave to have his vote recorded in the affirmative on Senate File No. 66.
Granted.

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. 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.

J. K. POWERS, *Chief Clerk.*

Senator Cassatt moved to take up House messages.
Adopted.

House 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 of coal mines and their employes.

On motion of Senator Cassatt, House File No. 218 was made special order for Thursday at 10:30 A. M. and be continued as such until disposed of, without reference to committee.

PETITIONS AND MEMORIALS.

□ Senator Dooley presented petition from the members of John Dillin Post No. 233, G. A. R., at Marengo, Iowa county, asking for the location of the soldiers' home at Marshalltown, Iowa.

Referred to Committee on Military.

Also, memorial from Humes Post No. 144, G. A. R., at What Cheer, Keokuk county, Iowa, asking that the soldiers' home be located at Marshalltown, Iowa.

Same reference.

Senator Poyneer presented petition from J. S. Dillman Post No. 343, at Toledo, Tama county, asking the location of a soldiers' home at Marshalltown, Iowa.

Same reference.

Senator Stephens presented petition of Segwick Post, No. 10, G. A. R., at Bedford, Taylor county, asking that the soldiers' home be located at Marshalltown, Iowa.

Same reference.

Senator Donnan presented petition from E. C. Little, Post No. 54,

G. A. R., at Independence, Buchanan county, asking that the soldiers' home be located at Marshalltown, Iowa.

Same reference.

Senator McCoy presented petition from Phil Kearney Post No. 40, G. A. R., at Oskaloosa, Mahaska county, asking the location of the soldiers' home at Marshalltown.

Same reference.

Senator Bloom presented memorial adopted at a meeting of old soldiers of Iowa City, Johnson county, Iowa, asking the location of the soldiers' home be at Marshalltown, Iowa.

Same reference.

Senator Wolfe presented petition from members of the U. B. Howard Post No. 92, G. A. R., at DeWitt, Clinton county, on the same subject.

Same reference.

Senator McDonough presented petition from the Osceola, Clarke county, Post, G. A. R., on same subject.

Same reference.

Senator Gatch presented petition from Virtue Post No. 174, G. A. R., at Polk City, Polk county, Iowa, of 58 members, on same subject.

Same reference.

Senator Scott presented petition from members of Ersland Post No. 284 G. A. R., Cambridge, Story county, Iowa, same subject.

Same reference.

Also, N. Parry and 27 others, same subject.

Same reference.

Also, J. N. Scott and 80 others, same subject.

Same reference.

Also, C. V. Norris and 31 others, same subject.

Same reference.

Also, from J. B. Steadman Post No. 238, G. A. R., same subject.

Same reference.

Also, J. R. Ward and 12 others, on same subject.

Same reference.

Also, H. H. Boyers and 11 others, same subject.

Same reference.

Also, J. C. Burkhart and 11 others, on same subject.

Same reference.

Also, J. W. Maxwell and 16 others, same subject.

Same reference.

Also, W. M. Greeley and 30 others.

Same reference.

Also, A. D. Gaston and 20 others, same subject.

Same reference.

Also, G. M. Maxwell and 30 others, same subject.

Same reference.

Also, from citizens and ex-soldiers of Story City, Story county, Iowa, same subject.

Same reference.

Also, from citizens of Cambridge, Story county, Iowa, same subject.

Same reference.

Senator Underwood presented petition from members of Kersey Post No. 338, G. A. R., at Union, Hardin county, same subject.

Same reference.

Also, petition from members of Andersonville Post No. 155, G. A. R., at Beamen, Grundy county, Iowa, same subject.

Same reference.

Also, Senator Sutton presented petition from General Lyon Post No. 188, G. A. R., of Clarion, Wright county, Iowa, same subject.

Same reference.

The hour for special order having arrived, it being concurrent resolution relative to adjournment of the House and Senate, was taken up and considered.

Senator Hutchison moved that the further consideration of the resolution be postponed one week.

Adopted.

Also, by Senator Sutton, resolution and memorial of Ben Kersey Post of Marshalltown on same subject.

Same reference.

Senator Sutton presented memorial from Clarion, Iowa, on same subject.

Same reference.

Senator Gault presented memorial from S. M. Gaston of G. A. R. Post, Centerville, Iowa, asking that a law be enacted to provide for the maintainance of the poor and indigent soldiers at their homes.

Referred to the Committee on Military.

Senator Chambers presented petition from members of George R. Remy Post No. 183, at Oxford, Jones county, Iowa, asking that the soldiers' home be located at Marshalltown, Iowa.

Same reference.

Also, from members of John O. Duer Post No. 176, G. A. R., at Monticello, Jones county, Iowa, on same subject.

Same reference.

Also, from members of Wm. Hoyman Post, G. A. R., at Clarence, Cedar county, on same subject.

Same reference.

Also, from members of Wm. Beaver Post No. 110, G. A. R., at Tipton, Cedar county, on same subject.

Same reference.

Senator Sutton from Shelby Norman Post No. 281, at Muscatine, Iowa, on same subject.

Same reference.

Also, a resolution from J. M. Huston Post No. 394, at Victor, Poweshiek county, Iowa, on same subject.

Same reference.

Also, from James Bretter Post No. 220, G. A. R., at Clarksville, Butler county, on same subject.

Same reference.

Also, a resolution from members of John B. Hancock Post No. 314, at Belle Plaine, Benton county, on same subject.

Same reference.

Also, a resolution from members of Jacob Mannon Post No. 341, G. A. R., at Blairstown, Benton county, on same subject.

Same reference.

Also from members of Randall Post, No. 142, G. A. R., at Northwood, Worth county, same subject.

Same reference.

Also petition of eighty-six members of E. G. Stokes and eighty-six ex-soldiers and citizens of Gilman, Iowa, same subject.

Same reference.

Also from Frank M. Thomas Post, No. 94, G. A. R., of two hundred and thirty-five members, same subject.

Same reference.

Senator Parrott of General Robert Anderson Post, No. 68, G. A. R., at Waterloo, same subject.

Same reference.

Also from James Brownell Post, No. 222, G. A. R., at Cedar Falls, Black Hawk county, same subject.

Same reference.

Senator Gault presented petition of citizens of Avery, Monroe county, Iowa, asking that laws be enacted making eight hours a legal day's work and by which the State shall furnish all text books in public schools.

Referred to Committee on Schools.

Senator Poyneer presented resolutions of faculty of Iowa Agricultural College opposing the adoption of joint resolution relative to establishing a winter term of school in that college.

Referred to Committee on Agricultural College.

Senator Sutton presented printed petition of soldiers of Marshalltown asking the location of the soldiers' home in Marshalltown, Iowa.

Referred to Committee on Military.

REPORT OF COMMITTEE.

Senator Parrott, 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. 257, a bill for an act to provide for the levy of one-half mill tax for the years A. D. 1886 and 1887, to provide a home for Iowa soldiers and sailors, and for making necessary repairs and improvements on State institutions, and for paying outstanding warrants.

Senate File No. 7, a bill for an act to repeal section 3909 of the Code, and to enact a substitute therefor, defining and punishing embezzlement.

Senate File No. 62, a bill for an act to amend sub-division 2 of section 2956 of the Code of 1873, relating to attachments.

Senate File No. 372, a bill for an act making an appropriation to pay expenses incurred in escorting the remains of the late Hon. J. L. Mitchell to the place of interment.

House File No. 28, a bill for an act legalizing the acts of the council of the city of Lemars, in the county of Plymouth, and State

of Iowa, and legalizing the ordinances passed and adopted for the government of the said city.

And find the same correctly enrolled.

MATT PARROTT, for the Committee.

Senator Poyneer presented petition and resolutions adopted by G. A. R. Post, Gordon Granger, asking that soldiers' home be located at Grinnell.

Referred to Committee on Military.

REPORT OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 88, "a bill for an act to repeal chapter 188 of the acts of the Twentieth General Assembly in relation to under ground tile drainage, and to enact a substitute therefor, for the purpose of ascertaining the opinion of this committee upon certain legal questions, therewith submitted," viz:

"*First*—Whether the said trustees, as prescribed in section 5, would have the right to enter upon the land in question without instituting condemnation proceedings in the same manner and method as provided by law, relating to obtaining the right-of-way for railroads, highways, school-house sites, etc.

"*Second*—Whether the trustees, as prescribed in section 7, would have the constitutional right and authority to consider the benefits to be derived by the construction of said drain or ditch as an offset to damages he may sustain by the construction of such drain or ditch," beg leave to report that they have the same under consideration, and have instructed me to report the same back to the Senate with the following, which is respectfully submitted in answer to the questions:

"In order to answer the questions submitted, it is necessary to consider the general scope and purpose of the bill. By so doing we find that it is proposed, in substance, to permit the taking of private property for private purposes. In the opinion of this committee this cannot be done. To authorize the taking of private property for the purpose of improvement, a public benefit, as the protection of the public health or property, must be subserved. Our courts hold that when the public welfare is involved, private property may be taken after compensation has been made or secured; and also, when the public welfare demands a public improvement, as the paving of a street, that the expense involved may be assessed upon the abutting property. As the purposes sought to be accomplished are not public, the committee are of the opinion that the trustees cannot be given the right to enter upon private property against the will of the owner, and that the right to do so cannot be conferred by process of condemnation; also, that when the power of eminent domain is exercised, as is contemplated in section 7, benefits cannot be offset against damages occasioned by the taking of private property."

G. S. ROBINSON, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Judiciary, to which was referred Senate File No. 349, “an act authorizing the Governor to convey or grant right of way through certain State land,” asks leave to report that it has had the same under consideration, and has instructed me to report the bill back to the Senate with the recommendation that it be amended by striking out the word “one” in line 16 of section 1, and inserting instead the word “four,” also, by prefixing to the title the words, “a bill for,” and as thus amended that the bill do pass.

G. S. ROBINSON, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 313, a bill for an act to legalize the incorporation and ordinances of, and to correct errors in the proceedings and acts incorporating the town of Dunlap, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

1. Insert in the sixth paragraph of the preamble, after the word “ordinances,” in the last line, the words, “the yeas and nays having been called but not recorded.”

2. Fill the blank in section two with the words, “Des Moines Leader.” And as thus amended that the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 346, a bill for an act to amend section 5 of chapter 168 of laws of the Twentieth General Assembly, relative to admitting attorneys from other States to practice in the courts of this State, asks leave to report that it has had the bill under consideration, and has instructed me to report the same back to the Senate with the recommendation, by a majority of the committee, that it do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 358, a bill for an act to make valid certain ordinances of the city of Winterset and acts performed thereunder, asks leave to report that it has had the bill under consideration, and has instructed me to report the same to the Senate with the recommendation that it do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

On motion of Senator Wilkin, Senate File No. 358, a bill for an act to make valid certain ordinances of the city of Winterset and acts performed thereunder, 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 Barrett, Bayless, Bloom, Bolter, Caldwell, Carr, Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Glass, Henderson, Hendrie, Hutchison, Knight, McCoy, McDonough, Parrott, Poyneer, Reiniger, Schmidt, Scott, Stephens, Underwood, Weber, Wilkin and Wolfe—35.

The nays were, none.

Absent or not voting:

Senators Burdick, Carson, Deal, Dodge, Gault, Johnson, Miles, Robinson, Ryder, Sutton, Sweney, Whaley, Whiting, Woolson and Young—15.

So the bill passed and the title was agreed to.

On motion of Senator Bolter, Senate File No. 813, a bill for an act to legalize the incorporation and ordinances of and to correct errors in the proceedings and acts incorporating the town of Dunlap, with report of committee recommending amendments, and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Bolter 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, Bolter, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gault, Glass, Henderson, Hutchison, Knight, McCoy, Poyneer, Robinson, Schmidt, Hendrie, Scott, Underwood, Weber and Wolfe—34.

The nays were, none.

Absent or not voting:

Senators Burdick, Deal, Johnson, McDonough, Miles, Parrott, Reiniger, Ryder, Stephens, Sutton, Sweney, Whaley, Whiting, Wilkin, Woolson, and Young—16.

So the bill passed and the title was agreed to.

On motion of Senator Chambers Senate File No. 342, a bill for an act authorizing the Governor to convey or grant right of way through certain State land, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

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 Bayless, Bloom, Bolter, Caldwell, Carr, Carson, Cassatt, Chambers, Chesebro, Chubb, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gault, Glass, Henderson, Hendrie, Hutchison, Knight, McCoy, McDonough, Parrott, Poyneer, Robinson, Schmidt, Stephens, Sutton, Sweney, Underwood, Wilkin and Wolfe—34.

The nays were, none.

Absent or not voting:

Senators Barrett, Burdick, Casey, Clark, Deal, Gatch, Johnson, Miles, Reiniger, Ryder, Scott, Weber, Whaley, Whiting, Woolson and Young—16.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 361, a bill for an act to amend section 3074 of the Code, relating to exemptions, and to extend the exemptions to a non-resident head of a family, asks leave to report that it has had the bill under consideration and has prepared a substitute therefor, which I am instructed to submit to the Senate with a recommendation that it be adopted and that when thus adopted it do pass.

G. S. ROBINSON, *Chairman.*

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. 78, a bill for an act in relation to the sale of intoxicating liquors; also Senate No. 349, an act to amend chapter 8 of the laws of the Twentieth General Assembly relating to the sale of intoxicating liquors, 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 they do pass.

T. E. CLARK, *Chairman.*

Ordered passed on file.

Senator Donnan moved that Senate File No. 181 be taken up and recommitted to the Committee on Agriculture with substitute.

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:

Substitute for House File No. 19, to regulate the sale and transfer of grain in elevators and other places of storage.

House File No. 457, to provide for the consolidation of the coupon fund in the State treasury with the general revenue fund.

J. K. POWERS, *Chief Clerk.*

On motion of Senator Caldwell, House File No. 413, a bill for an act to legalize the incorporation of the town of Guthrie Center, in Guthrie county, Iowa; the election of officers and all acts done and ordinances passed by the council of said town, with report of committee recommending indefinite postponement, was taken up and considered, and on motion of Senator Sutton the bill was recommitted to the Committee on Judiciary.

BILLS ON THIRD READING.

Senate File No. 154, a bill for an act to regulate the organization and operation of mutual benefit associations, was taken up and read a third time.

On the question, shall the bill pass.

The yeas were :

Senators Barrett, Bayless, Bloom, Bolter, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Hendrie, Hutchison, Knight, McCoy, McDonough, Parrott, Poyneer, Reiniger, Robinson, Schmidt, Scott, Stephens, Sutton, Underwood, Weber, Wilkin and Wolfe—35.

The nays were, none.

Absent or not voting:

Senators Burdick, Caldwell, Cassatt, Clark, Deal, Glass, Henderson, Johnson, Miles, Ryder, Sweney, Whaley, Whiting Woolson, and Young—15.

So the bill passed and the title agreed to.

On motion of Senator Clark, Senate File No. 64, a bill for an act to suppress the circulation, advertising and vending of obscene literature and articles of immoral use and to confiscate such property, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

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 Barrett, Bloom, Bolter, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Hendrie, Hutchison, Knight, McCoy, McDonough, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Wilkin and Wolfe—33.

The nays were, none.

Absent or not voting :

Senators Bayless, Burdick, Cassatt, Deal, Dooley, Gault, Glass, Henderson, Johnson, Miles, Ryder, Schmidt, Sweney, Whaley, Whiting, Woolson and Young—17.

So the bill passed and the title was agreed to.

On motion of Senator Dodge the Senate adjourned until 2 P. M.

AFTERNOON SESSION.

DES MOINES, IOWA, March 18, 1886.

The Senate was called to order by the President at 2 P. M.

RESOLUTIONS.

Senator Donnan offered the following resolution:

Resolved, That the House be requested to return to the Senate Senate File No. 251.

Senator Duncan offered the following resolution:

Resolved, That the treasurer of the Iowa State University be and he is hereby directed to furnish to the Senate, as soon as practicable, a detailed statement showing the condition of the permanent fund of the University on the 17th day of June, 1885; said statement to show in detail all the facts relating to the investment of said fund which are by law required to be entered upon his books, as well as all judgments which are reckoned as assets of the University, with the date and amount thereof and the description and value of the property on which said judgments are liens.

Adopted.

BILLS ON SECOND READING.

Senate File No. 267, a bill for an act to prevent and to punish fraud in the sale of cattle, with report of committee recommending amendments and do pass, was taken up, considered, and the report of the committee was adopted.

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 Barrett, Bayless, Bloom, Caldwell, Carr, Carson, Chambers, Chesebro, Chubb, Clark, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Hendrie, Hutchison, McCoy, McDonough, Miles, Poyneer, Reiniger, Robinson, Schmidt, Scott, Stephens, Sutton, Underwood, Wilkin and Wolfe—33.

The nays were, none.

Absent or not voting:

Senators Bolter, Burdick, Casey, Cassatt, Deal, Glass, Henderson, Johnson, Knight, Parrott, Ryder, Sweney, Weber, Whaley, Whiting, Woolson and Young—17.

So the bill passed and the title was agreed to.

On motion of Senator Robinson, Senate File No. 93, was passed and ordered to maintain its place on the calendar.

On motion of Senator Robinson, House File No. 353, a bill for an act to legalize certain orders and judgments of circuit courts and judgments of circuit courts and judges in probate matters, with re-

port of committee recommending that it do pass, was taken up and considered.

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 Barrett, Bayless, Bloom, Bolter, Caldwell, Carr, Carson, Casey, Chesebro, Chubb, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Henderson, Hendrie, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Wilkin and Wolfe—35.

The nays were, none.

Absent or not voting:

Senators Burdick, Cassatt, Chambers, Clark, Deal, Glass, Parrott, Poyneer, Ryder, Schmidt, Sweney, Whaley, Whiting, Woolson and and Young—15.

So the bill passed and the title was agreed to.

On motion of Senator Robinson, Senate File No. 293, a bill for an act to provide for the registration of bonds issued by counties, school districts and municipal corporations, with report of committee recommending indefinite postponement, was taken up, and on motion of Senator Reiniger was recommitted to Committee on Judiciary.

On motion of Senator Robinson, Senate File No. 321, a bill for an act to legalize the acts of the judges of the circuit court in authorizing the sales, conveyances and other transfers of property and of interests therein by administrators, executors and guardians, and to legalize sales and other transfers so authorized, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

On motion of Senator Robinson Senate File No. 270, a bill for an act to confirm judicial sales of real estate with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

On motion of Senator Robinson Senate File No. 331, a bill for an act to legalize certain acts and orders of the circuit courts of the State and of the judges thereof done or made under the provisions of section 2313 of the Code with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

On motion of Senator Weber Senate File No. 165, a bill for an act to compel notice of pendency of an action relating to real property, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

On motion of Senator Robinson Senate File No. 143, a bill for an act to amend section 1923, of the Code, relating to mortgages of personal property, with report of committee recommending indefinite postponement was taken up, considered, and the report of the committee was adopted.

On motion of Senator Casey Senate File No. 220, a bill for an act to enlarge the powers of boards of supervisors under division 10, of section 303, and to repeal section 913, of the Code of 1873, and to

provide for more thorough and efficient settlements of county officers and for their suspension and removal in certain cases and the effect to be given to such settlements and making certain duties of the board of supervisors mandatory, and providing a penalty for neglect therein, with report of committee recommending indefinite postponement was taken up and considered, and on motion of Senator Casey was referred to the Committee on Ways and Means.

CONCURRENT RESOLUTION.

Senator Gatch presented concurrent resolution relative to memorializing Congress to provide indemnity for the settlers on the Des Moines river lands.

Placed on file, ordered printed and referred to Committee on Federal Relations.

On motion of Senator Ryder Senate File No. 258, a bill for an act to establish a normal school for teachers, with report of committee recommending indefinite postponement, was taken up, considered and the report of the committee was adopted.

On motion of Senator Bayless House Concurrent Resolution relative to report of Superintendent of Public Instruction, with report of committee recommending that it be adopted, was taken up and adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Senate Files Nos. 7, 62, 257, 372.

Also:

House File No. 28.

Also:

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. 651, a bill for an act to legalize the grand jury of the county of Osceola for the year 1886.

J. K. POWERS, *Chief Clerk.*

The hour for special order having arrived, it being Senate File No. 263, a bill for an act amendatory to chapter 143 of the acts of the Twentieth General Assembly, relating to intoxicating liquors, and providing for the more effectual suppression of the illegal sale and transportation of intoxicating liquors and abatement of nuisances, with pending substitute by Senator Gatch for amendment by Senator McCoy, was taken up and considered.

Senator McCoy accepted substitute.

Senator Weber offered the following as a substitute: Amend by adding after the word "place," in the sixth line of section 5, the following: "As against the use or occupation of the same for saloon

purposes," which substitute was accepted by Senator McCoy and, on motion, the substitute was adopted.

Senator Johnson offered the following amendment: Amend by adding in line six, section 10, after the word "person" the word "knowingly."

On this the yeas and nays were called.

The yeas were:

Senators Bayless, Bloom, Bolter, Caldwell, Carr, Casey, Chesebro, Chubb, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Henderson, Hendrie, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Reiniger, Robinson, Schmidt, Scott, Stephens, Sutton, Underwood, Weber, Wilkin and Wolfe—34.

The nays were:

Senator Chambers—1.

Absent or not voting:

Senators Barrett, Burdick, Carson, Cassatt, Clark, Deal, Glass, Hutchison, Poyneer, Ryder, Sweney, Whaley, Whiting, Woolson and Young—15.

So the amendment was adopted.

Senator McCoy offered the following amendment: Section 9, by striking out all after the word "improvement" in the 6th line and insert "in the county jail not less than three months."

Adopted.

Senator Wilkin offered the following: insert the word "knowingly" after the word "shall" in section 10, line 7.

Adopted.

Senator Johnson moved the following: Strike out all after the word "county" in 14th line of section 11.

On this the yeas and nays were called.

The yeas were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Chesebro, Dodge, Dooley, Earle, Gault, Henderson, Hendrie, Johnson, Knight, McCoy, Schmidt and Wolfe—17.

The nays were:

Senators Barrett, Caldwell, Chambers, Chubb, Clark, Donnan, Doud, Duncan, Gatch, Hutchison, McDonough, Miles, Parrott, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Weber and Wilkin,—21.

Absent or not voting:

Senators Burdick, Carson, Cassatt, Deal, Glass, Poyneer, Ryder, Sweney, Whaley, Whiting, Woolson and Young—12.

So the amendment was lost.

Senator McCoy offered the following: Amend section 5 by adding thereto "provided, however, that when leased premises are adjudged to be a nuisance the owner thereof shall have the right to terminate the lease by giving three days notice thereof in writing to the court, and when this is done the premises shall be turned over to the owner upon the order of the court or judge."

Senator Clark offered the following amendment to the amendment by Senator McCoy: Amend by adding "but the return of the property shall be upon the condition that the nuisance shall not be con-

tinued, and the return of the property shall not release any lien upon said property occasioned by any prosecution of the tenant."

Amendment accepted by Senator McCoy.

On the question shall the amendment as amended be adopted:

On this the yeas and nays were called.

The yeas were :

Senators Barrett, Bayless, Bloom, Caldwell, Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Dodge, Donnan, Dooley, Doud, Duncan, Gatch, Gault, Henderson, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Wilkin and Wolfe—34.

The nays were none:

Senators Bolter, Hendrie and Earle—3.

Absent or not voting :

Senators Burdick, Carr, Carson, Deal, Glass, Poyneer, Ryder, Schmidt, Sweney, Whaley, Whiting, Woolson and Young—13.

So the amendment was adopted.

The hour having arrived for the second special order it being Senate File No. 198, a bill for an act to repeal section 1, 2, 3, 4, 5 and 6, of chapter 21, acts of the Twentieth General Assembly and to enact a substitute therefor relating to mines and mining, with report of committee recommending that it do pass, was taken up, and on motion of Senator McCoy the same was continued until special order, Senate File No. 263 shall be disposed of.

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. 115, to determine the number of grand and trial jurors.

House File No. 352, to repeal 4256 Code of 1873, and enact a substitute therefor, in relation to empanelling a grand jury.

House File No. 181, to amend chapter 15, title 25 of the Code of 1883, relative to the finding and presentment of indictments.

Also :

I am directed to inform you that the House has complied with the request of the Honorable Senate relative to the return of Senate File No. 251, which I now herewith return.

Also:

I am directed to inform you that the House has passed the following resolution in which the concurrence of the Senate is asked:

Instructing the Soldiers' Home Committee to visit Dubuque and other cities to examine locations for the proposed soldiers' home.

J. K. POWERS, *Chief Clerk.*

Senator Parrott, 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. 257, a bill for an act to provide for the levy of one-half mill tax for the years A. D. 1886 and 1887, to provide a home for Iowa Soldiers and Sailors, and for making necessary repairs and improvements on State Institutions, and for paying outstanding warrants.

Senate File No. 7, a bill for an act to repeal section 3909 of the Code, and to enact a substitute therefor, defining and punishing embezzlement.

Senate File No. 62, a bill for an act to amend sub-division 2 of section 2956 of the Code of 1873, relating to attachments.

Senate File No. 372, a bill for an act making an appropriation to pay expenses incurred in escorting the remains of the late Hon. J. L. Mitchell to the place of interment.

MATT PARROTT, *Chairman pro tem.*

Senator Casey offered the following:

Amend section 3 of Senate File No. 263, by adding: "Provided, however, that the court or judge may release the defendant upon a proper showing by affidavit, or otherwise excusing the contempt charged."

On this the yeas and nays were called.

The yeas were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Chubb, Dodge, Dooley, Earle, Henderson, Hendrie, Johnson, Knight, McCoy, Schmidt and Wolfe—18.

The nays were:

Senators Barrett, Caldwell, Carson, Chambers, Clark, Donnan, Doud, Duncan, Gatch, Hutchison, McDonough, Miles, Parrott, Reininger, Robinson, Stephens, Sutton, Underwood, Weber and Wilkin—20.

Absent or not voting:

Senators Burdick, Deal, Gault, Glass, Poyneer, Ryder, Scott, Sweney, Whaley, Whiting, Woolson and Young—12.

So the amendment was lost.

On motion of Senator Caldwell Senator Scott was excused.

Senator Robinson moved to amend section 11 as follows:

Strike out the words "has reason to believe" in the 16th line of printed bill and insert in lieu thereof "have reasonable grounds for believing."

Adopted.

Senator Johnson moved the following amendment to section 11, by striking out after the word "any" in the 14th line of printed bill to and including the word "or" in the 15th line and strike out the word "the same" in the 16th line and insert the words "any box, barrel or any other vessel or package."

Adopted.

Senator McCoy offered the following amendment to section 12 by striking out all after the word "admissible" in line 23 to and including the second "or" in the 25th line and inserting "on the question of knowledge and"

Adopted.

Also, amend section 12 as follows, by striking out after the word

"chapter" in the 15th line to and including word "court" in 17th line.

Adopted.

Senator Schmidt moved to amend by striking out section 14.

On this the yeas and nays were called.

The yeas were:

Senators Bayless, Bloom, Bolter, Carr, Carson, Casey, Cassatt, Chesebro, Dodge, Dooley, Earle, Gault, Johnson, Knight, McCoy, Parrott, Schmidt and Wolfe—18.

The nays were:

Senators Barrett, Caldwell, Chambers, Chubb, Clark, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McDonough, Miles, Poyneer, Reiniger, Robinson, Stephens, Sweney, Underwood, Weber and Wilkin—21.

Absent or not voting:

Senators Burdick, Deal, Henderson, Hendrie, Ryder, Scott, Sutton, Whaley, Whiting, Woolson and Young—11.

So the amendment was lost.

Senator Donnan moved to amend section 1 as follows: Add after the last word in line 6 the following, "and to prosecute the same with reasonable diligence."

Adopted.

Senator Wolfe moved to strike out in line 3 of section 2, the words "without bond."

On this the yeas and nays were called.

The yeas were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Chesebro, Dodge, Earle, Knight, Schmidt, and Wolfe—11.

The nay were:

Senators Barrett, Caldwell, Carson, Chambers, Chubb, Clark, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Stephens, Sutton, Underwood, Weber, and Wilkin—24.

Absent or not voting:

Senators Burdick, Cassatt, Deal, Dooley, Gault, Henderson, Hendrie, Johnson, Ryder, Scott, Sweney, Whaley, Whiting, Woolson, and Young—15.

So the amendment was lost.

Senator Johnson offered a substitute for the bill.

Senator Clark moved that when the Senate adjourn, it adjourn until 10 A. M., to-morrow, and that this bill, Senate File No. 263, be made the special order after reading the journal and continued as a special order until disposed of.

Carried.

On motion of Senator Robinson the Senate adjourned to 10 A. M., to-morrow.

SENATE CHAMBER, }
DES MOINES, IOWA, March 19, 1898. }

The Senate met in regular session at 10 A. M.

The President of the Senate in the chair.

Prayer by Rev. Mr. Wallace.

The journal of the previous day was read in part, and on motion of Senator Weber was dispensed with.

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. 40, a bill for an act relating to certifying special assessments in cities of the first class.

House File No. 104, a bill for an act relating to the payment of fines and forfeitures and to their final appropriation.

Substitute for House File No. 298, a bill for an act to amend section 2049 of the Code in relation to the weight of broom corn seed.

J. K. POWERS, *Chief Clerk.*

REPORT OF COMMITTEE.

Senator Parrott, 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. 216, a bill for an act to legalize the levy of certain taxes in Crawford county, Iowa.

House File No. 64, a bill for an act to legalize the incorporation of the town of Riverside, Washington county, Iowa, and its ordinances and the acts of its officers thereunder.

House File No. 329, a bill for an act to legalize the acts and ordinances of the town council of the incorporated town of Morning Sun, Louisa county, Iowa.

House File No. 544, a bill for an act to legalize certain ordinances of the incorporated town of Rock Rapids, Lyon county, Iowa, and to legalize acts done thereunder.

House File No. 345, a bill for an act to legalize certain acts of the board of supervisors of Pottawattamie county.

House File No. 448, a bill for an act to legalize the acts of A. G. Smith while acting as justice of the peace of South Fork township, Delaware county, Iowa.

House File No. 503, a bill for an act to legalize certain acts of the school boards of Plum Grove and Plainview, Bloomfield township, Polk county, Iowa.

Senate File No. 287, a bill for an act to legalize the action of the

board of directors of the District Township of Vermilion, Appanoose county, Iowa.

And find the same correctly enrolled.

MATT PARROTT, *Chairman.*

The question being upon the adoption of the substitute for Senate File No. 283, offered by Senator Johnson on March 18.

On motion of Senator Bayless the Senate adjourned until 2 o'clock p. m., at which time Senator Casey has the floor.

AFTERNOON SESSION.

2 O'CLOCK P. M.

Senate called to order at 2 P. M.

The President of the Senate in the chair.

By permission, Senator Carson moved to make Senate Files Nos. 214 and 213 special order for Tuesday, March 23, at 3 P. M.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Caldwell, Carr, Carson, Chambers, Clark, Donnan, Doud, Duncan, Gatch, Gault, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poynear, Reiniger, Robinson, Scott, Stephens, Underwood, Weber, Wilkin and Woolson—26.

The nays were:

Senators Bayless, Bolter, Casey, Chesebro, Dooley, Earle, Hendrie, Johnson, Schmidt and Wolfe—10.

Absent or not voting:

Senators Bloom, Burdick, Cassatt, Chubb, Deal, Dodge, Henderson, Knight, Ryder, Sutton, Sweney, Whaley, Whiting and Young—14.

So the bills were made a special order for March 23, at 3 P. M.

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:

Substitute for House Files Nos. 8, 24, 49, 70, 122, 159 and 384, a bill for an act amendatory of chapter 77 of the Seventeenth General Assembly, to repeal section 2 thereof and enact a substitute therefor, relative to the election of railroad commissioners.

House File No. 246, a bill for an act to make sections 440 to 446 inclusive of the Code of 1873 applicable to cities and towns organized and acting under special charters.

House File No. 431, a bill for an act to amend section 3125 of the Code of 1873.

House File No. 487, a bill for an act to grant additional authority to cities organized under special charters, and to make certain provisions of law applicable thereto.

Also, the House has passed Senate File No. 40 amending section 16, chapter 21 of the acts of the Twentieth General Assembly, relating to the filing of charges for the removal of State mine inspector, without amendment.

Also, the House has concurred in the Senate amendment to the House amendment to Senate File No. 24.

Also, the House has concurred in Senate resolution relative to the presentation of the portrait of the Indian Chief "Keokuk," by Mrs. J. W. Campbell.

Also:

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

Senate File No. 287.

House Files Nos. 64, 216, 329, 345, 448, 503 and 544.

J. K. POWERS, *Chief Clerk.*

Senator Knight moved to take up joint resolution relative to the visiting of Dubuque and other points by the Soldiers' Home Committee to examine location for the proposed soldiers' home.

Carried.

Senator Caldwell moved to strike out the words "other cities."

Carried.

Senator Chubb moved to strike out the word "instructed" and insert "permitted."

Adopted.

The Senate then concurred in the resolution.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor by the hand of his private secretary:

STATE OF IOWA,
EXECUTIVE DEPARTMENT,
DES MOINES, March 19th, 1886. }

MR. PRESIDENT:—I am instructed by the Governor to inform you that he has approved, signed and deposited in the office of the Secretary of State the following bills:

Senate File No. 7, an act to repeal section 3909 of the Code, and to enact a substitute therefor, defining and punishing embezzlement.

Senate File No. 62, an act to amend sub-division 2, of section 2956 of the Code of 1873 relating to attachments.

Senate File No. 257, an act to provide for the levy of one-half mill tax for the years A. D. 1886 and 1887 to provide a home for Iowa soldiers and sailors and for making necessary repairs and improvements on State institutions and for paying outstanding warrants.

Senate File No. 372, an act making an appropriation to pay ex-

penses incurred in escorting the remains of the late Hon. J. L. Mitchell to the place of interment.

FRED. W. HOSSFELD, *Private Secretary.*

The Senate resumed the consideration of the substitute for Senate File No. 263 offered by Senator Johnson.

On the question shall the substitute be adopted the yeas and nays were called.

The yeas were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Earle, Henderson, Hendrie, Johnson, Knight, Schmidt, Whiting and Wolfe—17.

The nays were:

Senators Barrett, Burdick, Caldwell, Carson, Chambers, Chubb, Clark, Donnan, Doud, Duncan, Gatch, Gault, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Underwood, Weber, Wilkin and Woolson—27.

Absent or not voting:

Senators Deal, Ryder, Sutton, Sweney, Whaley and Young—6.

So the substitute was not adopted.

Senator Woolson offered the following amendment to section 1: Strike out in line 2 the word "shall" and insert the word "may"; insert after the word "nuisance" in 8th line the following: "But nothing in this section shall prevent any citizen of a county from instituting and maintaining in his own name an action under said section 12 of said chapter 143, and to all of such actions whether brought under the provisions of said section 12 or said chapter 143 or of this act the provisions contained in this act shall apply."

Adopted.

Ordered engrossed.

BILLS ON THIRD READING.

On motion of Senator Robinson Senate File No. 144, a bill for an act establishing the Supreme Court at the seat of government and providing officers therefor, was taken up and read a third time.

The yeas were:

Senators Barrett, Caldwell, Carr, Casey, Chambers, Chesebro, Chubb, Clark, Doud, Duncan, Gatch, Gault, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Underwood, Weber, Wilkin and Woolson—26.

The nays were:

Senators Bayless, Bloom, Bolter, Burdick, Carson, Donnan, Dooley, Earle, Johnson, Knight, Schmidt and Wolfe—12.

Absent or not voting:

Senators Cassatt, Deal, Dodge, Glass, Henderson, Hendrie, Ryder, Sutton, Sweney, Whaley, Whiting, and Young—12.

So the bill passed and the title was agreed to.

Senator Parrott, 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. 287, a bill for an act to legalize the action of the board of directors of the district township of Vermillion, Appanoose county, and State of Iowa.

Senate File No. 251, a bill for an act to repeal section 2, chapter 94, acts of Sixteenth General Assembly, enacting a substitute therefor, relating to admitting children to the soldiers' orphans' home, was taken up.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Burdick, Caldwell, Carson, Chambers, Clark, Doud, Duncan, Earle, Gatch, Hutchison, McCoy, Miles, Poyneer, Robinson, Schmidt, Stephens, Underwood, Wilkin and Wolfe—21.

The nays were:

Senators Carr, Chubb, Donnan, Gault, Hendrie, McDonough, Parrott, Reiniger, Scott and Weber—10.

Absent or not voting:

Senators Bloom, Bolter, Casey, Cassatt, Chesebro, Deal, Dodge, Dooley, Glass, Henderson, Johnson, Knight, Ryder, Sutton, Sweney, Whaley, Whiting, Woolson and Young—19.

So the bill was lost.

Senator Donnan filed the following motion:

MR. PRESIDENT—I move to reconsider the vote by which Senate File No. 251 was lost on third reading.

W. G. DONNAN.

RESOLUTION.

Senator Burdick offered the following concurrent resolution relative to the National Board of Health:

WHEREAS, The several acts of Congress constituting and organizing the National Board of Health, with power to investigate the sources of disease among the people, to prevent the introduction of contagious and infectious diseases into the United States from foreign ports, and their spread from one State to another, to co-operate and aid State and municipal boards of health in the control and suppression of epidemic diseases; and,

WHEREAS, The National Board of Health has discharged the important trusts committed to its care with such fidelity and efficiency as to have won the commendation, favor and support of sanitary authorities in this country and Europe; and,

WHEREAS, There is work to be done by such a board which cannot be done by any local or State board, and which is not, and cannot be, adequately represented or fulfilled by any other branch of the national service; and,

WHEREAS, It is deemed of the greatest importance that the National Board of Health be maintained in all its integrity and efficiency as the great central health protecting power of the national government, ready to co-operate and aid State and municipal boards of health in the prevention of the introduction of contagious and infectious diseases into this country, and their spread from one State into another; therefore, be it

Resolved by the Senate, the House concurring, That the General Assembly of the State of Iowa earnestly request the members of Congress from the State of Iowa to exert their influence, and vote to secure adequate appropriations by Congress to continue the work of the National Board of Health in investigating the causes of disease, of co-operating with State and local boards of health, of carrying on the immigration-inspection service, and protecting the public health.

Resolved, That the Secretary of State be and is hereby instructed to send to each of the Iowa delegation in Congress a copy of these resolutions and one copy to W. P. Dunwoody, Secretary of the National Board of Health, Washington, D. C.

Senator Chambers moved to postpone joint resolution No. 6, until Thursday, March 25th, at 3 P. M., and that it be made special order for that time.

On this the yeas and nays were called.

The yeas were:

Senators Barrett, Caldwell, Carson, Chambers, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Underwood, Wilkin, Wolfe, and Woolson—24.

The nays were:

Senators Bayless, Burdick, Chubb, Earle, Hendrie, Johnson, and Whiting—7.

Absent or not voting:

Senators Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Clark, Deal, Dodge, Dooley, Gault, Henderson, Ryder, Schmidt, Sutton, Sweney, Weber, Whaley, and Young—19.

So the motion prevailed and joint resolution No. 6 was made special order for Thursday, March 25th, at 3 P. M.

On motion of Senator Robinson, the vote by which Concurrent Resolution, relative to adjournment of the House and Senate, was postponed, was reconsidered.

The question being on adopting resolution with pending amendment by Senator Sutton.

Senator Donnan moved to amend amendment by inserting April 3, at 9 P. M., as time of adjournment.

Senator Scott moved to make this resolution special order for Tuesday, 10 A. M.

Senator Knight moved to amend by inserting to-morrow morning.

Senator Bloom moved Senate do now adjourn.

Adopted.

SENATE CHAMBER,
DES MOINES, IOWA, March 20, 1896. }

The Senate met in regular session at 10 A. M.
The President of the Senate in the chair.
Prayer by Rev. W. P. Lowe.
The journal of the previous day was read and approved.
Senator Chesebro moved to reconsider the vote by which Senate File No. 144 passed the Senate yesterday.
Adopted.
Senate File No. 144, ordered on third reading Tuesday P. M. March 23.

PETITIONS AND MEMORIALS.

Senator Miles presented petition of J. W. Freelang and other citizens of Corydon, Iowa, protesting against the passage of any bankrupt law.

Referred to Committee on Federal Relations.

Senator McCoy presented petition and remonstrance against the passage of the Knight bill relating to manufacturers, factories and workshops.

Referred to Committee on Labor.

Senator Johnson moved that the House be requested to return Senate File No. 144.

Adopted.

Senator McCoy presented remonstrance against House File No. 31, by H. L. Spencer and others.

Referred to Committee on Railways.

Also, presented petition of Thos. Lee and other citizens of Mahaska county, asking for an amendment to the school law.

Referred to Committee on Schools.

Senator Underwood presented petition from citizens of Hardin county relating to practice of pharmacy.

Referred to Committee on Medicine and Surgery.

Also, presented petition from citizens of Union and Hardin counties, on same subject.

Same reference.

Also, from citizens of Grundy county, on same subject.

Same reference.

Also, from citizens of Hardin county on same subject.

Same reference.

INTRODUCTION OF BILLS.

By Senator McCoy, Senate File No. 377, a bill for an act to amend section 2656 of the Code, and requiring courts or judge to fix time of terms of commitment to the industrial schools, and requiring the release or discharge of persons committed to such schools when such terms expire.

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

By Senator Underwood, Senate File No. 378, a bill for an act to increase the support fund of the boys' department of the Iowa Industrial School.

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

House File No. 163, a bill for an act to amend section 3805 of the Code, relating to constables' fees.

J. K. POWERS, *Chief Clerk.*

HOUSE MESSAGES.

House File No. 651, a bill for an act to legalize the grand jury drawn in and for the county of Osceola for the year 1886.

Read a first and second time.

Senator Barrett moved to commit the bill to the Committee on Judiciary.

On this the yeas and nays were demanded.

The yeas were:

Senators Bloom, Bolter, Caldwell, Carson, Chesebro, Clark, Dooley, Doud, Earle, Henderson, Johnson, Schmidt, Underwood, Wolfe and Woolson—15.

The nays were:

Senators Barrett, Chambers, Chubb, Deal, Donnan, Duncan, Gatch, Hutchison, McCoy, Miles, Poynear, Stephens, Weber, Whaley, and Wilkin—15.

The President voted nay—16.

Absent or not voting:

Senators Bayless, Burdick, Carr, Casey, Cassatt, Dodge, Gault, Glass, Hendrie, Knight, McDonough, Parrott, Reiniger, Robinson, Ryder, Scott, Sutton, Sweney, Whiting and Young—20.

So the bill was not committed.

On motion Senators Carr and Hendrie were excused.

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 amendments to resolution relative to "Soldiers' Home" Committee visiting Dubuque to examine a location for soldiers' home.

Also, the House has granted the request of the Senate asking the return of Senate File No. 144, and I herewith return the same.

J. K. POWERS, *Chief Clerk.*

Senator Barrett moved that the vote by which the Senate refused to commit House File No. 651, be reconsidered.

Adopted.

So House File No. 651 was committed to Committee on Judiciary.

HOUSE MESSAGES.

House File No. 181, a bill for an act to amend chapter 15 of title 25 of the Code of 1873, relative to the finding and presentment of indictments.

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

House File No. 352, a bill for an act to repeal section 4256 of the Code of 1873, and enact a substitute therefor in relation to empaneling a grand jury.

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

House File No. 115, a bill for an act to determine the number of grand and trial jurors and regulate the manner of selecting and drawing them.

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

House File No. 40, a bill for an act relating to certifying special assessments in cities of the first class.

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

House File No. 104, a bill for an act relating to the payment of fines and forfeitures, and to their final appropriation.

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

House File No. 298, a bill for an act to amend section 2049 of the Code in relation to the weight of broom corn seed.

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

Substitute for House Files Nos. 8, 24, 49, 70, 122, 159 and 384, a bill for an act to make the Railroad Commissioners elective.

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

House File No. 245, a bill for an act to make sections 440 to 446, inclusive, of the Code of 1873 applicable to cities and towns organized and acting under special charters.

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

House File No. 431, a bill for an act to amend section 3125 of the Code of 1873.

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

House File No. 487, a bill for an act to grant additional authority to cities organized under special charters and to make certain provisions of law applicable thereto.

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

House File No. 163, a bill for an act to amend section 3805 of the Code relating to constables' fees.

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

REPORTS OF COMMITTEES.

Senator Robinson from the Committee on Judiciary submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 106, a bill for an act to amend section 4413 of the Code, relating to peremptory challenges of jurors in criminal cases, 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 be amended by the addition of another section, as follows:

“Sec. 2. That section 4414 of the Code be and the same is hereby amended by striking out the words ‘two jurors’ in the third line, and inserting in lieu thereof the words ‘one juror’; also by striking out the words ‘two jurors’ in the sixth line thereof and inserting instead thereof the words ‘one juror’.”

Also, that the title be amended by striking out the words “section 4413” and inserting instead the words “sections 4413 and 4414”, and as thus amended that the bill do pass.

G. S. ROBINSON, *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 fixing the terms, the times, and place for holding the terms of the supreme court, and providing for the appointment and compensation of a bailiff and janitor 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 same be amended as follows:

1. By making section 1 read as follows:

Section 1. The supreme court shall be held at the seat of government, and shall convene and hold four terms each year, one of which shall commence on the first Tuesday of March, one on the first Tuesday of June, one on the first Tuesday of October, and one on the first Tuesday of December. Each of said terms of court shall be for the submission and determination of causes and for the transaction of such other business as shall properly come before the court. All causes on the docket shall be heard at each term, unless continued or otherwise disposed of by order of the court. The court shall remain in session as far as practicable until it is determined what the opinion of the court shall be in all causes submitted to it, except in cases where a re-argument is ordered. Judgments of affirmance, rulings and orders in causes submitted, and orders authorized by law may be made and entered by the court at any time regardless of the terms of court.

2. By inserting in section 2, after the word “manner” the words “so far as practicable.”

3. By altering section 3 so that it shall read as follows:

Section 3. The court is hereby authorized to appoint the necessary bailiffs to attend the court and to perform such other duties and execute such orders as may be directed or ordered by the court. Each bailiff shall receive two dollars and fifty cents for a day's service to be paid out of the contingent fund on the order of the Chief Justice. The court may also at any time require the attendance and services of the sheriff of Polk county.

4. By striking out section 4.

5. By striking out section 5 and inserting in lieu thereof the following:

Section 4. All causes and other business pending in said court for the terms now authorized to be held at Council Bluffs, Davenport and Dubuque, shall be at once transferred for further action and disposition to the term of said court which is to commence on the first Tuesday in October, A. D. 1886.

6. By changing the number of section 6 so that it shall be section 5.

7. By striking from the title the words, "and janitor."

And as thus amended that the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Senator Duncan, from the Committee on Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Highways, to whom was referred Senate File No. 335, with substitute therefor, being a bill for an act to prevent the breaking down and injuring of bridges and culverts on public highways—by moving steam engines and mills, beg leave to report 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 and substitute be indefinitely postponed.

F. A. DUNCAN, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House File No. 149, a bill for an act to repeal section 976 of the Code of 1873, and enact a substitute therefor, relating to highway 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.

F. A. DUNCAN, *Chairman.*

Ordered passed on file.

UNFINISHED BUSINESS.

Concurrent resolution relative to adjournment of the Senate and House was taken up.

The question being upon the amendment of Senator Donnan to the amendment by Senator Sutton to strike out "April 9 at 12 o'clock M." and insert "April 3 at 11 o'clock A. M."

On this question the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bolter, Burdick, Caldwell, Carson, Casey,

Chesebro, Donnan, Dooley, Doud, Earle, Gatch, Gault, Henderson, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Stephens, Whiting, Wilkin and Wolfe—28.

The nays were:

Senators Duncan, Reiniger, Sutton and Woolson—4.

Absent or not voting:

Senators Bloom, Carr, Cassatt, Chambers, Chubb, Clark, Deal, Dodge, Glass, Hendrie, Johnson, Ryder, Scott, Sweney, Underwood, Weber, Whaley and Young—18.

So the amendment was adopted.

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

The yeas were:

Senators Bloom, Bolter, Burdick, Caldwell, Carson, Casey, Chesebro, Clark, Deal, Donnan, Dooley, Earle, Gatch, Henderson, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Poyneer, Robinson, Scott, Sutton, Weber, Whiting, Wilkin and Wolfe—28.

The nays were:

Senators Barrett, Bayless, Chambers, Doud, Duncan, Reiniger, Stephens, Sweney, Underwood, Woolson and Young—11.

Absent or not voting:

Senators Carr, Cassatt, Chubb, Dodge, Gault, Glass, Hendrie, Parrott, Ryder, Schmidt and Whaley—11.

So the resolution was adopted.

Senator Weber, 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. 263, a bill for an act amendatory of chapter 143 of the acts of the Twentieth General Assembly, relating to intoxicating liquors, and providing for the more effectual suppression of the illegal sale and transportation of intoxicating liquors and abatement of nuisances, and find the same correctly engrossed.

N. F. WEBER, *Chairman.*

Senator Scott, from the Committee on Public Buildings, submitted the following report:

MR. PRESIDENT—Your Committee on Public Buildings, to whom was referred Senate File No. 146, a bill for an act to require fire escapes to be attached to public buildings in certain cases, beg leave to report that they have had the same under consideration, and have prepared a substitute, and have instructed me to report the same back to the Senate with the recommendation that the substitute be adopted and that when adopted the bill do pass.

JOHN SCOTT, *Chairman.*

Ordered passed on file.

BILLS ON THIRD READING.

On motion of Senator Clark the Senate took up Senate File No. 263, a bill for an act amendatory of chapter 143 of the acts of the Twentieth General Assembly, relating to intoxicating liquors, and providing for the more effectual suppression of the illegal sale and transportation of intoxicating liquors, and abatement of nuisances.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Caldwell, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—29.

The nays were:

Senators Bayless, Bloom, Bolter, Burdiok, Carson, Casey, Chesebro, Dooley, Earle, Henderson, Johnson, Knight, Ryder, Schmidt, Whiting and Wolfe—16.

Absent or not voting:

Senators Carr, Cassatt, Dodge, Gault and Hendrie—5.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT:—I am directed to inform you that the House has passed the following bill without amendment:

Senate File No. 313, to legalize the incorporation of the town of Dunlap, Harrison county, Iowa.

Also:

The House has passed resolution relative to extending the time for the Joint Committee on Soldiers' Home to make report as to location of said home.

J. K. POWERS, *Chief Clerk.*

MESSAGE FROM THE GOVERNOR.

STATE OF IOWA,
EXECUTIVE OFFICE,
DES MOINES, March 20, 1886. }

The following message was received from the Governor by his Private Secretary:

MR. PRESIDENT—The Governor instructs me to report that he has approved, signed and deposited in the office of the Secretary of State, Senate File No. 287, an act to legalize the action of the Board of Directors, of the district township of Vermillion, Appanoose county, Iowa.

FRED. W. HOSSFELD, *Private Secretary.*

Senator Deal, 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. 353, a bill for an act to legalize certain orders and judgments of circuit courts and judges in probate matters, and find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

Senator Donnan called up the motion to reconsider the vote by which Senate File No. 251, was lost on third reading. The question being on the adoption of the motion.

On this the yeas and nays were called.

The yeas were:

Senators Bloom, Burdick, Chesebro, Clark, Deal, Donnan, Dooley, Doud, Gatch, Glass, Johnson, Knight, McCoy, Miles, Ryder, Schmidt, Sutton, Whaley, Wilkin, Wolfe, Woolson and Young—22.

The nays were:

Senators Bolter, Chubb, Duncan, Hutchison, Parrott, Poyneer, Reiniger, Scott, Stephens, Sweney, Underwood and Weber—12.

Absent or not voting:

Senators Barrett, Bayless, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Dodge, Earle, Gault, Henderson, Hendrie, McDonough, Robinson and Whiting—16.

So the motion to reconsider was adopted.

Senator Donnan moved that the third reading of the bill be passed until Tuesday, March 23, at 2:30 P. M.

Adopted.

Senator McCoy moved that Senate File No. 198 be made special order for Monday at 2:15 P. M.

Adopted.

Senator Whaley moved that the Senate do now take up House messages.

Adopted.

HOUSE MESSAGES.

House resolution relative to joint committee on location of soldiers' home having until the 25th instant to make their report was concurred in.

Senator Donnan filed a motion to reconsider the vote by which the resolution fixing the time for final adjournment of the Senate and House was passed.

PETITIONS AND MEMORIALS.

Senator Sutton presented petition from Whited Post, No. 247, G. A. R., at Belmont, Wright county, asking the location of the soldiers' home at Marshalltown, Iowa.

Referred to Committee on Military.

Also by Senator Ryder from Coder Post, No. 98, at Vinton, Benton county, same subject.

Same reference.

Senator Poyneer presented petition from members of G. A. R. Post J. G. Safely, No. 125, at Traer, Tama county, Iowa, same subject.

Same reference.

Also from members of Henry M. Miller Post, No. 261, G. A. R., at Dysart, Tama county, Iowa, same subject.

Same reference.

Also from the Major T. F. Bradford Post, No. 24, G. A. R., Tama City, Tama county, Iowa, same subject.

Same reference.

Also, petition from citizens of Ackley, Iowa, on same subject.

Same reference.

Senator Underwood presented petition from E. D. Mann and 149 citizens of Iowa Falls, Hardin county, on same subject.

Same reference.

Senator Underwood presented petition from Edward H. Mix Post No. 311, at Ackley, Hardin county, on same subject.

Same reference.

Senator Underwood presented petition from Charles Payne Post No. 141, at Iowa Falls, Hardin county, on same subject.

Same reference.

Senator Carson presented petition from members of G. A. R. of Council Bluffs and others, on same subject.

Same reference.

REPORT OF COMMITTEE.

Senator Burdick, from the Committee on Banks, submitted the following report:

MR. PRESIDENT—Your Committee on Banks, to whom was referred House File No. 25, a bill for an act requiring banking corporations, other than savings banks to incorporate the word "State" in their corporate name, and to prohibit associations, partnerships or individuals engaged in banking business, buying or selling exchange, receiving deposits, discounting notes, etc., from adopting or using the word "State" in connection with such association, partnership or individual 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 the same do pass.

T. W. BURDICK, *Chairman.*

Ordered passed on file.

INTRODUCTION OF BILLS.

By Senator Gatch, Senate File No. 379, a bill for an act supplementary to chapter 162 of the acts of the Seventeenth General Assembly entitled an act to authorize cities of the first class to provide for the construction of sewers, additional to Code, chapter 10, title 4, concerning cities and incorporated towns.

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

On motion of Senator Woolson, the Senate adjourned until Monday, March 22, at 2 P. M.

SENATE CHAMBER, }
DES MOINES, IOWA, March 22, 1886. }

The Senate met in regular session at 2 P. M.
President *pro tem.* John S. Woolson in the chair.
Prayer by Rev. L. A. Johnson.

The journal of the previous day was read and approved.

The hour having arrived for taking up special order it being Senate File No. 198, a bill for an act to repeal sections 1, 2, 3, 4, 5 and 6, of chapter 21, acts of the Twentieth General Assembly, and to enact a substitute therefor, relating to mines and mining, with report of committee recommending amendments, and that it do pass, it was taken up and considered by sections.

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. 517, a bill for an act authorizing certain cities to fund certain outstanding indebtedness and to provide for the levy of taxes for the payment thereof, and providing a penalty for the diversion of such tax.

House File No. 643, a bill for an act to legalize the acts of H. G. Crestler, justice of the peace in and for Union township, Van Buren county, Iowa.

House File No. 652, a bill for an authorizing the Secretary of State to issue a patent for the southwest-quarter of the southwest-quarter of section 29, township 69, range 24.

Also the House has passed:

Senate File No. 121, a bill for an act to prevent deception and sale of imitations of butter and cheese, with amendments.

Senate File No. 167, providing for the appointment of short-hand reporters in the superior courts, without amendment.

Senate File No. 358, to make valid certain ordinances of the city of Winterset and the acts performed thereunder, without amendment.

Senate File No. 192, to amend section 797 of the Code, exempting from taxation certain homesteads, with amendment.

House File No. 374, to amend chapter 95, laws of the Sixteenth General Assembly, as amended by chapter 79, acts of the Twentieth General Assembly.

House File No. 382, amending section 1144 of the Code of 1873, relative to foreign insurance companies.

J. K. POWERS, *Chief Clerk.*

Also:

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

House File No. 353.

J. K. POWERS, *Chief Clerk.*

Also:

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 amend section 1, chapter 149, laws of 1882.

House File No. 377, a bill for an act to amend section 4063, chapter 11, title 24, of the Code.

J. K. POWERS, *Chief Clerk.*

On the question shall the substitute recommended by the committee for section 1 be adopted, the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bloom, Bolter, Casey, Cassatt, Chubb, Dodge, Dooley, Johnson, Knight, McDonough, Miles, Stephens, Sutton, Weber, Whiting and Wolfe—17.

The nays were:

Senators Burdick, Caldwell, Clark, Donnan, Doud, Earle, Gatch, Hutchison, McCoy, Parrott, Poyneer, Reiniger, Scott, Underwood, Wilkin and Woolson—16.

Absent or not voting:

Senators Barrett, Carr, Carson, Chambers, Chesebro, Deal, Duncan, Gault, Glass, Henderson, Hendrie, Robinson, Ryder, Schmidt, Sweney, Whaley and Young—17.

So the substitute for section 1 was adopted.

On the question, shall the amendments recommended by the committee for section 2 be adopted, the yeas and nays were called.

The yeas were:

Senators Barrett, Bayless, Bloom, Bolter, Burdick, Casey, Dodge, Dooley, Johnson, McDonough, Miles, Schmidt, Stephens, Whiting and Wilkin—15.

The nays were:

Senators Caldwell, Cassatt, Chubb, Clark, Donnan, Doud, Duncan, Earle, Gatch, Hendrie, McCoy, Parrott, Poyneer, Reiniger, Scott, Sutton, Underwood, Weber, Wolfe and Woolson—20.

Absent or not voting:

Senators Carr, Carson, Chambers, Chesebro, Deal, Gault, Glass, Henderson, Hendrie, Knight, Robinson, Ryder, Sweney, Whaley and Young—15.

So the amendments to section 2 recommended by the committee were not adopted.

Senator Chubb moved to strike out the words "the chief inspector and the assistants," in line one, section 2, and insert in lieu thereof the word "said."

Adopted.

Senator Chubb moved to strike out the word "assistant," in lines 9 and 19, in section 2, printed bill.

Adopted.

Senator Wolfe moved to strike out all after the word "proper," in in 16th line, section 2, printed bill, down to and including the word

"recorded," in line 17; also, to strike out the word "his," in line 18, and insert the word "their."

Adopted.

Senator Miles moved to strike out all after the word "report," in line 18, section 2, printed bill, down to and including the words "necessary and," in the 21st line.

Adopted.

Senator Chubb moved to strike out the "chief," in the 25th line of section 2, printed bill, and insert after the word "mines" the words "of his district."

Adopted.

Senator Chubb moved to strike out the word "chief," in line 28, section 2, printed bill, and insert the word "said."

Adopted.

Senator Wolfe moved to strike out the word "chief" in line 31, section 2, printed bill.

Adopted.

Senator Miles moved to strike out the words "management of or employed in any coal mine" in lines 29 and 30, section 2, printed bill, and insert "mine where a fatal accident occurs."

Adopted.

Senator Miles moved to amend section 3 as follows: Strike out the words "chief inspectors" in line 2 printed bill and insert "inspectors."

Adopted.

Senator Miles moved to amend section 3 by inserting after the word proceeding in line 4, printed bill the word "their" as a substitute for the amendment offered by committee.

Adopted.

Senator Dooley moved to strike out the word "he" in lines 6 and 7, section 3, printed bill, and insert the word "they" in lieu thereof.

Adopted.

Senator Cassatt moved to strike out the word "fifteen" in line 1 of section 4, printed bill, and insert the word "twelve."

On this the yeas and nays were called.

The yeas were:

Senators Bayless, Burdick, Caldwell, Casey, Chambers, Chesebro, Chubb, Clark, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Gault, Glass, Johnson, Knight, Parrott, Stephens, Weber, Whiting and Wolfe—23.

The nays were:

Senators Barrett, Dooley, Hutchison, McCoy, McDonough, Miles, Robinson, Schmidt, Scott, Sutton and Wilkin—11.

Absent or not voting:

Senators Bloom, Bolter, Carr, Carson, Cassatt, Deal, Henderson, Hendrie, Poynear, Reiniger, Ryder, Sweney, Underwood, Whaley, Woolson and Young—16.

So the amendment was adopted.

On motion, the amendments to section 4, recommended by the committee as amended were adopted.

Senator Miles moved as a substitute to the amendments recommended by committee to section 4, by striking out the word "he" in

line 9 printed bill, and insert the word "they;" also to strike out the words "his" wherever it occurs in line 11, and insert the words "their;" also strike out the word "successor" in same line and insert the word "successors."

Adopted.

Senator Wolfe moved to strike out the word "he" in line 5, section 4, printed bill, and insert in lieu thereof the words "each inspector."

Adopted.

First amendment to section 5 recommended by the committee was adopted.

Senator Miles moved to strike out all of section 5 after the word Senate in 4th line of printed bill, as a substitute for two amendments offered by the committee.

Adopted.

Senator Wilkin moved to strike out all after the word "Governor" in line 3, section 5, printed bill down to and including the word "Senate" in line 4 and insert the words "who shall hold his office until his successor is appointed and qualified".

Adopted.

Senator Miles moved to strike out the words "chief inspector" in line 3, section 6, printed bill, and that the word "inspectors" be inserted in lieu thereof.

Adopted.

There being no further amendments to the bill, it was 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 bill in which the concurrence of the Senate is asked:

House File No. 575, a bill for an act to repeal chapter 162, acts 20th General Assembly, relating to soldiers monuments and memorial halls, and providing for levying taxes.

Substitute for Senate File No. 10, to repeal sections 231, 241, 4256 and 4256, relating to grand and trial jurors.

Also, I am directed to recall House Files Nos. 115, 181 and 352, said bill having passed the House, and relate to the same subject as the substitute for Senate File No. 10.

J. K. POWERS, *Chief Clerk.*

Senator Knight offered the following resolution:

Resolved, That the Senate do proceed to take up and consider without debate those files upon the calendar which have received adverse recommendation, *provided*, that if the Senator introducing the file is absent or objects to its present consideration, such file shall remain in its present place on the calendar.

Adopted.

Senate File No. 83, a bill for an act to encourage manufactories and to exempt them from taxation for five years, with report of com-

mittee recommending indefinite postponement, was take up and considered.

Senator McDonough offered a substitute for said bill.

Senator Donnan moved that the bill with pending substitute be re-committed to committee on manufactors.

Adopted.

Senator Donnan moved to make Senate File No. 136, special order for Friday, March 26th, at 2:30 P. M.

Adopted.

INTRODUCTION OF BILLS.

By Senator Dooley, by request, Senate File No. 380, a bil for an act for the government and support of the State University.

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

Senator Miles moved that the Senate do now adjourn.

Adopted.

SENATE CHAMBER, DES MOINES, IOWA, MARCH 23, 1896. }

The Senate met in regular session at 10 o'clock A. M.

The President of the Senate in the chair.

Prayer by Rev. T. J. Keith.

The journal of the previous day was read and approved.

The President appointed Senators Casey, Doud and Parrott as a committee to present the portrait of Indian Chief Keekuk provided by resolution of Senator Casey.

REPORT OF COMMITTEE.

Senator Poyneer, from the Committee Agriculture, submitted the following report:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 38, a bill for an act to repeal chapter 188, acts of the Twentieth General Assembly in relation to underground tile drainage, beg leave to report that they have considered said bill, and have instructed me to report the same back to the Senate, together with a report of the Judiciary Committee to whom it was referred, with the recommendation that it be indefinitely postponed.

A. N. POYNEER, *Chairman.*

Ordered 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

pending a motion to reconsider the action had on Senate File No. 102. I am therefore directed to request the return of said bill for the purpose of reconsidering the same.

J. K. POWERS, *Chief Clerk.*

Senate then took up House message asking for the return of Senate File No. 192 for a reconsideration.

On motion of Senator Robinson the request of the House was granted and the bill was ordered returned.

PETITIONS, ETC.

Senator Parrott presented remonstrance against the passage of Senate File No. 341 by manufacturers and citizens of Waterloo.

Referred to Committee on Labor.

Senator Parrott presented petition of citizens and manufacturers of Cedar Falls, Iowa, on same subject.

Referred to Committee on Labor.

Senator Hutchison presented petition and remonstrance from citizens of Ottumwa on same subject.

Referred to Committee on Labor.

Senator Schmidt presented petition and remonstrance from citizens of Davenport on same subject.

Referred to Committee on Labor.

Senator Casey presented protest from manufacturers of Ft. Madison on same subject.

Referred to Committee on Labor.

Senator Casey presented protest from employes of Knapp, Stout & Co., Ft. Madison, on same subject.

Referred to Committee on Labor.

Senator Casey presented petition of citizens of Keokuk on same subject.

Referred to Committee on Labor.

Senator Dodge presented remonstrance of manufacturers, employes and citizens of Burlington against the passage of the Knight bill.

Referred to Committee on Labor.

Senator Wolfe presented petition asking the passage of the Knight bill.

Referred to Committee on Labor.

Senator Wolfe presented petition of 168 citizens and laborers of Lyons on same subject.

Referred to Committee on Labor.

Senator Reiniger presented petition on same subject.

Referred to Committee on Labor.

Senator Carson presented remonstrance on same subject.

Referred to Committee on Labor.

Senator Knight presented remonstrance of 500 citizens of Dubuque against the passage of Senate File No. 341.

Referred to Committee on Labor.

Senator Knight presented petition on same subject from factory employes of Dubuque on same subject.

Same reference.

INTRODUCTION OF BILLS.

By Senator Knight, by request, Senate File No. 381, a bill for an act to provide for the appointment of public administrators and to define their duties.

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

By Committee on Ways and Means, Senate File No. 382, a bill for an act to provide for the establishment of a state board of supervisors of State Institutions and officers.

Read a first and second time and passed on file.

By Committee on Schools, Senate File No. 383, a bill for an act to authorize school directors to purchase text books.

Read a first and second time and passed on file.

HOUSE MESSAGES.

House File No. 517, a bill for an act authorizing certain cities to fund certain outstanding indebtedness.

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

House File No. 643, a bill for an act to legalize the acts of H. G. Crestler, justice of the peace in and for Union township, Van Buren county, Iowa.

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

House File No. 652, a bill for an act authorizing the Secretary of State to issue a patent for the S. W. $\frac{1}{4}$ of the S. W. $\frac{1}{4}$, section 29, township 69, range 24.

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

House File No. 374, a bill for an act to amend chapter 95 of the laws of the Sixteenth General Assembly and amended by chapter 79, acts of the Twentieth General Assembly.

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

House File No. 382, a bill for an act to amend section 1144 of the Code of 1873, relative to foreign insurance companies.

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

House File No. 349, a bill for an act to amend section 1, chapter 149, laws of 1882.

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

House File No. 377, a bill for an act to amend section 4062, chapter 11, title 24 of the Code.

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

COMMUNICATION ON PRESIDENT'S TABLE.

The President submitted a communication remonstrating against

the passage of House File No. 207, relative to the practice of medicine and surgery in Iowa.

Referred to Committee on Medicine and Surgery.

The hour having arrived for the consideration of special order, it being Senate File No. 341, a bill for an act regulating factories, workshops and other places where labor is employed, providing for the liability of employers of labor, allowing an attorney's fee in cases for the recovery of debts due for labor actually performed and in such cases doing away with the exemptions now allowed by law, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Parrott moved to recommit the bill to the Committee on Labor.

On motion of Senator Schmidt the Senate adjourned until 2 P. M.

AFTERNOON SESSION.

2 O'CLOCK P. M.

The Senate met in regular session at 2 P. M.

The President of the Senate in the chair.

The question being upon the motion of Senator Parrott to commit Senate File No. 341 to the Committee on Labor.

BILLS ON THIRD READING.

The hour having arrived for considering Senate File No. 251, a bill for an act to repeal section two (2), of chapter 94, acts of the Sixteenth General Assembly, relating to Soldiers' Orphans' Home, and enacting a substitute therefor, in relation to admitting children to the Soldiers' Orphans' Home, was taken up and considered.

Senator Glass offered the following as substitute for section 2:

Applications for admission of such children may be made to the board of supervisors of the county where the children to be admitted reside, and in case such board of supervisors refuse to grant an order of admission to said Orphans' Home, an appeal therefrom may be taken to any court of record of said county, or a judge thereof in vacation, and said court or judge shall review the proceedings and fully examine the application, and make such order as is just and right in the premises.

Lost.

On the question, shall the bill pass.

The yeas were:

Senators Bayless, Bloom, Burdick, Caldwell, Carson, Casey, Chesebro, Clark, Deal, Dodge, Donnan, Dooley, Doud, Gatch, Henderson,

Hutchison, Johnson, Knight, McCoy, Miles, Robinson, Ryder, Schmidt, Sutton, Wilkin and Wolfe—26.

The nays were:

Senators Bolter, Carr, Duncan, Earle, Gault, Glass, McDonough, Parrott, Poyneer, Reiniger, Scott, Stephens, Sweney, Underwood, Weber, Whiting, Woolson and Young—18.

Absent or not voting:

Senators Barrett, Cassatt, Chambers, Chubb, Hendrie and Whaley—6.

So the bill passed and the title was agreed to.

On motion of Senator Robinson, Senate File No. 144, a bill for an act establishing the Supreme Court at the seat of government and providing officers therefor, was taken up.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Caldwell, Carr, Casey, Chambers, Chubb, Clark, Dodge, Doud, Duncan, Gatch, Gault, Henderson, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Ryder, Scott, Stephens, Underwood, Weber, Wilkin and Woolson—28.

The nays were:

Senators Bayless, Bloom, Bolter, Burdick, Carson, Chesebro, Deal, Donnan, Dooley, Earle, Glass, Johnson, Knight, Schmidt, Sweney, Whaley, Whiting and Young—18.

Absent or not voting:

Senators Cassatt, Hendrie, Sutton and Wolfe—4.

So the bill passed and the title was agreed to.

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

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined Senate File No. 198, a bill for an act to repeal sections 1, 2, 3, 4, 5 and 6, of chapter 21, acts of the Twentieth General Assembly and to enact a substitute therefor relating to mines and mining, and find the same correctly engrossed.

JOHNSON, Chairman.

Senator Johnson presented remonstrance from citizens of Jackson county against the passage of Senate File No. 341 by Senator Knight.

Referred to Committee on Labor.

The hour having arrived for the consideration of Senate Files, Senate File No. 214, a bill for an act to repeal section 1548 of chapter 6, of title 11 of the Code, relating to the offense of intoxication, and to enact a substitute therefor recommended by majority of committee, and Senate File No. 213, a bill for an act to amend chapter 2, of title 11, of the Code, relating to insane persons and to provide that habitual drunkards shall be committed for treatment as provided by law for insane persons, were taken up, and on motion of Senator Carson were passed until Senate File No. 341 be disposed of, and then to be taken up and continue the special order until disposed of.

MESSAGES 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. 493, a bill for an act to abolish the circuit court, and to enlarge the powers and jurisdiction of the district and to reorganize the judicial districts.

Also, the House has passed Senate File No. 318, to amend section 384 of the Code relating to civil townships without amendment.

J. K. POWERS, *Chief Clerk.*

The Senate again resumed consideration of Senate File No. 341, the question recurring upon the motion of Senator Parrott to recommit the same to the Committee on labor.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Burdick, Caldwell, Carson, Chambers, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Ryder, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—31.

The nays were:

Senator Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Earle, Gault, Johnson, Knight, Schmidt, Whiting and Wolfe—16.

Absent or not voting:

Senators Chubb, Henderson and Hendrie—3.

So the bill was recommitted to the Committee on Labor.

Senator Carson moved to take up House messages.

Adopted.

House File No. 493, a bill for an act to abolish the circuit court and to enlarge the powers and jurisdiction of the district court, and to reorganize the judicial districts of the State.

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

Also, request of House for return of House Files Nos. 115, 181 and 352.

Senator Caldwell moved that the request of the House be complied with.

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 concurred in Senate resolution relating to National Board of Health.

J. K. POWERS, *Chief Clerk.*

The Senate then proceeded to consider Senate Files Nos. 214 and 213, which had been passed for consideration of Senate File No. 341.

On motion of Senator Carson Senate File No. 214 was considered first, and the substitute offered by the committee for said bill was adopted.

The bill was ordered engrossed.

The Senate then took up Senate File No. 213. The question being, shall the report of the committee to indefinitely postpone the bill be adopted, the report of the committee was adopted.

REPORTS OF COMMITTEES.

Senator Gatch, 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. 370, a bill for an act fixing the compensation of the deputies of county clerk, county treasurer and county auditor, beg leave to report that they 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 “and” at the beginning of the fourth line, and inserting the word “or”; that the word “and” be inserted between the words treasurer and deputy in the sixth line; that the word “and” be stricken out at the beginning of the tenth line and insert the word “or,” and that the word “county” be stricken out in the tenth line and the word “counties” inserted, and as amended the bill do pass.

GATCH, *Chairman.*

Ordered passed on file.

Senator Reiniger, from the Committee on Orphans' Home, submitted the following report:

MR. PRESIDENT—Your Committee on Orphans' Home, to whom was referred Senate File No. 364, a bill for an act to provide for discontinuing the home for indigent children, for transferring the property of the State therein to the purposes of a home for indigent soldiers and sailors, and for the care of certain indigent children, and children of deceased 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 with the following amendments:

Amend section 3, line 6, printed bill, by inserting after the word “children,” the words “other than soldiers' orphans.”

Amend section 6, by striking out all the words in line four, after the word “the” and inserting in lieu thereof, the words “persons proposing to support or adopt such child.”

Amend section 6, by adding the following proviso: “Provided that if the support of any children of deceased soldiers, now in said home, should not be provided for under the provisions of sections two and six of this act prior to the 31st day of August 1886, it shall be the duty of the superintendent of indigent children to provide for the care, support and education of such children at the Soldiers' Home until satisfactory homes in families shall have been found for them; and provided further that two cottages or other equivalent space, and also the necessary room for their education, and for employes needed in the care of such children are hereby reserved for such children and employes, and also that the support of such children shall continue as now provided by law until otherwise ordered by the Governor.”

ROBT. G. REINIGER. *Chairman.*

Ordered passed on file.

Senator Dowd, from the Committee on Penitentiaries, submitted the following report:

MR. PRESIDENT—Your Committee on Penitentiaries, to whom was referred Senate File No. 340, a bill for an act to amend section 4780 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, and when so amended it do pass.

M. P. DOUD, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 239, a bill for an act to provide uniform and cheap text books for the public schools of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

JOHN D. GLASS, *Chairman.*

Ordered passed on file.

Senator Johnson, from 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. 214, a bill for an act to repeal section 1548, of chapter 6, of title 11, of the Code, relating to the offense of intoxication, and to enact a substitute therefor.

And find the same correctly enrolled.

G. L. JOHNSON, *Chairman.*

PETITIONS AND MEMORIALS.

Senator Glass presented petition of citizens of Worth county, Iowa, asking for the location of the soldiers' home at Mason City.

Referred to Committee on Military.

Senator Glass presented petition of citizens and members of G. A. R. Post at Northwood, on same subject, also stating that the names of the soldiers signed to a petition for Marshalltown were signed before knowing that Mason City was a candidate for the home and stating that they are in favor of Mason City.

Referred to Committee on Military.

Senator McDonough offered resolution from G. A. R. Post at Leon, relative to the establishment of a soldiers' home.

Referred to Committee on Military.

Senator Caldwell presented memorial from G. A. R. Post at Audubon, asking that the soldiers' home be located at Marshalltown if it be not located at Dubuque.

Referred to Committee on Military.

RESOLUTIONS.

Senator Weber offered the following resolution:

Resolved, That hereafter the morning session of the Senate be oc-

cupied only in the consideration of the bills on the calendar in the order as they appear on the same, unless the bills when reached are passed over at the request of the author.

Adopted.

Senator Scott offered the following resolution:

Resolved, That the Senate do now proceed to take up and consider without debate the bills upon the calendar which have been reported adversely by the committee; *provided*, that if the Senator introducing the bill is absent with leave of the Senate or objects to its present consideration, such bill shall not be taken up.

Adopted.

Senator Duncan, by leave, offered the following resolution:

Resolved, That hereafter all speakers shall be limited to ten minutes except that to the managers or author of any bill there shall be allowed an additional five minutes for reply and no Senator shall speak more than once on the same question.

That the author of a bill shall be permitted to talk to amendment offered not to exceed five minutes.

Senator Bolter moved that the resolution be referred to Committee on Rules.

Lost.

The question recurring upon the adoption of the resolution.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bloom, Burdick, Caldwell, Chesebro, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Gault, Henderson, Hutchison, McCoy, Parrott, Poyneer, Reiniger, Robinson, Sutton, Sweney, Weber and Whiting—25.

The nays were:

Senators Bolter, Carr, Cassatt, Dodge, Dooley, Earle, Johnson, McDonough, Schmidt, Scott, Stephens, Underwood, Whaley, Wilkin and Woolson—15.

Absent or not voting:

Senators Carson, Casey, Chambers, Glass, Hendrie, Knight, Miles, Ryder, Wolfe and Young—10.

So the resolution was adopted.

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. 44, 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 prepared a substitute therefor, and have instructed me to report the substitute 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. 45, a bill for an act making an appropriation for erecting an additional wing to the Iowa Hospital for the Insane at Mt. Pleasant, for female patients, beg leave to report that they have 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. 126, a bill for an act for an appropriation for the support of the State University of Iowa, with accompanying majority and minority reports from the Committee on State University, beg leave to report that they have had the same under consideration, and a majority of our committee have instructed me to report the same back to the Senate with the recommendation that the accompanying amendment be adopted and when adopted that the bill do pass.

Amend section 1 by striking out all after the word "to-wit," in first clause of said section, and insert:

To supply deficiency or the immediate wants of the University for the current year, \$20,000.

To supplement endowment fund from June 30, 1886, to June 30, 1888, \$30,000.

For equipment of dental department, \$2,000.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations to whom was referred Senate File No. 117, 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 all items in the first section after the word "to-wit" in the first clause of said section be stricken out and the following inserted in lieu thereof:

For enlarging building to increase size of kitchen, \$10,000.

For completing changes to low pressure steam heating, \$3,000.

For repair and contingent fund (\$3,000 annually) \$6,000.

For making basement and attic more thoroughly fire proof, \$2,000.

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. 371, a bill for an act to authorize the building of an additional cottage adjacent to the Iowa hospital for the insane at Independence, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended

by striking out of line 2 in section 5 the word "fifty" and insert the word "forty" and that when so amended 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. 145, a bill for an act to provide for the carrying on of the work and building the additional hospital for the insane, and to appropriate funds therefor, 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 substitute back to the Senate with the recommendation that it do pass.

P. M. SUTTON, *Chairman*.

Ordered 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 adopted the report of the Conference Committee on House File No. 207.

J. K. POWERS, *Chief Clerk*.

By leave, Senator Johnson moved to take up Senate File No. 216, a bill for an act to amend section 1587 of the Code of 1873, relating to State University, with report of committee recommending that it do pass.

Carried.

Senator Scott moved to amend as follows: Insert after the words "to-wit," line 2, "the Governor of the State, who shall be president of the board, by virtue of his office: the Superintendent of Public Instruction, who shall be a member, by virtue of his office.

Lost.

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 Barrett, Bayless, Bolter, Caldwell, Carr, Carson, Casey, Cassatt, Chesebro, Chubb, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Henderson, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Sutton, Underwood, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—38.

The nays were:

Senators Burdick, Chambers, Clark, Deal, Glass, Stephens, Sweney, and Weber—8.

Absent or not voting:

Senators Bloom, Hendrie, Reiniger and Ryder—4.

So the bill passed and the title was agreed to.

On motion of Senator Robinson, Senate File No. 121, a bill for an act to prevent deception in the manufacture and sale of imitations

of butter and cheese, with House amendments was taken up and considered.

On the question shall the Senate concur in the House amendment the yeas and nays were called.

The yeas were :

Senators Bloom, Burdick, Caldwell, Carr, Carson, Chambers, Chesebro, Chubb, Deal, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hutchison, Knight, McCoy, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Woolson—36.

The nays were:

Senators Bloom and McDonough—2.

Absent or not voting:

Senators Barrett, Bayless, Bolter, Casey, Cassatt, Clark, Dooley, Hendrie, Johnson, Miles, Reiniger, Ryder and Young—12.

So the House amendments were concurred in.

INTRODUCTION OF BILLS.

By Senator Schmidt, Senate File No. 384, a bill for an act authorizing cities under special charter to levy a special tax for the maintenance of a paid fire department.

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

On motion of Senator Glass, Senate File No. 387, a bill for an act relating to the qualification of county and township organizations, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Glass 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 Bayless, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Deal, Dodge, Doud, Duncan, Earle, Gatch, Gault, Glass, Hutchison, Knight, McCoy, Parrott, Poyneer, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—36.

The nays were:

Senators Donnan and Johnson—2.

Absent or not voting:

Senators Barrett, Bloom, Cassatt, Clark, Dooley, Henderson, Hendrie, McDonough, Miles, Reiniger, Ryder and Schmidt—12.

So the bill passed and the title was agreed to.

On motion of Senator Caldwell the Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, March 24, 1886. }

The Senate met in regular session at 2 P. M.
The President of the Senate in the chair.
Prayer by Rev. S. W. Kiplinger.
The reading of the journal of previous day was dispensed with.

INTRODUCTION OF BILLS.

By Senator Whaley, Senate File No. 385, a bill for an act to establish and maintain a soldiers' home in the State of Iowa, and making an appropriation for the purchase of land and the construction of necessary buildings.

Read a first and second time.

Senator Whaley moved to take up Senate File No. 385 by sections.

Lost.

Passed on file.

A communication was received from the Governor at the hands of his private secretary and was laid on the President's table.

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. 248, a bill for an act to authorize the formation of independent districts.

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

Senate Files Nos. 313, 24, 40, 167, 358, also substitute for Senate File No. 10.

J. K. POWERS, *Chief Clerk.*

RESOLUTION.

Senator Clark offered the following resolution:

Resolved by the Senate, That the Governor be, and is hereby requested to furnish to the Senate at as early a time as possible, all the information within his knowledge upon the following points:

First—The present condition of the finances of the State, including amount of real deficit, if any.

Second—The cause of the present deficit, if any now exists.

Third—The prospective revenue of the State for the next biennial period.

Fourth—As to the number, condition, and distribution of the insane in Iowa.

Fifth—The number in public and private hospitals and the cost for care in public, as compared with private hospitals. With any sug-

gestions upon the e questions that may be of interest to the Assembly.
 Senator Young moved its reference to the Committee on Appropriations.

Lost.

On the question of adopting the resolution the yeas and nays were demanded.

The yeas were:

Senators Barrett, Burdick, Caldwell, Chubb, Clark, Donnan, Doud, Duncan, Earle, Gatch, Glass, Hutchison, Johnson, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Scott, Stephens, Sweney, Underwood, Weber, Whaley and Wilkin—26.

The nays were:

Senators Bayless, Bloom, Bolter, Carr, Chesebro, Dodge, Dooley, Gault, Whiting and Young—10.

Absent or not voting:

Senators Carson, Casey, Cassatt, Chambers, Deal, Henderson, Hendrie, Knight, Reiniger, Ryder, Schmidt, Sutton, Wolfe and Woolson—14.

So the resolution was adopted.

The hour having arrived for special order, it being Senate File No. 129, a bill for an act to provide for ascertaining the citizens who shall vote in all incorporated cities; to repeal section 1618 of the Code, and to repeal chapter 2, title 5, of the Code, with report of committee recommending amendments, and that it do pass, was taken up and considered.

Pending this, the following report was received:

REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Substitute for Senate File No. 10, a bill for an act repealing sections 231, 241, 4256 and 4291 of the Code, and enacting substitutes therefor, relating to grand jurors and reducing the number thereof, and fixing the number of trial jurors.

Senate File No. 167, a bill for an act to provide for the appointment of short hand reporters in the superior courts of the State.

Senate File No. 358, a bill for an act to make valid certain ordinances of the city of Winterset and acts performed thereunder.

Senate File No. 24, a bill for an act to amend section 1419 of the Code, relating to the discharge of non-resident insane.

Senate File No. 313, a bill for an act to legalize the incorporation and ordinances of, and to correct errors in the proceedings and acts incorporating the town of Dunlap, in Harrison county, Iowa.

Senate File No. 40, a bill for act amending section 16, of chapter 21, of the acts of the Twentieth General Assembly, relating to the filing of charges for the removal of State Mine Inspector.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

The Senate resumed consideration of Senate File No. 129 and the report of the committee was adopted.

On motion the bill was ordered engrossed.

Pending resolutions by Senator Scott relative to gathering statistics of State institutions was taken up.

Concurrent resolution in relation to uniform reports from the public institution, and the printing of said reports.

Resolved by the Senate, the House concurring, That the Governor is hereby requested to require the several boards of trustees of each of the public institutions of this State, which are partly or wholly supported by appropriations from the State treasury, in addition to reports now required by law, to make full and complete reports of the following items, to-wit.: (1.) The total number of inmates during each year, and for the biennial period. (2.) The average attendance for each month, for each year, and for the biennial period. (3.) The allowances and other resources, if any for support. (4.) The cost *per capita* for maintaining each inmate per month, per year, and for the biennial period. (5.) The *per capita* cost per month for the biennial period for each inmate for each of the following items:

For salaries of officers and other employees;

For supervision by boards of trustees, or other inspection ordered by competent authority;

For food;

For clothing;

For bedding;

For hospital;

For fuel and lights;

For transportation;

For contingent expenses;

For repairs;

And such other items as the Governor may prescribe.

Also, to require said reports to be consolidated in tables or otherwise, for publication, as he may direct, so as to show the gross amounts expended for various items of subsistence and other support, and to omit from said printed report all unimportant details of current expenses, vouchers, lists of warrants, and so-called financial statements; with a view to making said printed reports of practical value to the public, as well as to the General Assembly.

Lost.

On motion of Senator Whaley Senate File No. 385, a bill for an act to establish and maintain a soldiers' home in Iowa, and making an appropriation for the purchase of lands and the construction of the necessary buildings, was taken up and considered by sections.

Section 1 read and considered.

Senator Parrott moved to amend by inserting after the word "erection," in line four, the words "and completion."

Adopted.

Senator Sutton moved to insert after the word "dollars," in line three, the words "less any cash donation received by the State for the purpose of aiding in the erection of the home."

Lost.

Senator Doud moved to amend by adding after the word "completion," in fourth line, the words "or purchase."

Adopted.

Senator Scott moved to substitute for section 1 the following:

Section 1. That there be and is hereby created and established in this State an institution to be known as the "Iowa Soldiers' Home." Said institution shall be located near the city of Davenport, and shall be possessed for the purposes hereinafter specified, of all the real and personal property now used for the purposes of a Home for Indigent Children.

Pending this amendment on motion of Senator Woolson the Senate went into executive session at 4:50 P. M.

REPORTS OF COMMITTEES.

Senator Johnson, 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. 129, for an act to provide for ascertaining the citizens who shall be entitled to vote in all incorporated cities; to repeal section 618 of the Code, and to repeal chapter 2, title 5, of the Code.

And find the same correctly engrossed.

JOHNSON, *Chairman.*

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have this day presented to the Governor for his approval:

Substitute for Senate File No. 10, a bill for an act repealing sections 231, 241, 4256 and 4291 of the Code, and enacting substitutes therefor, relating to grand jurors, and reducing the number thereof and fixing the number of trial jurors.

Senate File No. 167, a bill for an act to provide for the appointment of short-hand reporters in the superior courts of the State.

Senate File No. 358, a bill for an act to make valid certain ordinances of the city of Winterset and acts performed thereunder.

Senate File No. 24, a bill for an act to amend section 1419 of the Code, relating to the discharge of non resident insane.

Senate File No. 313, a bill for an act to legalize the incorporation and ordinances of, and to correct errors in the proceeding and acts incorporating the town of Dunlap, in Harrison county, Iowa.

Senate File No. 40, a bill for an act amending section 16 of chapter 21, of the acts of the Twentieth General Assembly, relating to the filing of charges for the removal of the State Mine Inspector.

JNO. K. DEAL, *Chairman.*

INTRODUCTION OF BILLS.

By Senator Donnan, Senate File No. 386, a bill for an act to repeal section 1967 of the Code of 1873, and enact a substitute therefor.

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

REPORTS OF COMMITTEES.

Senator Burdick, from the Committee on Banks, submitted the following report :

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate File No. 299, a bill for an act to better protect depositors in private banks, beg leave to report 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.

T. W. BURDICK, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Banks, to whom was referred Senate File No. 89, a bill for an act to amend section nine of chapter sixty of the laws of the Fifteenth General Assembly of the State of Iowa, in relation to savings banks, beg leave to report 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.

T. W. BURDICK, *Chairman.*

Ordered passed on file.

Senator Parrott, from the Committee on Municipal Corporations submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred House File No. 374, a bill for an act to amend chapter ninety-five (95) of the laws of the Sixteenth General Assembly, as amended by chapter seventy-nine (79) of the laws of the Twentieth General Assembly, in relation to loans by cities and incorporated towns, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred House File No. 245, a bill for an act to make sections 440 to 446 inclusive of the Code of 1873 applicable to cities and towns organized and acting under special charters, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Senator Hutchison, 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. 457, a bill for an act authorizing the consolidation of the coupon fund in the State treasury with the general revenue fund, beg leave to report that they have had the same under

consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. G. HUTCHISON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred House File No. 517, a bill for an act authorizing certain cities to fund certain outstanding indebtedness, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out the word "fifteen" in line two, section 1, and inserting the word "seven" in lieu thereof; and by inserting after the word "auditor" in line seventeen, section 2, the words "or clerk"; also by inserting after the words "city auditor" at close of section 2, the words "or clerk," and that the amendment be adopted, and when so adopted that the bill do pass.

J. G. HUTCHISON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 295, a bill for an act to repeal section 894 of the Code, and to enact a substitute therefor, relating to tax deeds and notice to be given, beg leave to report that they have had 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 Ways and Means, to whom was referred Senate File No. 359, a bill for act to provide for the assessment of mortgages, or of mortgaged property, and to prevent double assessment, beg leave to report that they have had the same under consideration and the majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be amended by striking out all after the word "state" of line 1, section 1, and inserting in lieu thereof the words, "for a sum certain the same shall be assessed as real estate in the place where the land lies. The owner of said mortgage shall be regarded as an owner of the real estate therein described to the amount of said mortgage, and the mortgagor shall be regarded as an owner of such real estate for only the difference between the amount of the mortgage and the value of the real estate therein described; and said real estate shall be listed and assessed for taxation to the several owners as herein defined. When such property is situated in two or more places the owner of the mortgage shall be regarded as having an ownership in each lot of real estate therein described and in sums proportioned by the values of the respective lots," and that the amendment be adopted, and that when adopted the bill do pass.

J. G. HUTCHISON, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Insurance to whom was referred Senate File No. 196, a bill for an act to compel insurance companies to insert in the application for insurance the conditions of the policy and to deliver to the assured a copy of the application at the time of making 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 (the printed bill) be amended as follows: In section one, line one, after the word "shall," add "if an application is taken;" and strike out all after the word "policy" in first line, and all of second line up to and including the word "that;" also strike out all of sections two and three, and when so amended, that it do pass.

BEN MCCOY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance to whom was referred Senate File No. 281, a bill for act fixing the liability of insurance companies in certain cases and governing and controlling the terms of the policy and providing penalties for violation of said terms, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

BEN MCCOY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance to whom was referred Senate File No. 207, a bill for an act in relation to life and fire insurance policies, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

BEN MCCOY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance to whom was referred House File No. 382, a bill for an act to amend section 1144 of the Code of 1873, relating to foreign 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 amended by adding the word "foreign" in fourth line of printed bill after the word "that," and when so amended it do pass.

BEN MCCOY, *Chairman.*

Ordered passed on file.

Senator Hutchison, 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. 40, a bill for an act prescribing the manner of certifying special assessments in the cities for public improvements, in order to constitute the same a lieu on abutting pro-

party, 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 be referred to the committee on municipal corporations.

J. G. HUTCHISON, *Chairman.*

So referred.

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

MR. PRESIDENT—Your Committee on Insurance, to whom was referred Senate File No. 134, a bill for an act relative to evidence in insurance 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.

BEN MCCOY, *Chairman.*

Ordered passed on file.

Senator McCoy, from the Committee on County and Township Organizations, submitted the following report:

MR. PRESIDENT—Your Committee on County and Township Organizations, to whom was referred Senate File No. 375, a bill for an act to amend section 391 of the Code, to authorize township trustees to procure a site and erect thereon a town hall, beg leave to report that they have considered said bill, and a majority have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

BEN MCCOY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on County and Township Organizations, to whom was referred Senate File No. 79, a bill for an act to amend section 595, of the Code, relating to registration of voters, beg leave to report that they have considered said bill, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed, as another bill to the same effect has been reported favorably.

BEN MCCOY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on County and Township Organizations, to whom was referred Senate File No. 357, a bill for an act to establish county libraries, beg leave to report that they have considered said bill, and a majority have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

BEN MCCOY, *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. 188, a bill for an act making appropriation for boys' department of Iowa 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 the accompanying amendment be adopted, and when adopted that the bill do pass.

Amendment to section 1:

Strike out of section 1 all appropriation items, and insert:

1. For furnishing and finishing 4th story to increase dining room capacity and dormitory, \$3,000.
2. For extending steam heating to 4th story, \$500.
3. For laundry machinery, \$500.
4. For cooking range, \$300.
5. For two steam kettles, \$200.
6. For rotary bake ovens, \$500.
7. For library, \$250.
8. For furniture for hospital building that same may be used as a dormitory, \$500.
9. For contingent fund, \$3,000.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 275, a bill for an act making appropriation for girls' department of Iowa 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 the accompanying amendment be adopted, and when adopted that the bill do pass.

Amendment to section 1:

Strike out after word "mentioned" in first clause of first section all appropriation items and insert the following:

1. For steam heating for new family building erected in 1885, \$1,000.
2. For contingent fund, \$2,000.
3. For new roof, new floors, etc., on and in main building, \$1,000.
4. For library and school supplies, \$100.
5. For organ, \$100.
6. For bath tubs and plumbing, \$200.
7. For Sunday suits for girls, \$500.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 47, 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 the accompanying amendment be adopted, and when adopted that the bill do pass.

Amendment to section 1:

Strike out of section 1 all appropriation items and insert:

1. For building two cottages, \$6,000.
2. For general repairs and contingent fund, \$2,500.

3. For furniture to fit up and furnish hospital building as a nursery and dormitory, \$500.
4. For library, \$250.
5. For organs, \$200.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations to whom was referred Senate File No. 186, a bill for an act making appropriations for the 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 recommendation that the accompanying amendment be adopted and when adopted that the bill do pass.

Amendment to section 1:

Strike out all items after word "to-wit" in first section and insert:

1. For contingent fund and repairs, \$7,500.
2. For transportation of convicts, 2,200.
3. For solitary cell house, 1,000.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 260, making an appropriation for the 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 accompanying amendment be adopted and when adopted that the bill do pass.

Amendment to section 1:

Strike out all after word "mentioned" in first clause and insert:

1. For purchasing beds and bedding, \$1,000.
2. To be expended upon central building, \$5,000.
3. For repairs and contingent fund annually two years (each year \$2,000), \$4,000.
4. For new piano, \$400.
5. For steam pump and changing old one, \$600.
6. For library and surgical instruments, \$200.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 373, a bill for an act to amend section 4073 of the Code relating to false pretenses, beg leave to report that they have had the same under consideration and have instructed me to re-

port the same back to the Senate with the recommendation that the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 354, a bill for an act to legalize the acts of S. F. Stewart while performing the duties of deputy auditor of State, beg leave to report that they have examined the same and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 292, a bill for an act to amend chapter 179 of the acts 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 with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *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 legalize the official acts of the town council of the incorporated town of Forest City, beg leave to report that they 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 enacting clause, and insert in lieu thereof the following:

"SECTION 1. The vacation of the aforementioned alley and portion of street described above in the preamble, by said town council, is hereby legalized.

"SEC. 2. The said conveyance of said property by the said town council to the persons above named in the preamble is hereby legalized to the extent of conveying to said persons all the title and interest said town had in the property thus conveyed." And as thus amended the bill do pass.

G. S. ROBINSON, *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 amending sections 1922 and 1923 of Code, in relation to mortgage on personal 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 the accompanying substitute be adopted, and that when adopted a majority of the committee recommend that it do pass.

G. S. ROBINSON, *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 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.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 468, a bill for an act to legalize the incorporation and ordinances of the town of Oakland, Pottawattamie 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.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 431, a bill for an act to amend section 3125 of the Code, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass, with an amendment to the title, by adding thereto the words "relating to notice of execution sales."

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 523, a bill for an act to legalize the official acts of the board of supervisors of Humboldt county, in granting certain permits to buy and sell 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 the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 163, a bill for an act to amend section 3805 of the Code, relating to constables fees, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *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 relating to the payment of fines and forfeitures and their final appropriation, beg leave to report that they have had the same under consideration and have in-

structed me to report the same back to the Senate with the recommendation that it be amended by striking out all after the word "namely" in line 8, and inserting instead the following:

"Section 3370. Fines and forfeitures collected in any action or proceeding, and not otherwise disposed of, shall go into the treasury of the county wherein such action was commenced, or proceeding was had, for the benefit of the school fund"; and as thus amended that the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Senator Whaley offered the following resolution:

When the Senate adjourn it be to 10 o'clock A. M., to-morrow, and that Senate File No. 385 be made a special order for 10:05 A. M. to-morrow.

Adopted.

Senator Sutton asked that Committee on Appropriations have until to-morrow to complete reports.

The Senate adjourned.

SENATE CHAMBER,
DES MOINES, IOWA, March 25, 1886. }

The Senate met in regular session at 10 A. M.

The President of the Senate in the chair.

Prayer by Rev. W. P. Law.

Reading of journal of previous day dispensed with.

Senator Wilkin offered communication relative to soldiers' home.

Read and referred to Committee on Military.

On motion, Senator Scott was excused for the day.

PETITIONS AND MEMORIALS.

Senator Wilkin presented a communication from D. E. Cooper of Winterset, Madison county, protesting against the establishing of a soldiers' home.

Referred to Committee on Military.

Senator Sutton presented a memorial from Abe Lincoln Post G. A. R. of Council Bluffs, asking the establishing of a soldiers' home, and that the same be established at Marshalltown.

Referred to Committee on Military.

Senator Johnson presented a petition from R. M. Smith Post 269, G. A. R. at Andrew, on same subject.

Same reference.

Senator Johnson presented a petition from A. W. Drip's Post No. 74, G. A. R., at Maquoketa, on same subject.

Same reference.

Senator Johnson presented a petition from Alf. Scofield Post No. 164, G. A. R., at Miles, on same subject.

Same reference.

Senator Glass presented a petition and communication from soldiers at Rockford, Iowa, asking that the soldiers' home be located at Mason City.

Referred to Committee on Military.

Senate resumed consideration of Senate File No. 385, with pending substitute for section 1.

Senator Weber moved to amend by inserting after word "dollars" in line 3, the words "or so much thereof as is necessary."

Adopted.

The question recurring upon adoption of substitute for section 1, by Senator Scott, the ayes and noes were called for.

The yeas were:

Senators Bolter, Chesebro, Gault, McDonough and Parrott—5.

The nays were:

Senators Barrett, Bloom, Burdick, Caldwell, Carr, Carson, Casey, Cassatt, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Glass, Henderson, Hendrie, Hutchison, Johnson, McCoy, Poyneer, Robinson, Ryder, Schmidt, Stephens, Sutton, Underwood, Weber, Whaley, Whiting, Wilkin, Woolson and Young—36.

Absent or not voting:

Senators Bayless, Chambers, Chubb, Knight, Miles, Reiniger, Scott, Sweney and Wolfe—9.

So the substitute for section 1 was not agreed to.

Section 2 was taken up and read.

Senator Wilkin moved to amend by inserting the words "or war against any Indian tribe" in third line after second word "war."

Senator Poyneer moved as a substitute for amendment to strike words in third line after words "United States," to and including second word "war" in same line.

The substitute was adopted.

Senator Wilkin moved to strike words "not the result of any illegal act" in fourth line.

Adopted.

Section 3 was taken up, read and agreed to.

Section 4 was taken up and read.

The hour having arrived for the consideration of the special order, it being on House File No. 213, 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 of coal mines and their employes, it was taken up.

Senator Whaley moved that the consideration of this bill be deferred until the bill now under discussion be disposed of, and that House File No. 213 be the special order at that time and until disposed of.

Adopted.

Senator Glass moved to amend section 4 by inserting after word "employed" in line twenty, the words "provided, however, that no member of said Building Committee shall receive pay for more than ten days each per month."

Adopted.

Senator Robinson moved to strike all of line thirteen to the word "shall."

Adopted.

Senator Chubb offered following amendment: Add to section 5: "And no plan shall be adopted that contemplates the expenditure of more money for its completion than the amount appropriated by this General Assembly, added to any donations received by the State for the erection of the home."

Adopted.

Section 6 was read and agreed to.

Section 7 was read and agreed to.

Section 8 was read.

Senator Glass moved to insert after word "sureties" in line nine, the words "who shall be resident free-holders of the State of Iowa."

Adopted.

Senator Parrott moved to amend line seven by inserting after word "than," the words "\$60,000 appropriated in this act."

Senator Burdick offered following as a substitute: Insert after word "same," the words "and fixtures thereon and furnishing and equipping the same."

Adopted.

Section 9 was taken up, read and agreed to.

Section 10 was taken up, read and agreed to.

Section 11 was read and agreed to.

Section 12 was read.

Senator Doud offered the following amendment: Add the words: "Provided that should the land be purchased with suitable buildings erected thereon, the sum shall not exceed the sum of \$50,000, and in that case the parts of this act which refer to erection of buildings shall not apply."

Adopted.

Section 13 was agreed to.

Section 14 was read.

Senator Whaley moved to insert words "a purchase" in 2d line after word "erection."

Adopted.

Section 15 was read.

Senator Sweney moved to strike words from and after word "secretary" in line 3 to and including word "and" in line 4.

Lost.

Senator Glass moved to strike words "board of commissioners" and insert words "Executive Council" in line 5 and 6.

Adopted.

Section 16 was read.

Senator Burdick moved to insert in line 2 after word "home," the words: "Who shall serve as such during the pleasure of the board of commissioners."

Adopted.

Senator Parrott offered a substitute for section 16.

Lost.

Senator Wilkin moved to strike first line, and insert words: "The Governor with the advice and consent of the Senate shall."

The yeas and nays were demanded.

The yeas were:

Senators Bolter, Chambers, Chubb, Doud, Gatch, Henderson,

Hendrie, Knight, McDonough, Poyneer, Stephens, Sutton, Underwood, Whiting, Wilkin, Wolfe, Woolson and Young—18.

The nays were:

Senators Barrett, Bayless, Burdick, Caldwell, Carr, Carson, Casey, Cassatt, Chesebro, Clark, Deal, Dodge, Donnan, Dooley, Duncan, Earle, Gault, Hutchison, Johnson, McCoy, Miles, Robinson, Ryder, Schmidt, Sweney, Weber and Whaley—27.

Absent or not voting:

Senators Bloom, Glass, Parrott, Reiniger and Scott—5.

So the amendment was not agreed to.

STATE OF IOWA,
EXECUTIVE DEPARTMENT, }
DES MOINES, March 25, 1886.

The following communication was received from the Governor at the hands of his private secretary:

MR. PRESIDENT—The Governor instructs me to report that he has approved, signed and deposited in the office of the Secretary of State the following bills:

Senate File No. 10, an act repealing sections 231, 241, 4256 and 4291 of the Code, and enacting substitutes therefor, relating to grand jurors, and reducing the number thereof, and fixing the number of trial jurors.

Senate File No. 24, an act to amend section 1419 of the Code, relating to the discharge of non-resident insane.

Senate File No. 40, an act amending section 16 of chapter 21, of the acts of the Twentieth General Assembly, relating to the filing of charges for the removal of State Mine Inspector.

Senate File No. 167, an act to provide for the appointment of shorthand reporters in the superior courts of the State.

Senate File No. 313, an act to legalize the incorporation and ordinances of, and to correct errors in the proceeding and acts incorporating the town of Dunlap, in Harrison county, Iowa.

Senate File No. 358, an act to make valid certain ordinances of the city of Winterset, and acts performed thereunder.

Very respectfully,

FRED'K W. HOSSFELD, *Private Secretary.*

Senator Donnan moved to strike out of line 2, section 16, the words "an ex-officer, soldier, sailor or marine," and insert in lieu thereof "one who has been honorably discharged from the military or naval service of the United States."

Senator Sweney moved to amend the amendment as follows, insert the words "or retired" after the word "discharged."

Lost.

The question recurring on the amendment of Senator Donnan, it was adopted.

Senator Poyneer moved to insert the word "three" in lieu of the word "one" in line 6, section 2.

Adopted.

Senator Weber offered the following substitute for section 16.

Every contract and duty required by this act to be acted upon

by the board of commissioners must receive the approval of a majority of the board in regular session duly called in order to make the same binding and valid; that all the proceedings of said board shall be recorded in a book and open to the inspection by anybody on request.

Adopted.

Senator Donnan moved to amend by inserting the words "other than president, treasurer and secretary," after the word "commissioner" in line 16, section 4.

Adopted.

Senator Whaley 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, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hutchison, Johnson, Knight, McCoy, Miles, Parrott, Poyneer, Reiniger, Robinson, Ryder, Schmidt, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—47.

The nays were:

Senator McDonough—1.

Absent or not voting:

Senators Hendrie and Scott—2.

So the bill passed.

Senator Sweney moved to amend the title by inserting the words "or purchase," after the word "construction," in line 3.

Adopted.

So the title was agreed to.

On motion the Senate adjourned to 2 p. m.

AFTERNOON SESSION.

2 O'CLOCK.

The Senate met in regular session at 2 p. m.

The President of the Senate in the chair.

PETITIONS AND MEMORIALS.

Senator Gatch presented a petition relative to the Cassatt mining bill.

Referred to Committee on Mines and Mining.

Also, a petition relative to alien non-residents acquiring real estate in Iowa.

Referred to Committee on Judiciary.

Senator Reiniger presented a petition relative to soldiers' home at Mason City.

Referred to Committee on Military.

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. 668, a bill to authorize incorporated towns to transfer public parks and squares for school purposes.

House File No. 869, a bill for an act to amend section 2, chapter 192 of the laws of the Twentieth General Assembly, by striking out the words and figures "14," and inserting instead thereof the words and figures "3."

House File No. 528, a bill for an act to grant right of way to the Chicago, Iowa & Northern Pacific railroad company.

House File No. 307, by request. A bill for an act to amend sections 1169 and 1179, of the Code.

House File No. 243, a bill for an act to amend section 3299 of the Code, in relation to partitions.

House File No. 373, a bill for an act in relation to the authentication of signatures of notaries public in other States.

House File No. 372, a bill for an act to repeal section 8, of chapter 89, of the laws of the Nineteenth General Assembly, granting additional powers to cities organized under the general corporations of the State, and to enact a substitute therefor.

Substitute for House File No. 208, a bill for an act to prescribe the times of election of mayors, treasurers, assessors, solicitors and members of the city council of cities of the second class, amendatory to sections 518, 521, 532 and 390 of the Code of 1873.

House File No. 510, a bill for an act to require railroad companies to refund extra charges exacted for passage on account of failure to buy tickets at stations.

House File No. 648, a bill for an act to legalize the organization and official proceedings of the independent school district of Barnum, in Webster county, Iowa.

House File No. 465, a bill for an act limiting the time of making claims and bringing suits against municipal corporations.

House File No. 354, a bill for an act to amend section 2313, of the Code of 1873, relating to the hearing of probate matters requiring notice.

House File No. 56, a bill for an act appropriating \$250 for payment to E. W. Stier of his claim for subsistence furnished the militia of Iowa under the border defense act of 1862.

House File No. 236, a bill for an act to amend section 989 of the Code of Iowa, relative to the duties of road supervisors.

House File No. 641, to legalize the action of the board of supervisors of Montgomery county, Iowa, in regard to transferring certain lots.

House File No. 655, to legalize ordinances and acts of the town council of Dexter, Dallas county, Iowa.

House File No. 571, to amend chapter 132, laws of the Eighteenth General Assembly.

House File No. 620, a bill for an act to amend chapter 7, title 14, of the Code of 1873, relating to assignments.

Also, the House has passed without amendment, Senate File No. 33, a bill for an act further defining the powers and duties of clerks of the circuit court.

J. K. POWERS, *Chief Clerk.*

The Senate considered House File No. 213.

Senator Johnson offered the following resolution:

Resolved, That the rule limiting speeches to ten minutes be suspended during the consideration of House File No. 213.

Lost.

Senator Doud moved that advocates of the measure be allowed half an hour each and opponents ten minutes each.

Senator McCoy moved to amend to allow Senator Cassatt half an hour, but limiting debate as to other speakers.

Adopted.

The motion of Senator Doud as amended prevailed.

The Senate resumed consideration of the special order, it being House File No. 213, 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 of coal mines and their employes.

Senator Cassatt moved to consider the bill by sections.

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 bill in which the concurrence of the Senate is asked :

House File No. 66, a bill for an act to provide for holding persons charged with crime to answer without the intervention of a grand jury.

J. K. POWERS, *Chief Clerk.*

SPECIAL ORDER.

The hour having arrived for the consideration of the next special order it being Joint Resolution No. 6, a joint resolution proposing to amend section 1, article 2, of the Constitution of the State of Iowa, with report of committee recommending that it do pass, was taken up.

Senator Chambers moved that this special order be passed until the consideration of the bill under discussion be concluded, and that then Joint Resolution No. 6 be special order to follow.

Adopted.

Senator Sweney offered a substitute for House File No. 213, to insert after enacting clause.

Senator Dooley moved to amend section 3 by striking out in lines 6 and 7 the words "so constructed, arranged or adjusted, that fraudulent weighing."

Adopted.

The question recurring upon the substitute offered by Senator Sweney.

Senator Gatch moved to amend the substitute as follows:

1st. By adding to section 1 the following: "and every bar screen so to be used shall be provided at intervals of not more than thirty inches with good and sufficient cross bars or bearers with notches to secure the longitudinal bars."

2d. By inserting in line 2 of section 4, between the words "screens" and "shall" the following words: "or providing cross bars or bearers for bar screens."

The amendment was accepted.

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:

Senate File No. 154, regulating mutual life insurance companies, without amendment.

Also:

Senate File No. 144, providing for holding the supreme court at the seat of government, without amendment.

J. K. POWERS, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Gatch, Senate File No. 387, a bill for an act making further provision with respect to contracts by cities of the first-class containing a population of over thirty thousand for paving and curbing streets, and the construction of sewers and the making and collection of assessments and issuance of bonds or certificates to pay for same.

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

By Senator Wolfe, Senate File No. 388, a bill for an act to provide for the issue and sale of State bonds to procure a loan of money to enable the State of Iowa to locate, construct, equip and operate a railroad from the city of Clinton, in the State of Iowa, to, at or near the city of Chicago, in the State of Illinois, so as to form connections with the trunk lines of railroads and the lakes to the eastern States.

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

Senator Bayless introduced a protest of W. & J. Flemming & Co., against the passage of Senate File No. 341.

Referred to the Committee on Labor.

Senator Dodge asked leave to record his vote against the passage of Senate File No. 263.

So ordered.

BILLS ON THIRD READING.

Senate File No. 198, a bill for an act to repeal section 1, 2, 3, 4, 5 and 6, of chapter 21, acts of the Twentieth General Assembly and to enact a substitute therefor relating to mines and mining, was taken up and read a third time.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bloom, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Dodge, Donnan, Dooley, Doud, Duncan, Gatch, Gault, Glass, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Stephens, Sutton, Sweney, Underwood, Whiting, Wilkin, Wolfe and Woolson—37.

The nays were:

Senators Bayless, Earle and Hendrie—3.

Absent or not voting:

Senators Clark, Deal, Henderson, Johnson, Reiniger, Ryder, Scott, Weber, Whaley and Young—10.

So the bill passed and the title was agreed to.

Senate File No. 214, a bill for an act to repeal section 1548 of chapter 6, of title 11, of the Code, relating to the offense of intoxication, and to enact a substitute therefor, was taken up and read a third time.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Burdick, Caldwell, Carr, Carson, Chambers, Chubb, Donnan, Doud, Duncan, Gatch, Glass, Hendrie, Hutchison, McCoy, McDonough, Miles, Parrott, Robinson, Stephens, Sutton, Sweney, Underwood, Weber, Wilkin and Woolson—26.

The nays were:

Senators Bolter, Casey, Chesebro, Dodge, Dooley, Earle, Gault, Schmidt, Whiting and Wolfe—10.

Absent or not voting:

Senators Bayless, Bloom, Cassatt, Clark, Deal, Henderson, Johnson, Knight, Poyneer, Reiniger, Ryder, Scott, Whaley and Young—14.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 280, a bill for an act to regulate the operating of railroads on the Sabbath day, or first day of the week, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. H. SWENEY, *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. 238, a bill for an act making appropriations for the College for the Blind at Vinton, beg leave to report 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 amendment be adopted and when adopted that the bill do pass:

Strike out all appropriation items from section 1, and insert:

1. For repairs to roof and main building, gutters, etc, \$500.
2. Building cupolas and porches, \$225.
3. Outside and inside painting, \$1,100.
4. Portland cement work, \$675.
5. Iron stairs, etc., to replace old ones worn out, \$3,100.
6. For new floors, \$775.
7. For repairs to outside wood work and plastering, \$325.
8. For constructing two cisterns, \$500.
9. For contingent fund and general repairs, \$3,000.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 123, a bill for an act making appropriations for repairs and improvements on 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 accompanying amendment be adopted, and when adopted that the bill do pass.

Strike out of first section all after the word "follows" and insert:

1. For engine for electric light system and improvement thereof, \$2,300.
2. For renewing gas supply and for laboratory extension, \$500.
3. For general repairs and contingent fund, \$2,500.

Provided, not more than one half of the amount so appropriated shall be drawn during the year 1886.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 328, a bill for an act to legalize the contracts and acts of the board of supervisors of Marion county, in relation to the preservation of government corners, beg leave to report that they 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 substituting for section 1 of the bill the following:

SECTION 1. That the action of said board of supervisors in employing said N. J. Watkins to perform the aforesaid work, and in paying him therefor, is hereby legalized and made of the same force and va-

lidity as though such action had theretofore been fully authorized by statute.

And that as thus amended the bill do pass.

G. S. ROBINSON, *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. 271, a bill for an act to encourage immigration to the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that 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. 360, a bill for an act making an appropriation to complete and furnish the new capitol and to improve the 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 indefinitely postponed.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred resolution for the appointment of a joint committee to consider the propriety of erecting a monument to the memory of Wilson A. Scott, beg leave to 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.

P. M. SUTTON, *Chairman.*

Order passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 215, a bill for an act to appropriate the sum of twenty-five hundred dollars for the payment of five thousand copies of the publication entitled "Iowa Resources and Industries," beg leave to report that they have had 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. 130, a bill for an act making appropriation for the Institution for the Deaf and Dumb, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying amendment be adopted, and when so adopted that the bill do pass.

Strike out all appropriation items in section 1 and insert:

1. For new furniture in main building, \$250.
2. For supply pipe to water reservoir, \$200.
3. For repairs and contingent fund, \$1,000.
4. For building kitchen, \$3,000.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 193, a bill for an act to appropriate money to defray the indebtedness incurred, and to be incurred in making an exhibit of the resources and industries of Iowa at the World's Industrial and Cotton Centennial Exposition, and at the North, Central and South American Exposition, 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 the accompanying amendment be adopted, and when adopted that the bill do pass.

Amend section 1 to read:

SEC. 1. There is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to defray expenses incurred in making an exhibit of the resources and products of the State of Iowa at the World's Industrial and Cotton Centennial Exposition, by the commissioner appointed on the recommendation of the Governor of Iowa, by the President of the United States in conformity with an act of Congress providing for the same, the following sums for the purposes specified:

1. For payment of principal of outstanding obligations, \$16,019.
2. For payment of interest to March 1, 1886, \$1,230.
3. For payment of subscription received from woman's department fund, \$250.
4. To repay cash advanced by commissioner for installation and maintenance, \$2,511.

Strike out all of section 2.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 322, a bill for an act for 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 amended by striking out of section one the words "three thousand dollars" and inserting "two thousand dollars;" and when so amended that it do pass.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—You Committee on Appropriations, to whom was referred Senate File No. 366, a bill for an act making appropriations for the prisoners' aid 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 not pass.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

On motion of Senator Knight the Senate went into executive session at 5:35 P. M.

At 5:45 the Senate resumed the regular order.

Senator Donnan moved that when the Senate adjourn that it adjourn to meet at 9:30 o'clock to-morrow morning.

Senator Duncan moved to amend by inserting 9 A. M.

Adopted.

Senator Wilkin moved to amend by inserting 10 A. M.

Lost.

On motion of Senator Bolter Senate adjourned to 9 A. M. to-morrow.

SENATE CHAMBER, }
DES MOINES, IOWA, March 28, 1886. }

The Senate met in regular session at 9 A. M.

The President of the Senate in the chair.

The journal of the previous day was read, corrected and approved.

INTRODUCTION OF BILLS.

Senator Carr, by leave, Senate File No. 389, a bill for an act legalizing the acknowledgement of deeds, mortgages, and instruments in writing and legalizing the record thereof.

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

PETITIONS AND MEMORIALS.

Senator Stephens presented petition from citizens of Taylor county, Iowa, for change in road levy.

Referred to Committee on Highways.

Senator Gatch presented petition from Polk County Medical Society, asking this General Assembly to make appropriations for care of insane.

Referred to Committee on Appropriations.

Senator Hutchison presented memorial of Wapello county bar asking that there be no change from present court system.

Referred to Committee of Judicial Districts.

Senator Gault presented petition upon same subject.

Same reference.

Senator Reiniger presented petition from G. A. R. Post No. 3, of Charles City, Floyd county, asking that the soldiers' home be located at Mason City.

Referred to Committee on Military.

Also, from citizens of Charles City, Floyd county, on same subject.

Same reference.

Senator Whaley presented report of joint committee to locate the soldiers' home:

To the General Assembly of the State of Iowa:

The following concurrent resolution was adopted by the General Assembly:

CONCURRENT RESOLUTION IN RELATION SOLDIERS' HOME.

Resolved by the Senate, the House concurring:

That the Military Committee of the Senate and the Soldiers' Home Committee of the House, acting jointly and in such manner as in their judgment is deemed best, be and are hereby authorized to investigate the merits of the several localities that are or may be mentioned as favorable locations for the proposed home, with special reference to accessibility, water and fuel supply, healthfulness, drainage, character and cost of land and building materials, etc., to report by bill or otherwise at as early a day as possible for the consideration of the General Assembly.

Said committee to receive propositions and offers in writing from such persons as desire to offer advantages or inducements for the procurement of the location of said home, and report the same in detail, said reports to be made within ten days from the adoption of this resolution.

Acting under the authority conferred by the resolution above quoted, the committees named met on the day of March, 1886, and formally adopted the following inquiries to be addressed to the cities and towns of the State that were proposed to be applicants for the location of the soldiers' home.

The committee require answers in detail and in duplicate to the subjoined questions, answers to be written on separate sheets of paper, and numbered to correspond with the numbers of questions. The statements to be signed by five reputable and responsible citizens of the community. The answers to the following interrogatories and the propositions made, together with the bond hereinafter provided for, shall be delivered to Senator A. M. Whaley, Chairman of the Joint Committee, in sealed envelopes, on or before March 9, 1886, indicating on the outside of said envelope, "contents in relation to the location of the soldiers' home." Each proposition shall be accompanied with a provisional bond in the penal sum of \$10,000, to be approved by the clerk of the district court of the county, said bond to be executed to the State of Iowa, conditioned for the faithful performance and carrying out of the propositions and offers contained the application:

1. State the kind of fuel in use and its cost.
2. State the character and amount of water supply.
3. State the cost per day of common labor.
4. State the kind of building sand in use, and its cost per cubic yard.
5. State the character of rubble stone in use, and its cost delivered, also laid in the wall, per perch of twenty-five cents per foot.
6. State the character and cost per cubic foot of dimension stone delivered, rough, also cut and set in the wall.
7. State the kind and cost per cubic foot of dimension stone in the rough, suitable for caps, sills, belt corners and other trimmings.

8. State the kind of brick in use and their cost per thousand, kiln count, delivered, first for kiln run, and second for hard brick, including the arch, paving and front brick.

9. State the cost of each of the two qualities of brick described in question No. 8, laid in the wall, per thousand, masons' measurement.

10. State the kind and quality of pressed brick in use, and their cost per thousand delivered, kiln count. Also their cost per thousand, masons' measurement, laid in the wall.

11. State the kind of hydraulic cement in use, and its cost per barrel, delivered.

12. State the kind of lime in use, and its cost per bushel, delivered.

13. State the cost per square yard of three coat plastering, both on brick walls and on lath.

14. State the cost of dimension lumber of Chicago No. 1 grade.

15. State the kind of roofing slate in use, and their cost per square, laid in place.

16. State the cost per square of tin roof laid in place (quality 1).

17. State names of railways and connections, also water-ways.

18. State donations offered. If in land, number of acres, description and value per acre. What, if any, improvements on the same, including buildings and fences and distance from corporate limits of the nearest town.

19. State how watered, nearest running stream, and name the same.

20. State the population of nearest town, how lighted, and from what source water supply is obtained.

21. State whether brick and lime are manufactured in locality, and if stone and sand are obtainable at or near locality.

A. M. WHALEY,

Chairman of Joint Committee.

Answers to the questions propounded by the committee as set out above were filed in writing as required in sealed envelopes by the following localities:

Indianola, Ottumwa, Burlington, Cedar Rapids, Decorah, McGregor, Mason City, Marshalltown, Grinnell, Colfax, Algona, Webster City, Fort Dodge, Boone, Sac City, Jefferson, Denison. At a later date, by resolution of the General Assembly, the city of Dubuque was permitted to be considered, and by partial action of the committee the town of West Union was considered, making twenty localities in all. A majority of the joint committee visited all these localities, and further on in this report will be found set out mentions of the best site in the judgment of the committee offered by each locality. The committee gave special attention to inquiring and investigation as to facilities of sites in regard to water supply and drainage. In the paragraphs pertaining to the different sites will be found mention of the water supply and drainage pertaining to the sites mentioned. There will be submitted with this report a tabulated statement of the answers to various inquiries proposed by the committee and set out in this report, and numbering from 1 to 21, which tabu-

lated statement is made a part of this report. The answers to these inquiries are supported by names of reliable citizens in each of the several localities, and are no doubt correct and true.

In the tabulated statement may be found mention of the railway lines centering in the towns offering the proposed sites, which will fill the requirements of the resolution which instructed us to report as to accessibility. The same tabulated statement will be found to give information pertaining to the water and fuel supply, cost of land and building material, concerning which we were also instructed to report.

As to healthfulness of each locality your committee were unable to arrive at any specific facts in relation to the same, and are of the opinion there is very little difference in the various portions of Iowa in regard to the general health of the people.

As to the geographical location of the towns or cities that your committee visited, we do not desire to make mention. Members of the General Assembly are already informed as to where these towns and cities are located. Members of the General Assembly are also informed as to the general character of the industries of these towns and cities, their enterprise and their prosperity, and it remains but for the committee to name so far as it can in these reports what is considered the most available site offered by each locality where more than one are offered by one locality, and below we give our judgment in regard to that matter, beginning with the town first visited and ending with the last visited, to-wit:

INDIANOLA.

offers 160 acres about one mile northwest of the city, valued at \$16,000. The tract is watered by springs, and a portion of the tract is covered by natural growth of timber. The drainage and elevation are good. Other sites were visited, but we deem the above site the one best adapted for the purpose.

OTTUMWA

offers a site bordering on the Des Moines river of 160 acres of land. This land is worth at least \$100 per acre. The street railway extends to within one fourth of a mile of the land running out from the main street of Ottumwa. Good elevation, presenting a fine view and good drainage.

BURLINGTON.

This city offers 160 acres of land and \$10,000 in cash, or \$25,000 in cash. The site offered lies south of and adjoining the city limits, bordering on the Mississippi river with a high elevation, making drainage excellent. Groves of natural forest trees cover a portion of the tract. The tract is partly planted to fruit, and is approached by street-car lines, river steamers and railroads. Drainage and water supply excellent. Several houses on land.

CEDAR RAPIDS

offers a site of 160 acres of land, valued by local committee at \$150 per acre, and \$20,000 in cash, provided that said sum is expended in beautifying the described land, and they offer to expend \$5,000 upon completion of said home, in constructing a roadway from the nearest public highway to grounds. Land is very rolling and is covered by a thick growth of young timber. A small brook runs through the site, from which it is proposed to secure water supply. The site is two and a fourth miles from Cedar Rapids and two and a half miles from Marion, and about one fourth of a mile from the highway and motor line connecting the two cities.

DECORAH

offers 180 acres as a site, valued at \$8,400, fenced and under cultivation, upon elevation 125 to 150 feet above level of streets, reached by grade of not more than 10 feet to 100; grove of small timber; good drainage. The city offers to lay water mains to home, supply being from the Upper Iowa river, making water privileges good.

M'GREGOR

offers about 77 acres of land on bluff of Mississippi, 500 feet high, with a frontage on the river of 100 rods and depth of 80 to 100 rods, covered with heavy growth of timber. There are no improvements on the land. Drainage by reason of the high elevation is good.

MASON CITY.

The site most favorably considered was the 160-acre tract valued at \$50 per acre, about one-half mile north of the city. Stream of spring water runs through land, which is high and rolling on either side of brook. Grove of young timber of about 25 acres. Site is high, and adjacent to railway. Also offers water supply from water works free for five years, and guarantee special rates as low as any other point on building material.

HAMPTON.

This town offers 170 acres of land within the corporate limits valued at \$17,000. The site is partly prairie, the north 100 acres being covered by a natural grove of timber, and is watered by Spring creek, a stream running through the tract.

MARSHALLTOWN.

The site selected, from several, by the committee consists of 128 acres of land, valued at \$112 per acre. It lies about one-half mile above the city and upon an elevation bordering on Iowa river. Contains grove of natural forest trees and is well situated for drainage. Also \$13,000 in cash, unconditional. Also free water from works for

five years and thereafter at cost of pumping. Convenient to street cars.

GRINNELL.

Of the three different sites offered by this city we deem the one north of the city the best. The site comprises 160 acres of land, valued at \$50 per acre, and is all under cultivation. The nearest running stream is Goose creek, tributary to Bear creek.

COLFAX

offer a hotel with 135 acres of real estate on payment of \$50,000 by the State. The owners claim that the property cost \$86,000. The hotel, it is claimed, will accommodate 150 persons. The land is high and rolling, covered with thick growth of natural forest trees, and lies near Chataquaqu river and the town of Colfax. Springs of mineral water abound on the tract. No answer to the interrogatories are given.

ALGONA.

This city offers 320 acres of land valued at \$45.00 per acre. It lies on and along the banks of the Des Moines river, and skirted with natural timber. The tract is fenced and under cultivation and in pasture. The land is one mile from the town and separated from the city limits by the Des Moines river. The elevation is good, capable of good drainage, and the tract is well watered by the Des Moines river. Railroad facilities are by the Northwestern railroad and the C., M. & St. P.

WEBSTER CITY

offers 160 acres of land valued at \$150 per acre, and \$3,000 in cash. The site lies on the east side of the Boone river, within one-half mile of the court house, overlooking the city. A portion of the ground is covered by a natural growth of timber. The site has a good elevation, making drainage excellent, and is watered by flowing wells and the above river.

Railroad facilities are the Illinois Central and C. & N. W. R. R.

FORT DODGE.

The committee examined several sites, but considered to site best adapted to the purpose lies on the bluffs of the Des Moines river opposite the city. It is composed of 160 acres of land, well watered by the Des Moines river, and is valued by owners at \$150 per acre. Elevation and drainage good. Railroad facilities, Illinois Central, Fort Dodge & Des Moines, Minneapolis & St. Louis.

BOONE.

Of the four sites visited by the committee around this city, we deem the 160 acres located about one mile southwest of the city the

best adapted to that purpose. It is skirting the Des Moines river on one side and Honey creek on the other. Drainage is excellent, and the tract lies near the C. & N. W. R. R.

SAC CITY.

Only one site was visited at this point. It comprises 160 acres of prairie and timbered land, valued at \$75.00 per acre. About 40 acres is covered with natural timber of large growth; the land is all fenced and watered by fine living springs, and the North 'Coon river. The tract is well situated as to drainage and water supply. Railroad facilities are by C. & N. W. R. R.

JEFFERSON.

Only one site visited. The site is 180 acres of land valued at \$70.00 per acre. The tract is pretty rolling prairie, and the balance groves of natural timber of large growth. It is all fenced and watered by good springs, one artesian, and a creek running through and emptying into the North 'Coon river, which river is about fifteen rods from the site. There are two small lakes filled with fish on the tract. Good coal has been found under a portion of the land. The elevation is good and the drainage excellent. Railroad facilities are the C. & N. W. R. R. and Wabash, St. Louis & Pacific R. R.

WEST UNION.

This town offers \$10,000.00 in cash or its equivalent in land if desired.

DENISON.

One hundred and sixty acres of land within two miles of the town, satisfactory to the State, is offered as a site for the home.

DUBUQUE.

This city offers 104 acres of land valued at \$250.00 per acre, and \$10,000 in cash. The tract lies along the Mississippi river with bluffs overlooking the river and city, and joins the corporate limits on the south. It is covered with natural timber, and elevation and drainage are excellent.

It is apparent that the General Assembly has very wisely determined to locate the soldiers' home. Therefore your committee have not deemed it best to protract their session a sufficient length of time to concentrate or determine upon one locality and recommend that against all others. We have thought it best to set out in detail such information pertaining to the sites according to information obtained by personal investigation that members of the General Assembly may have such information as will enable them to vote intelligently and not to vote to place the institution where there may be lacking requirements contemplated in the resolution under which this committee is acting.

It may have been expected that this committee would unite upon and make a definite recommendation as to the locality where this home should be placed, but knowing that our action would not be final and would at best be considered but a recommendation, we have deemed that our duty is fully discharged when we place the information in our possession and obtained by personal investigation before the General Assembly for their information and guidance, being willing to share the responsibility with our associates in the two houses in determining by our ballots the place that in our individual judgments is best suited for the proposed institution.

To determine the matter of location with fairness, we recommend that the members of the Senate and House meet in informal joint caucous and determine the location by ballot. The tabulated statement referred to in this report is in the hands of the State Printer and will be attached and marked "Exhibit A."

Respectfully submitted in behalf of the Joint Committee of the Senate and House.

A. M. WHALEY,
Chairman of the Committee on the part of the Senate.

C. L. ANDERSON,
Chairman of the Committee on the part of the House.
Ordered passed on file.

REPORT OF COMMITTEE.

Senator Caldwell, from the Conference Committee, to whom was referred House File No. 207, with disagreements to certain amendments, submitted the following report:

MR. PRESIDENT—The Committee on the disagreement of House File No. 207, a bill to regulate the practice of medicine and surgery in the State of Iowa, beg leave to report that they have had the same under consideration, and after a full and free conference they unite in recommending that the Senate recede from Senate amendment to section 6, line 5 of printed bill. Also, that line one, section 8, printed bill be amended by adding after the word "obstetrics" the words "or to be a physician," and that the Senate recede from its amendment to line 11 of section 8. Also, amend line 11, same section, by adding after the word "physicians" the words "as defined herein." Also, strike out of lines 11, 13, and 14, the word "continuous." Also, that the House agree to Senate amendment to section 8, line 16, striking out all after the word "dollars" in said line, and inserting the following in lieu thereof: "And said board shall issue to the applicant such certificate."

T. J. CALDWELL,
BEN. MCCOY,
L. R. BOLTER,
On the part of the Senate.

E. W. WILBUR,
M. S. BUTLER,
IRA L. WELCH,
On the part of the House.

On the question of agreeing to the conference report,

The yeas were :

Senators Barrett, Bloom, Bolter, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, McCoy, McDonough, Miles, Parrott, Reiniger, Robinson, Ryder, Schmidt, Stephens, Sweney, Underwood, Weber, Whiting, Wilkin, Woolson and Young—39.

The nays were, none.

Absent or not voting :

Senators Bayless, Burdick, Clark, Earle, Johnson, Knight, Poyneer, Scott, Sutton, Whaley and Wolfe—11.

So the report of the Conference Committee was agreed to.

Senator Duncan moved to make Senate Files 309 and 359 special order upon disposition of Senate File No. 93.

Carried.

The special order being upon House File No. 213, with pending substitute by Senator Sweney was taken up.

REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 33, a bill for an act further defining the powers and duties of clerks of the circuit courts.

Senate file No. 318, a bill for an act to amend section 384 of the Code, and to provide for consolidation of townships heretofore divided.

Senate File No. 150, a bill for an act to establish a uniform inch or gauge of cream.

Senate File No. 144, a bill for an act establishing the supreme court at the seat of government, and providing officers therefor.

Senate File No. 221, a bill for an act to legalize the acts of the board of supervisors of Sioux county, Iowa, in the establishment of highways.

Senate File No. 121, a bill for an act to prevent deception in the manufacture and sale of imitations of butter and cheese.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Senate Files Nos. 33, 121, 144, 150, 221, 318.

J. K. POWERS, *Chief Clerk.*

REPORTS OF COMMITTEES.

Senator Young, from the Committee on Commerce, submitted the following report:

MR. PRESIDENT—Your Committee on Commerce, to whom was referred Senate File No. 164, a bill for an act to amend chapter 185 of the laws of the Twentieth General Assembly in relation to the inspection of illuminating oils, 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.

L. YOUNG, *Chairman.*

Ordered passed on file.

Senator Deal 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. 83, a bill for an act further defining the powers and duties of Clerks of the Circuit Courts.

Senate File No. 318, a bill for an act to amend section 384 of the Code, and to provide for consolidation of townships heretofore divided.

Senate File No. 150, a bill for an act to establish a uniform inch or gauge of cream.

Senate File No. 144, a bill for an act establishing the supreme court at the seat of government, and providing officers therefor.

Senate File No. 221, a bill for an act to legalize the acts of the board of supervisors of Sioux county, Iowa, in the establishment of highways.

Senate File No. 121, a bill for an act to prevent deception in the manufacture and sale of imitations of butter and cheese.

J. K. DEAL, *Chairman.*

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

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House substitute for House File No. 298, a bill for an act to amend section 2049 of the Code in relation to the weight of broom corn seed, beg leave to report 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 do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred House File No. 377, a bill for an act to amend section 4062, chapter 11, title 24, of the Code, relating 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 do pass.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 272, a bill for an act defining duties of township trustees in relation to tile drainage, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

A. N. POYNEER, *Chairman.*

Ordered passed on file.

Senator Barrett, from the Committee on Normal Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Normal Schools, to whom was referred Senate File No. 208, a bill for an act making appropriation for the State Normal School at Cedar Falls, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

BARRETT, *Chairman.*

Ordered passed on file.

AFTERNOON SESSION.

2 O'CLOCK.

The Senate resumed consideration of House File No. 213, with pending amendment by Senator Sweney. Pending which Senator Scott asked privilege to have his vote recorded as "aye," a vote by which substitute for section 1 of Senate File No. 385, was lost.

Granted.

Senator Donnan moved that special order on Senate File No. 136, be continued to conclusion of consideration of joint resolution No. 6.

Carried.

Senator Miles moved to amend substitute by inserting line 3, section 2, "materially affect" and insert word "decrease."

Lost.

The question recurring on the adoption of substitute as amended, the yeas and nays were called for.

The yeas were:

Senators Barrett, Burdick, Caldwell, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney Underwood, Weber, Whaley, Wilkin, Woolson and Young—30.

The nays were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Earle, Gault, Hendrie, Johnson, Knight, Miles, Ryder, Schmidt, Whiting and Wolfe—19.

Absent or not voting:

Senator Henderson—1.

So the substitute was agreed to.

Senator Sweney moved that the rule be suspended and the bill was read a third time.

The yeas and nays were demanded.

The yeas were:

Senators Barrett, Burdick, Caldwell, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—31.

The nays were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Earle, Gault, Hendrie, Johnson, Knight, Ryder, Schmidt, Whiting and Wolfe—18.

Absent or not voting:

Senator Henderson—1.

So the motion to suspend the rule was not agreed to.

On the question shall the bill be engrossed and read a third time to-morrow, the yeas and nays were demanded.

The yeas were:

Senators Barrett, Burdick, Caldwell, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—31.

The nays were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Earle, Gault, Hendrie, Johnson, Knight, Ryder, Schmidt, Whiting and Wolfe—18.

Absent or not voting:

Senator Henderson—1.

So the bill was ordered engrossed.

Senator McCoy moved to reconsider the vote by which House File No. 213 was 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 in which the concurrence of the Senate is asked:

Substitute for House Files Nos. 71 and 73, a bill for an act making an appropriation for erecting an additional wing to the Iowa Hospital for the insane at Mt. Pleasant, for female patients and for the support of said hospital.

House File No. 595, a bill for an act to amend section 2421 of the

Code of 1873, relating to the filing of claims against the estates of decedents.

House File No. 520, a bill for an act to transfer certain territory by independent school district of Porterville to independent school district of Pleasant Grove.

House File No. 424, a bill for act to amend sections 3861, 3865 and 3866 of the Code of 1873, in relation to offenses against life and persons.

House File No. 657, a bill for an act to legalize acknowledgements by county auditors and deputy county auditors in Fayette county.

Also, the House has passed without amendment:

Senate File No. 342, authorizing the Governor to convey or grant right of way through or convey certain lands.

Senate File No. 273, in relation to laying tile drain across public highways.

J. K. POWERS, *Chief Clerk.*

Also:

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. 171, a bill for an act to establish highways and avoid building bridges at certain localities.

House File No. 276, to repeal sections 760 and 763 of the Code and enact a substitute therefor, relating to suspension of State officers.

Also the House has passed without amendment:

Senate File No. 221.

Senate File No. 150.

J. K. POWERS, *Chief Clerk.*

Senator Sweney moved to take up House messages.

HOUSE MESSAGES.

House File No. 372, a bill for an act to repeal section 8, of chapter 89, of the laws of the 19th General Assembly, granting additional powers to cities organized under the general corporation laws of the State and to enact a substitute therefor.

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

House File No. 208, a bill for an act to prescribe time of electing assessors, mayors, treasurers, solicitors, etc.

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

House File No. 510, a bill for an act to require railroad company to refund money on passes collected on trains, etc.

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

House File No. 369, a bill for an act to amend section 2, chapter 192, of the laws of the 20th General Assembly by striking out the words and figures "14" and inserting instead thereof the words and figures "3."

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

House File No. 307, a bill for an act to amend sections 1169 and 1179 or the Code.

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

House File No. 276, a bill for an act to repeal sections 760 and 763, of the Code, and enact a substitute therefor relating to suspension of State officers.

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

House File No. 520, a bill for an act to transfer certain territory of independent school district, Pleasant Grove.

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

House File No. 56, a bill for an act appropriating \$250 for payment to E. W. Stier, of his claim for subsistence furnished the militia of Iowa under the border defense act of 1862.

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

House File No. 668, a bill for an act to authorize incorporated towns to transfer public parks, etc.

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

House File No. 66, a bill for an act to provide for holding persons charged with crime to answer without the intervention of a grand jury.

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

House File No. 171, a bill for an act to establish highways and avoid building bridges at certain localities.

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

House File No. 655, a bill for an act to legalize ordinances and acts of the town council of Dexter, Dallas county.

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

House File No. 571, a bill for an act to amend chapter 132, laws of the Eighteenth General Assembly.

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

House File No. 620, a bill for an act to amend chapter 7, title 14, Code of 1873, relating to assignments.

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

House File No. 236, a bill for an act to amend section 989 of Code of Iowa, relative to duties of road supervisors.

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

House File No. 641, a bill for an act to legalize the action of the board of supervisors of Montgomery county, Iowa, in regard to transferring certain lots.

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

House File No. 648, a bill for an act to legalize the organization and official proceedings of the independent school district of Barnum, in Webster county.

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

House File No. 465, a bill for an act limiting the time of making claims and bringing suits against municipal corporations.

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

House File No. 354, a bill for an act to amend section 2813 of acts of 1873, relating to the hearing of probate matters requiring notice.

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

House File No. 595, a bill for an act to amend section 2421 of the Code of 1873, relating to the filing of claims against estates of decedents.

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

House File No. 657, a bill for an act to legalize acknowledgments by county auditors and deputy county auditors in Fayette county.

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

Substitute for House Files Nos. 71 and 73, a bill for an act making appropriation for erecting an additional wing to the Iowa Hospital for the Insane at Mt. Pleasant, for female patients and for the support of said hospital.

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

House File No. 373, a bill for an act relating to authentication of signatures of notaries public.

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

House File No. 243, a bill for an act to amend section 3299 of the Code, in relation to partition.

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

House File No. 528, a bill for an act to grant right-of-way to C., I. & N. P. R. R. Co.

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

INTRODUCTION OF BILLS.

By Senator Parrott, Senate File No. 390, a bill for an act supplementary to and explanatory of an act to regulate the organization and operation of mutual benefit associations passed at the present session of the General Assembly.

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

BILLS ON THIRD READING.

On motion of Senator Hutchison, Senate File No. 129, a bill for an

act to provide for ascertaining the citizens who shall vote in all incorporated cities; to repeal section 618 of Code, and repeal chapter 2, title 5, of the Code was taken up, and the bill was read a third time.

On the question, shall the bill pass.

The yeas were :

Senators Barrett, Burdick, Caldwell, Carson, Chambers, Chubb, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Stephens, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—28.

The nays were:

Senators Bloom, Bolter, Carr, Cassatt, Dodge, Dooley, Earle, Gault, Johnson, Ryder, Schmidt, Whiting and Wolfe—13.

Absent or not voting:

Senators Bayless, Casey, Chesebro, Clark, Henderson, Hendrie, Knight, Scott and Sutton—9.

So the bill passed and the title was agreed to.

On motion of Senator Sutton, substitute for House Files Nos. 71 and 73, made special order to follow consideration of Senate File No. 186, and that all appropriation bills follow in their order on the calendar. Senator Wolfe moved to adjourn.

Carried.

SENATE CHAMBER,
DES MOINES, IOWA, March 27, 1886. }

The Senate met in regular session at 10 o'clock A. M.

The President of the Senate in the chair.

Prayer by Rev. Miller.

The journal of the previous day was read in part, corrected, and further reading dispensed with.

SPECIAL ORDER.

Senator Sutton moved to suspend special order on Joint Resolution No. 6, and take up and consider substitutes for House Files Nos. 71 and 73, a bill for an act making an appropriation for the Iowa Hospital for the Insane at Mt. Pleasant.

Objection being made, Senator Woolson moved to reconsider vote by which substitutes for House Files Nos. 71 and 73 were made special order.

Carried.

Senator Woolson moved to take up substitute for House Files Nos. 71 and 73 now.

Carried.

On motion Senator Dooley and Senator Bloom were excused.

On motion Senator Knight was excused until Wednesday.

Senator Woolson moved that the rule be suspended, and the bill be

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bolter, Caldwell, Carr, Carson, Casey, Chambers, Chubb, Clark, Deal, Dodge, Donnan, Doud, Duncan, Gatch, Glass, Henderson, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Wilkin, Wolfe, Woolson and Young—39.

The nays were, none.

Absent or not voting:

Senators Bloom, Burdick, Cassatt, Chesebro, Dooley, Earle, Gault, Knight, Reiniger, Whaley and Whiting—11.

So the bill passed and the title was agreed to.

Senator Woolson moved to reconsider the vote by which substitute for House Files Nos. 71 and 73 was passed and to lay said motion on the table.

Adopted.

Senator Johnson moved the adoption of the following resolution:

Resolved, That the Chairman of the Committee on Appropriations be requested to furnish the Senate the gross amount of appropriations recommended by his committee before the taking up of special order of appropriations.

Adopted.

The hour having arrived for the consideration of the special order, it being on joint resolution No. 6, a joint resolution proposing to amend section 1, article 2, of the Constitution of the State of Iowa, with report of committee recommending amendments, and do pass, was taken up and considered.

On the question shall the resolution be engrossed and read a third time to-morrow, the yeas and nays were called.

The yeas were:

Senators Barrett, Caldwell, Chambers, Chubb, Clark, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—27.

The nays were:

Senators Bayless, Bolter, Burdick, Carr, Carson, Casey, Deal, Dodge, Earle, Henderson, Hendrie, Johnson, Poyneer, Ryder, Schmidt, Whiting and Wolfe—17.

Absent or not voting:

Senators Bloom, Cassatt, Chesebro, Dooley, Gault and Knight—6.

So the joint resolution was ordered engrossed.

Senator Doud asked to have the following reasons for his dissent from Joint Resolution No. 6, entered on the journal of the Senate:

At the present time my belief that the striking of the word "male" from the constitution would not be good policy, but at the same time being willing to be governed by judgment, reflection and the wishes of my constituents, and necessarily having to act on this question in the Twenty-second Assembly, I shall give my vote in the affirmative,

with the positive restriction thereon of the same not governing my vote nor indicating what it will be at that time, I therefore vote aye.

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. 359, a bill for an act to amend chapter 24, acts of Twentieth General Assembly.

House File No. 494, a bill for an act repealing section 1774, as amended by chapter 161, of the acts of the Nineteenth General Assembly, and enacting a substitute therefor, in relation to the duty of county superintendent and providing payment therefor.

House File No. 173, a bill for an act to prescribe the manner of selling the sulphate and other preparations of morphine in this State, and other purposes.

Also, the House has passed without amendment Senate File No. 337.

J. K. POWERS, *Chief Clerk.*

REPORT OF COMMITTEE.

Senator Stephens, from the Committee on Manufactures, submitted the following report:

MR. PRESIDENT—Your Committee on Manufactures to whom was referred substitute for Senate File No. 83, a bill for an act to encourage manufactories, and to exempt them from taxation for a term of five years, beg leave to report 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 amendments be made:

Add after the word "from" the word "municipal" in the title of the bill. Strike out all of section 1 after the word "therein" and insert the following: "may be exempt from municipal taxation for a period of five years by the city or incorporated town in which the same shall hereafter be established." Strike out all of sections 3 and 4 and amend section 5 by numbering it section 3, and that when so amended the bill do pass.

A. P. STEPHENS, *Chairman.*

Ordered passed on file.

Senator McDonough moved to make substitute for Senate File No. 83, a special order immediately following the consideration of Senate File No. 359.

Adopted.

Senator Barrett moved that Senate File No. 208 be referred to the Committee on Appropriations.

Carried.

PETITIONS AND MEMORIALS.

Senator Sweney presented petition of citizens of Mitchell county asking location of soldiers' home at Mason City.

Referred to Committee on Military.

Also, petition of G. A. R. Post at Osage to same effect.

Same reference.

Senator Wolfe presented petition of G. A. R. Post at Clinton asking location of soldiers' home at Marshalltown.

Same reference.

Senator Young presented resolution from Fremont county bar.

Referred to Committee on Judicial Districts.

Senator Miles moved that when the Senate adjourn that it adjourn to 2 o'clock P. M. to-day.

Adopted.

Senator Sutton presented petition of G. A. R. Post, at Manning, asking location of soldiers' home at Marshalltown.

Referred to Committee on Military.

Senator Glass presented petition of fourteen members of Tom Howard Post, G. A. R., at Clear Lake asking that soldiers' home be located at Mason City.

Same reference.

Also, petition of eighty citizens of Hancock county on same subject.

Same reference.

Senator Whaley moved that the Senate do now adjourn.

Adopted.

 AFTERNOON SESSION.

2 O'CLOCK.

Senate met in regular session at 2 o'clock P. M.

The President of the Senate in the chair.

Senator Whaley moved a call of the Senate.

Pending the call of the roll for absentees, Senator Duncan moved that further proceedings under this call be dispensed with.

Carried.

On motion, Senators Gault and Parrott were excused.

Senate File No. 136, being special order, was taken up with report of committee recommending that it do pass.

The report of the committee was adopted.

Senator Johnson moved to amend by adding at end of first section the words: "Provided, however, that no such consideration shall include any dwelling house or other building in actual use in connection with such dwelling or any lands within ten rods of any such dwelling except by written consent of the owner, filed with the clerk of the court of the county in which such condemnation is sought. It is

further provided that no condemnation provided for in this bill shall in any way affect the growing crops of the year A. D. 1886.

Adopted.

Senator Bolter moved to amend by adding to end of section 1 the words: "Provided further, that nothing herein shall be so construed as to permit any railway corporation to interfere with or vacate any public highways established as provided by law."

Adopted.

Senator Glass moved to amend by inserting after the word "hedges" in line 3, section 1, the following words: "For the prevention of blockades of such railroads by snow."

Adopted.

Senator Glass moved to amend by adding to section 1 the words "provided further, however, that nothing herein contained shall be construed to permit condemnation of land for such purposes within the platted portion of any incorporated city or town."

Adopted.

Senator Donnan moved to amend by inserting after words "land owners" in line 6, section 1, the words: "Such notice to be served at the expense of the railway company, and in the manner and under the provisions of sections 1245 and 1247 of the Code."

Adopted.

Senator Bayless moved to strike out the publication clause.

Lost.

Senator Robinson moved to amend by adding as section 2 the following:

SECTION 2. The land to be condemned and taken under the provisions of this act shall be adjacent to the right of way of the corporation requiring the same, and shall not exceed two hundred feet in width, and no hedge or trees shall be planted in lands so condemned nearer than twenty feet to the outer edge of such land."

Adopted.

The bill was ordered engrossed and read a third time to-morrow.

Senator Johnson moved to suspend special order on appropriation bills until after reading of journal on Monday, and that the afternoon be devoted to calender.

Carried.

REPORT OF COMMITTEE.

Senator Parrott, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 384, a bill for an act authorizing cities under special charter to levy a special tax for the maintenance of a paid fire department, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

MATT PARROTT, *Chairman.*

Ordered passed on file.

On motion of Senator Poyneer Senate No. 344, a bill for an act to repeal chapter 156 of the laws of the Eighteenth General Assembly,

relating to an assistant fish commissioner, with report of committee recommending that 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 Bayless, Bolter, Caldwell, Casey, Chambers, Chubb, Clark, Deal, Dodge, Donnan, Duncan, Earle, Gatch, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Poyneer, Robinson, Schmidt, Scott, Stephens, Sweney, Weber, Whaley, Whiting and Woolson—29.

The nays were:

Senator Wilkin—1.

Absent or not voting:

Senators Barrett, Bloom, Burdick, Carr, Carson, Cassatt, Chesebro, Dooley, Doud, Gault, Glass, Henderson, Knight, Parrott, Reiniger, Ryder, Sutton, Underwood, Wolfe and Young—20.

So the bill passed and the title was agreed to.

On motion of Senator Weber, House File No. 523, a bill for an act to legalize the official acts of the board of supervisors of Humboldt county, Iowa, in granting certain permits to buy and sell intoxicating liquors, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bolter, Caldwell, Carr, Casey, Chambers, Chubb, Clark, Deal, Dodge, Donnan, Doud, Duncan, Gatch, Glass, Hendrie, Johnson, McCoy, McDonough, Miles, Poyneer, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Young—34.

The nays were, none.

Absent or not voting:

Senators Bloom, Burdick, Carson, Cassatt, Chesebro, Dooley, Earle, Gault, Henderson, Hutchison, Knight, Parrott, Reiniger, Ryder, Schmidt and Woolson—16.

So the bill passed and the title was agreed to.

Senator Poyneer moved to take up House File, No. 546, a bill for an act to legalize the acts of the board of supervisors of Poweshiek county, Iowa, in relation to restraining stock from running at large, with report of committee recommending that it do pass.

Carried.

The report of the committee was adopted.

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 Barrett, Bayless, Caldwell, Carr, Casey, Chambers, Chubb, Clark, Donnan, Doud, Duncan, Earle, Gatch, Glass, Hendrie, Hutchi-

son, Johnson, McCoy, McDonough, Miles, Poyneer, Robinson, Stephens, Sutton, Sweeney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—33.

The nays were, none.

Absent or not voting:

Senators Bloom, Bolter, Burdick, Carson, Cassatt, Chesebro, Deal, Dodge, Dooley, Gault, Henderson, Knight, Parrott, Reiniger, Ryder, Schmidt and Scott—17.

So the bill passed and the title was agreed to.

On motion of Senator Robinson, substitute for Senate File No. 93, a bill for an act to create the office of insurance commissioners and to define the duties thereof, and Senate File No. 53, a bill for an act to establish a separate insurance department, to include the supervision of banks, and provide for the appointment of the commissioners thereof and to define his duties, with report of committee recommending that it do pass, was taken up and considered.

On motion Senator Henderson was excused until Tuesday.

Section 1 was read, and on motion of Senator Sweeney the words "and banking" were inserted in line 2, after word "insurance."

Carried.

Section 2 was read and Senator Sweeney moved to insert words, "and bank" after word "insurance" in line 1.

Carried.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor by the hands of his private secretary:

STATE OF IOWA,
EXECUTIVE DEPARTMENT,
DES MOINES, March 19th, 1886. }

MR. PRESIDENT—The Governor instructs me to report that he has approved, signed and deposited in the office of the Secretary of State the following bills:

Senate File No. 33, an act further defining the powers and duties of Clerks of the Circuit Court.

Senate File No. 121, an act to prevent deception in the manufacture and sale of imitations of butter and cheese.

Senate File No. 150, an act to establish a uniform inch or gauge of cream.

Senate File No. 221, an act to legalize the acts of the board of supervisors of Sioux county, Iowa, in the establishment of highways.

Senate File No. 318, an act to amend section 384 of the Code and to provide for consolidation of townships heretofore divided.

FRED. W. HOSSFELD, *Private Secretary.*

Senator Sweeney moved to strike out the words "May 1, 1886," in line 2, and insert words "January 1, 1887," and strike out word "appointed" in line 3 and insert word "elected."

Senator Sweeney offered the following as a substitute in lieu of pending amendment, to take the place of all before the word "he"

in 4th line: "The chief officer of said department shall be styled the insurance and bank commissioner of Iowa, who shall be elected at the general election in November, 1886, and shall take possession of his office at the same time and qualify in the same manner as other State officers elected at the same time, and shall hold his office for two years and until his successor is elected and qualified."

The yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bolter, Burdick, Carr, Chesebro, Chubb, Deal, Dodge, Donnan, Doud, Earle, Glass, Johnson, McDonough, Miles, Reiniger, Ryder, Schmidt, Sweney, Weber, Whiting and Wolfe—28.

The nays were:

Senators Chambers, Clark, Duncan, Gatch, Hutchison, McCoy, Robinson, Scott, Stephens, Sutton, Underwood, Whaley, Wilkin, Woolson and Young—16.

Absent or not voting:

Senators Bloom, Caldwell, Carson, Casey, Cassatt, Dooley, Gault, Henderson, Hendrie, Knight, Parrott and Poyneer—12.

So the amendment was agreed to.

Senator Sweney moved to strike words "well versed and experienced in" in 4th and 5th lines, and insert the words "generally acquainted with" in lieu thereof.

Adopted.

Senator Sweney moved to insert word "banking" after word "insurance" in line 5.

Adopted.

Section 3 was read.

Senator Chubb moved to strike all to and including word "Senate" in line 14.

Adopted.

Senator Chubb moved to strike word "appointed" in line 15 and insert word "elected" in lieu thereof.

Adopted.

Senator Chubb moved to strike words "five hundred" in line 16.

Senator Weber moved to change "five hundred" to "two hundred."

The yeas and nays were demanded.

The yeas were:

Senators Barrett, Burdick, Chambers, Doud, Hutchison, Robinson, Weber, Whaley, Wolfe and Woolson—10.

The nays were:

Senators Bayless, Bolter, Carr, Chesebro, Chubb, Deal, Dodge, Donnan, Duncan, Earle, Gatch, Hendrie, Johnson, McDonough, Reiniger, Scott, Stephens, Sweney, Underwood, Whiting and Wilkin—21.

Absent or not voting:

Senators Bloom, Caldwell, Carson, Casey, Cassatt, Clark, Dooley, Gault, Glass, Henderson, Knight, McCoy, Miles, Parrott, Poyneer, Ryder, Schmidt, Sutton and Young—19.

So the amendment to the amendment was not agreed to.

Pending the amendment by Senator Chubb Senator Chambers moved to strike enacting clause.

Carried.

On motion of Senator Whiting House File No. 517, a bill for an act authorizing certain cities to fund certain outstanding indebtedness, with report of committee recommending amendments, and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Whiting 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, Bolter, Burdick, Carr, Chambers, Chesebro, Chubb, Deal, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Glass, Hendrie, Hutchison, Johnson, McCoy, McDonough, Scott, Stephens, Sutton, Sweny, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—33.

The nays were, none.

Absent or not voting :

Senators Bloom, Caldwell, Carson, Casey, Cassatt, Clark, Dooley, Gault, Henderson, Knight, Miles, Parrott, Poyneer, Reiniger, Robinson, Ryder and Schmidt—17.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 643, a bill for an act to legalize the acts of H. G. Crestler, a justice of the peace in and for Union township, Van Buren 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 the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 381, a bill for an act to provide for a settlement with the board of commissioners charged with the execution of the provisions of law in respect to the erection of the capitol, to require each member of said board, except the Governor, to execute new bonds and to limit the liability of sureties on the bonds heretofore given, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

1. By striking out the word "fifty" in line 9, of section 1, and inserting in lieu thereof "twenty-five."

2. By inserting between the words "the" and "day" in line 14, of the same section, the word "first", and filling the blank in the same line with the word "May."

3. By filling the first blank in the last line of the same section with the word "first", and the other blank in said line with the word "May."

4. By filling the first blank in section 2, with the word "first" and the second blank in said section with the word "May."

5. By filling the first blank in the last line of said section 2, with the word "first" and the last blank in said section with the word "May."

6. By filling the first blank in line 17, of section 3, with the word "thirtieth" and the other blank in the same line with the word "April."

7. By filling the blank in line 20 of said section 3 with the word "first," and the blank in the last line of said section with the word "May."

8. By filling the first blank in section 5 with the word "first," and the second blank in said section with the word "May."

And that as thus amended the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Senator Burdick, from the Committee on Banks, submitted the following report:

MR. PRESIDENT—Your Committee on Banks to whom was referred Senate File No. 231, a bill for an act to amend an act to provide for the organization and management of savings banks, approved March 21, 1874, and to provide for a change and reorganization of such banks under the general incorporation laws of the State, 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.

T. W. BURDICK, *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. 378, a bill for an act to increase the support fund of the boys' department of the Iowa 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 be indefinitely postponed.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 338, a bill for an act to repeal section 2740 of the Code, and enact a substitute therefor, regarding the manner of trial of issues, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

On motion of Senator Glass Senate File No. 274, a bill for an act to legalize the official acts of the town council of the incorporated town of Forest City, with report of committee recommending amendments

and that it do pass, was taken up, considered, and the report of the committee was adopted

Senator Glass 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, Bloom, Burdick, Carr, Chubb, Deal, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Glass, Hendrie, Hutchison, Johnson, McCoy, McDonough, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—31.

The nays were, none.

Absent or not voting:

Senators Bayless, Bolter, Caldwell, Carson, Casey, Cassatt, Chambers, Chesebro, Clark, Dooley, Gault, Henderson, Knight, Miles, Parrott, Poyneer, Ryder, Schmidt and Sweeney—19.

So the bill passed and the title was agreed to.

INTRODUCTION OF BILLS.

By Senator Hutchison, from the Committee on Ways and Means: Senate File No. 391, a bill for an act to provide for assessment and taxation of telephone lines in Iowa.

Passed on file.

Also from same committee:

Senate File No. 392, a bill for an act to repeal section 1848, of chapter 12, Code of 1873, relating to the sale of school lands.

Passed on file.

On motion of Senator Robinson, House File No. 382, a bill for an act to amend section 1144, of the Code of 1873, relating to foreign insurance companies, with report of committee recommending amendments and that the bill do pass, was taken up, considered, and the report of the committee was adopted.

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

Senator Deal moved to reconsider vote by which bill was ordered to a third reading.

Carried.

On the question, shall the Senate adjourn, the yeas prevailed and the Senate adjourned to Monday at 2 P. M.

SENATE CHAMBER,
DES MOINES, IOWA, March 29, 1886. }

The Senate met in regular session at 2 P. M.

President of the Senate in chair.

Prayer by Rev. E. N. Mell.

The journal of the previous day was read in part and reading dispensed.

PETITIONS.

On motion Senators Parrott and Dooly were excused for the day.

Senator Sweney presented petition relative to locating soldiers' home.

Referred to Committee on Military.

Senator Burdick presented petition relative to location of soldiers' home.

Referred to Committee on Military.

Senator Reiniger presented petition relative to soldiers' home location.

Referred to Committee on Military.

REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined:

Senate File No. 6, a joint resolution proposing to amend section one (1) of article two (2) of the Constitution of the State of Iowa.

Senate File No. 136, a bill for an act to facilitate transportation, by the better protection of railways, against blockades by snow.

And find the same correctly engrossed.

JOHNSON, *Chairman.*

On motion of Senator Chambers, House File No. 257, a bill for an act requiring banking corporations to incorporate the word State in their corporate name, etc., with report of committee recommending that it do pass, was taken up.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bolter, Caldwell, Carr, Chambers, Chesebro, Chubb, Clark, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Hendrie, Hutchison, McCoy, McDonough, Poyneer, Reiniger, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Whaley, Whiting, Wilkin and Wolfe—33.

The nays were, none.

Absent or not voting:

Senators Bloom, Burdick, Carson, Casey, Cassatt, Deal, Dooley,

Gault, Glass, Henderson, Johnson, Knight, Miles, Parrott, Weber, Woolson and Young—17.

So the bill passed and the title was agreed to.

On motion of Senator Donnan Senate File No. 136, a bill for an act to facilitate transportation by the better protection of railways against blockades by snow, was taken up, and the bill was read a third time.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Caldwell, Chambers, Chubb, Clark, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Henderson, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Poyneer, Reiniger, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Wolfe and Woolson—34.

The nays were:

Senators Carr and Chesebro—2.

Absent or not voting:

Senators Bloom, Bolter, Burdick, Carson, Casey, Cassatt, Deal, Dooley, Gault, Glass, Knight, Parrott, Whiting and Young—14.

So the bill passed and the title was agreed to.

Senator Sutton, from Committee on Appropriations submitted, following statement:

SENATE COMMITTEE'S APPROPRIATIONS.—TOTAL, \$439,750.

Senate File No. 44, Mt. Pleasant Hospital—	
Contingent fund.....	\$ 6,000
Senate File No. 118, State University—	
Support fund to June 30, 1886.....	\$ 20,000
Support fund from June 30, 1886, to June 30, 1888.....	30,000
Dental equipment.....	2,000
Total.....	\$ 52,000
Senate File No. 119, Co. I, 4th Regiment I. N. G.—	
Deficiency.....	\$.....
Senate File No. 371, Independence Hospital—	
New cottage.....	\$ 40,000
Addition.....	10,000
Changes in heating.....	3,000
Basement and attics.....	2,000
Repair and contingent.....	6,000
Total.....	\$ 61,000
Senate File No. 145, Clarinda Hospital—	
Protecting work.....	\$ 10,000
Senate File No. 260, Feeble-Minded Institute—	
Beds and bedding.....	\$ 1,000
Improving new building.....	5,000
Musical instruments.....	400
Library and surgery.....	200
Steam pumps.....	600
Repair and contingent.....	4,000
Total.....	\$ 11,200

Senate File No. 186, Ft. Madison Penitentiary—	
Transporting convicts.....	2,200
New Boiler.....	1,000
Solitary.....	1,000
Contingent and repair.....	7,500
Total.....	\$ 11,700
Senate File No. 47, Orphans' Home—	
Two cottages.....	\$ 6,000
Library.....	250
Organs.....	200
Contingent fund.....	2,500
Total.....	\$ 8,950
Senate File No. 275, Girl's reform School—	
Steam heating.....	\$ 1,000
Repairing roof.....	1,000
Library.....	100
New Organ.....	100
Trees and shrubbery.....	50
Bath tubs and plumbing.....	200
Sunday suits.....	500
Total.....	\$ 2,950
Senate File No. 188, Boys' Reform School—	
Fourth story main building.....	\$ 3,000
Laundry machine.....	500
Furniture for Hospital.....	500
Cooking range.....	300
Steam kettles.....	200
Bake oven.....	500
Steam heating.....	500
Library.....	250
Contingent fund.....	3,000
Total.....	\$ 8,750
Senate File No. 360—	
New Capitol.....	\$.....
Senate File No. 215—	
Iowa catalogues.....	\$.....
Senate File No. 180, Deaf and Dumb Institute—	
Kitchen.....	\$ 3,000
Supply pipe.....	200
Furniture.....	250
Repairs.....	1,000
Total.....	\$ 4,450
Senate File No. 193, New Orleans Exposition—	
Refunding notes.....	\$ 16,019
Interest on same.....	1,220
Woman's department fund.....	250
Refunding commissioner.....	2,511
Total.....	\$ 20,000
Senate File No. 322, Benedict Home—	
Support.....	\$ 2,000
Senate File No. 366—	
Prisoners' Aid.....	\$.....

Senate File No. 123, Agricultural College—

New engine	\$ 2,800
Repairing laboratory.....	500
General repairs	2,500
Total	\$ 5,800

Senate File No. 238, Blind College—

Repairing roof	\$ 500
Repairing porches, etc.....	225
Cement work.....	874
New stairs.....	3,000
New floor.....	775
Repairs, outside work.....	325
Cisterns.....	500
Painting.....	1,100
Contingent.....	3 000
Total.....	\$ 10,200

Senate File No. 208, Normal Schools—

Salaries.....	\$ 21,600
Apparatus.....	100
Steam heating.....	200
Repairs and fire escapes.....	1,000
Coal sheds.....	200
Sewerage.....	150
Contingent.....	2,000
Total.....	\$ 25,250

Fish Commission.....	\$.....
Soldiers' Home.....	100,000
Mt. Pleasant wing.....	100,000

The special order being on appropriation bills on calendar, Senate Files Nos. 44, 119 and 118 were taken up placed on file, to follow all special orders.

On motion of Senator Donnan, Senate File No. 371, a bill for an act to authorize the building of an additional cottage adjacent to the Iowa Hospital for the Insane at Independence, with report of Committee recommending amendments and 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 Barrett, Bayless, Bolter, Caldwell, Carr, Chambers, Chesebro, Chubb, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Henderson, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wolfe, Woolson and Young—36.

The nays were, none.

Absent or not voting:

Senators Bloom, Burdick, Carson, Casey, Cassatt, Clark, Deal, Dooley, Gault, Glass, Knight, Parrott, Reiniger and Wilkin—14.

So the bill passed and the title was agreed to.

Senate File No. 145, a bill for an act to provide for carrying on the

work and construction of the additional hospital for the insane in southwestern Iowa, and appropriating funds therefor, with report of committee recommending substitute and that it do pass was taken up.

Senator Clark moved to postpone consideration of Senate File No. 145 to 10:30 to-morrow and made special order at that hour.

Carried.

On motion of Senator Hendrie Senate File No. 260, a bill for an appropriation for the Institution for Feeble-minded children at Glenwood, with report of committee recommending amendments, and that it do pass, was taken up and adopted.

Senator Hendrie moved that this bill follow consideration of special order on Senate File No. 145.

Carried.

Senate File No. 186, a bill for an act making appropriations for the Penitentiary at Fort Madison, with report of committee recommending that it do pass, was taken up, and, on motion of Senator Wilkin, was made special order to follow consideration of Senate File No. 260.

Senate File No. 47, a bill for an act to appropriate funds to furnish buildings, buy lands and make improvements for the Soldiers' Orphans' Home and Home for Indigent Children at Davenport, Iowa, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Schmidt 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, Burdick, Caldwell, Carr, Chambers, Clark, Deal, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Henderson, Hendrie, Hutchison, Johnson, McCoy, McDonough, Poyneer, Reiniger, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—35.

The nays were, none.

Absent or not voting:

Senators Bayless, Bloom, Bolter, Carson, Casey, Cassatt, Chesebro, Chubb, Dooley, Gault, Glass, Knight, Miles, Parrott, and Ryder—15.

So the bill passed.

Senator Sutton moved to strike "and buy land" from title.

Carried.

So title was agreed to.

INTRODUCTION OF BILLS.

By Committee on Appropriation, Senate File No. 393, a bill for an act making an appropriation for the Hospital for the Insane at Independence.

Senator Sutton moved to take up Senate File No. 393 now.

Carried.

Senator Burdick moved that item of "\$2,000 for basement and attic" be stricken from the bill.

Lost.

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 Barrett, Bayless, Burdick, Caldwell, Chambers, Clark, Deal, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Henderson, Hutchison, Johnson, McCoy, McDonough, Miles, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Whaley, Wilkin, Wolfe, Woolson and Young—32.

The nays were:

Senators Bolter, Chesebro, Chubb, Hendrie and Whiting—5.

Absent or not voting:

Senators Bloom, Carr, Carson, Casey, Cassatt, Dooley, Gault, Glass, Knight, Parrott, Reiniger, Ryder and Weber—13.

So the bill passed and the title was agreed to.

On motion of Senator Hutchison, Senate File No. 275, a bill for an act making appropriation for the girls' department of the Iowa Industrial School at Mitchellville, Iowa, with report of committee recommending amendments and that it do pass was recommitted.

Senate File No. 188, a bill for an act making appropriation for the Iowa Industrial School, boys' department, at Eldora, Iowa, with report of committee recommending amendments and that it do pass, was taken up.

Senator Underwood moved to amend amendments reported by committee, by striking out words "\$3,000," and inserting words "\$3,745," and word "furnishing."

Lost.

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 Barrett, Bayless, Bolter, Burdick, Caldwell, Carr, Casey, Cassatt, Chambers, Chubb, Clark, Deal, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Henderson, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Poyneer, Robinson, Schmidt, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Woolson—38.

The nays were, none:

Absent or not voting:

Senators Bloom, Carson, Chesebro, Dooley, Gault, Glass, Knight, Parrott, Reiniger, Ryder, Sutton and Young—12.

So the bill passed and the title was agreed to.

Senator Sweney moved that by unanimous consent Senate File No. 393 be considered as reported by the committee.

Senator Sutton moved that Senate File No. 44 be indefinitely postponed.

Carried.

Senate File No. 360, a bill for an act making an appropriation to complete and furnish the new capitol, and to improve the grounds,

with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 215, a bill for an act to appropriate the sum of twenty-five hundred dollars for the payment of the claim of J. P. Bushnell & Co., for 5,000 copies of the publication "Iowa Resources and Industries," with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

Senate File No. 130, a bill for an act making appropriations for the Institution for the Deaf and Dumb at Council Bluffs, with report of committee recommending amendments and that 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 Barrett, Bayless, Bolter, Burdick, Caldwell, Carr, Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Woolson—39.

The nays were, none.

Absent or not voting :

Senators Bloom, Carson, Dooley, Gault, Glass, Henderson, Knight, Parrott, Reiniger, Ryder and Young—11.

So the bill passed and the title was agreed to.

Senate File No. 193, a bill for an act to appropriate money to defray the indebtedness incurred and to be incurred in making an exhibit of the resources and industries of Iowa, at the World's Industrial and Cotton Centennial Exposition, and at the North, Central and South American Exposition, with report of committee recommending amendments and that it do pass, was taken up, and on motion consideration was postponed as special order, to follow Senate File No. 186.

Senate File No. 322, a bill for an act for an appropriation for Benedict Home, with report of committee recommending amendments, and that it do pass, was taken up, and on motion of Senator Sutton, was made special order to follow Senate File No. 193.

Senate File No. 366, a bill for an act making appropriation for the Prisoners' Aid Society, with report of committee recommending that it do not pass, was taken up, considered, and the report of the committee was adopted.

Senate File No. 123, a bill for an act making appropriation for repairs and improvements on the Iowa State Agricultural College and Farm, with report of committee recommending amendments and that 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 Barrett, Bayless, Bolter, Burdick, Caldwell, Carr, Casey, Cassatt, Chambers, Chesebro, Chubb, Deal, Dodge, Donnan, Doud, Earle, Gatch, Henderson, Hendrie, Hutchison, McCoy, McDonough, Miles, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—38.

The nays were, none.

Absent or not voting:

Senators Bloom, Carson, Clark, Dooley, Duncan, Gault, Glass, Johnson, Knight, Parrott, Reiniger and Ryder—12.

So the bill passed and the title was agreed to.

Senate File No. 238, a bill for an act making an appropriation for the College for the Blind at Vinton, with report of committee recommending amendments and that 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 Barrett, Bolter, Burdick, Caldwell, Carr, Casey, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Doud, Duncan, Earle, Gault, Henderson, Hendrie, Hutchison, McCoy, McDonough, Miles, Poyneer, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—36.

The nays were, none:

Absent or not voting:

Senators Bayless, Bloom, Carson, Cassatt, Chambers, Dooley, Gatch, Glass, Johnson, Knight, Parrott, Reiniger, Ryder and Schmidt—14.

So the bill passed and the title was agreed to.

Senator Sweeney moved to reconsider vote by which bill passed and also vote by which it was ordered to a third reading.

Carried.

Senator Sweney moved to strike the words "and any money remaining unexpended after making improvements herein contemplated," etc.

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 Barrett, Bolter, Burdick, Caldwell, Carr, Casey, Chambers, Chesebro, Chubb, Deal, Dodge, Donnan, Doud, Duncan, Earle, Gault, Henderson, Hendrie, McCoy, McDonough, Miles, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—36.

The nays were, none.

Absent or not voting:

Senators Bayless, Bloom, Carson, Cassatt, Clark, Dooley, Gatch, Glass, Hutchison, Johnson, Knight, Parrott, Reiniger and Ryder—14.

So the bill passed and the title was agreed to.

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

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 208, a bill for an act making appropriations for the State Normal School at Cedar Falls, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that the accompanying amendment be adopted and when adopted that the bill do pass.

Amend section 1.

Strike from section 1 all appropriation items and insert:

For salaries, \$21,600.

For apparatus, \$100.

For steam heating, \$200.

For repairs and fire escapes, \$1,000.

For coal sheds, \$200.

For sewerage, \$150.

For contingent fund, \$2,000.

Amend section 2 by adding:

Provided, That not more than one-half of the total amount so appropriated shall be drawn during the year 1886.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Senate File No. 208, a bill for an act making appropriation for State Normal School at Cedar Falls, with report of committee recommending amendments and that 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 Barrett, Burdick, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Deal, Dodge, Donnan, Doud, Duncan, Earle, Gault, Henderson, Hendrie, Hutchison, McCoy, McDonough, Miles, Poyneer, Robinson, Scott, Stephens, Sutton, Sweeney, Underwood, Weber, Whaley, Wilkin, Wolfe, Woolson and Young—35.

The nays were, none.

Absent or not voting:

Senators Bayless, Bloom, Bolter, Cassatt, Clark, Dooley, Gatch, Glass, Johnson, Knight, Parrott, Reiniger, Ryder, Schmidt and Whiting—15.

So the bill 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 Senate File No. 343, 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 prepared a substitute there-

for, 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. 343, a bill for an act making appropriation for the State Fish Commission, with report of committee recommending a substitute and that it be adopted, was taken up, and Senator Poyneer moved that the bill be committed to the Committee on Fish and Game.

On this the yeas and nays were demanded.

The yeas were:

Senators Chambers, Donnan, Duncan, Gault, Hendrie, McDonough, Poyneer, Scott, Stephens, Sutton, Sweney and Woolson—12.

The nay were:

Senators Barrett, Bayless, Bolter, Burdick, Caldwell, Carr, Carson, Chesebro, Chubb, Clark, Deal, Dodge, Doud, Earle, Henderson, Hutchison, Miles, Robinson, Ryder, Schmidt, Underwood, Whiting, Wilkin, Wolfe and Young—25.

Absent or not voting:

Senators Bloom, Casey, Cassatt, Dooley, Gatch, Glass, Johnson, Knight, McCoy, Parrott, Reiniger, Weber and Whaley—13.

So the motion to refer 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. 672, to legalize ordinances and acts of the town council of Gowrie, Webster county, Iowa.

Also, the House has passed without amendment Senate File No. 155, relating to indebtedness of corporations.

J. K. POWERS, *Chief Clerk.*

The question recurring upon the substitute, Senator Chambers moved to strike out section 2.

Pending this Senator Sutton moved to commit to Committee on Appropriations.

Carried.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 377, a bill for an act to amend section 1656 of the Code, and requiring courts or judges to fix time of terms of commitment to the industrial schools, and requiring the release or discharge of persons committed to such schools when such terms expire, beg leave to report that they have had the same under con-

sideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 247, a bill for an act to amend sections 3861, 3865 and 3866 of the Code, in relation to offense against life and person, beg leave to report that they have had 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 another bill relating to the same matter has been favorably reported.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 242, a bill for an act to provide an additional method for the taking of depositions in civil and criminal causes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the accompanying substitute be adopted, and when adopted that it do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 655, a bill for an act to legalize the official acts of the town council and incorporated town of Dexter, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by adding to section 1 the following words: "In regard to suspending the rules, reading the ordinances on recording the yeas and nays on votes taken, and signing records and ordinances passed"; and that as thus amended the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 613, a bill for an act to legalize the acts of the board of school directors of the district township of Fairfield, Buena Vista county, in redistricting the 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 with the recommendation that section 1 thereof be amended by striking out all after the word "valid," in line seven, and inserting in lieu thereof the following words: "To the same extent as though each of said subdistricts had contained not less than fifteen pupils on said date"; and that as thus amended the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 602, a bill for an act to legalize the revised ordinances of the town of Ida Grove, 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 be amended in section 1 by striking out all thereof after the word "valid," and inserting the words: "To the same extent, and with the same effect, as though said ordinances had been published as provided by law."

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 424, a bill for an act to amend sections 3861, 3865 and 3866 of the Code of 1873, in relation to offense against the life and person, beg leave to report 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 do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House Joint Resolution No. 11, Joint Resolution proposing to amend section sixteen (16) of article three (3) of the Constitution of the State, in reference to the veto of general appropriation bills, beg leave to report that they 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 "following words," in line 8, and inserting in lieu thereof the following: "If any bill presented to the Governor contain several distinct items of appropriation of money, he may object to one or more of such items while approving of the other portions of the bill. In such case he shall append to the bill, at the time of signing it, a statement of the item or items to which he objects, and no appropriation so objected to shall take effect, unless the same be repassed, notwithstanding the Governor's objections. If the General Assembly be in session, the Governor shall transmit a copy of such statement, with his objections, to the House in which the bill originated, which shall enter the same upon the journal. If one or more of such items again pass both Houses by a majority of two-thirds of the members of each House, the same shall become a part of the law notwithstanding the objections of the Governor.

"Resolved further, That the foregoing proposed amendment be and the same is hereby referred to the Legislature to be chosen at the next general election for members of the General Assembly." And that as thus amended the joint resolution do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Senator Sweney, from the Committee on Railroads, submitted the following report.

MR. PRESIDENT—Your Committee on Railroads to whom was referred substitute for House Files Nos. 8, 24, 49, 70, 122, 159 and 384, a bill for an act to make the railroad commissioners elective, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. H. SWENEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Railroads, to whom was referred substitute for House File No. 127, a bill for an act requiring railroads to fence their tracks, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

J. H. SWENEY, *Chairman.*

Order 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:

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

Senate Files Nos. 342, 273, 337 and 154.

J. K. POWERS, *Chief Clerk.*

REPORT OF COMMITTEE.

Senator Deal, 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. 342, a bill for an act authorizing the Governor to convey or grant right of way through certain State lands.

Senate File No. 273, a bill for an act to allow underground tile drain across public highways, and defining the duties of road supervisors relating to the same, and repeal section 1225, chapter 2, title 10, of the Code of Iowa.

Senate File No. 337, a bill for an act relating to the qualification of county and township officers.

Senate File No. 154, a bill for an act to regulate the organization and operation of mutual benefit associations.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

The Senate considered special order, it being on Senate File No. 359, a bill for an act to provide for the assessment of mortgages or of mortgaged property and to prevent double assessment

And, Senate File No. 309, a bill for an act to repeal section 814,

chapter 1, title 6, of the Code, relating to the deduction of debts owing, from credits, before assessment on moneys and credits, with report of committee, were taken up, considered, and the report of the committee was adopted.

Senator Sutton moved to amend as follows: Strike out all after the word "be" in the second line, and insert the following: "amended by striking out the words "moneys and credits" in the first line of said section, and insert instead thereof the words "taxable property."

Senator Stephens moved to lay the amendment on the table.

On this question the yeas and nays were called for.

The yeas were:

Senators Bayless, Bolter, Burdick, Carr, Casey, Donnan, Henderson, Miles, Scott, Stephens, Whaley and Woolson—12.

The nays were:

Senators Caldwell, Carson, Cassatt, Chambers, Chubb, Clark, Deal, Dodge, Doud, Duncan, Earle, Gatch, Gault, Hendrie, Hutchison, McCoy, McDonough, Poyneer, Robinson, Ryder, Sutton, Sweney, Underwood, Weber, Whiting, Wilkin, Wolfe and Young—28.

Absent or not voting:

Senators Barrett, Bloom, Chesebro, Dooley, Glass, Johnson, Knight, Parrott, Reiniger and Schmidt—10.

So the motion to table was not agreed to.

Senator Burdick filed motion to reconsider vote by which substitute for Senate File No. 53 and Senate File No. 93 was lost by striking enacting clause, and the vote by which the amendments were adopted.

Senator Robinson moved to commit bill to Ways and Means Committee.

The yeas and nays were demanded.

The yeas were:

Senators Bayless, Bolter, Burdick, Carr, Casey, Chesebro, Deal, Dodge, Donnan, Doud, Gatch, Glass, Henderson, Poyneer, Reiniger, Robinson, Scott, Weber and Whaley—19.

The nays were:

Senators Caldwell, Carson, Cassatt, Chambers, Chubb, Clark, Duncan, Earle, Gault, Hendrie, McDonough, Miles, Ryder, Stephens, Sutton, Sweney, Underwood, Whiting, Wilkin, Wolfe, Woolson and Young—22.

Absent or not voting:

Senators Barrett, Bloom, Dooley, Hutchison, Johnson, Knight, McCoy, Parrott and Schmidt—9.

So the motion to commit was not agreed to.

INTRODUCTION OF BILLS.

By Senator Whiting, Senate File No. 394, a bill for an act to legalize the levy of certain taxes in the county of Woodbury.

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

By Senator Young, Senate File No. 395, a bill for an act for prevention of overcharge and extortion by railroads and to amend chapter 13, laws of the Seventeenth General Assembly.

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

By Senator Sweney, Senate File No. 396, a bill for an act to provide for better protection of trainmen and railway employes by blocking switches, frogs and guard rails.

Passed on file.

REPORT OF COMMITTEE.

Senator Deal, 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. 242, a bill for an act authorizing the Governor to convey or grant right of way through certain State lands.

Senate File No. 273, a bill for an act to allow underground tile drain across public highways, and defining the duties of road supervisors relative to the same, and repeal section 1225, chapter 2, title 10, of Code of Iowa.

Senate File No. 337, a bill for an act relating to the qualification of county and township officers.

Senate File No. 154, a bill for an act to regulate the organization and operation of mutual benefit associations.

JNO. K. DEAL, *Chairman.*

On motion of Senator Duncan Senate Files Nos. 309 and 359, with pending amendment, were made special order for to-morrow after reading of journal.

RESOLUTION.

Senator Wilkin offered the following resolution:

Resolved, That Senators Robinson, Hutchison, Woolson, McCoy, Burdick, Wolfe and Whiting are hereby appointed as sifting committee, to whom all pending bills, except those on third reading and on special order or appropriation bills, shall be referred for classification.

Senator Burdick moved to amend that the committee be appointed by the chair, and consist of eleven members.

Senator Weber moved to amend that not more than two members of one standing committee be on the sifting committee.

Senator Duncan moved to lay on table with pending amendments.

Carried.

The Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, March 30, 1886. }

The Senate met in regular session at 10 A. M.

The President of the Senate in the chair.

Prayer by Rev. Thos. Morrill.

The journal of the previous day was read, corrected and approved.

BILLS ON SECOND READING.

House File No. 575, a bill for an act to repeal chapter 162, acts of the Twentieth General Assembly, relating to soldiers' monuments and memorials, etc.

Read a first and second time.

On motion of Senator Sweney 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, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Gault, Henderson, Hendrie, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—43.

The nays were, none.

Absent or not voting:

Senators Bayless, Cassatt, Chambers, Dooley, Glass, Johnson, and Knight—7.

So the bill passed and the title was agreed to.

Senator Duncan moved to postpone the regular order at this hour until Senate Files Nos. 309 and 359 were disposed of.

Adopted.

PETITION.

Senator Caldwell presented petition of Redfield Post No. 26, G. A. R., at Perry, Dallas county, Iowa, relative to making an appropriation for a soldiers' home.

Referred to Committee on Military.

Senator Knight asked leave to have his vote recorded in the negative on the following: on the vote by which the substitute was adopted for House File No. 213, on the question of suspending the rule to pass the bill, and on the vote by which the bill was ordered engrossed.

Granted.

The hour having arrived for the consideration of the special order it being Senate File No. 309, a bill for an act to repeal section 814, chapter 1, title 6 of the Code, relating to the deduction of debts owing from credits before assessments on money and credits with report of committee without recommendation, was taken up and considered.

Senator Sutton withdrew the amendment by him pending.

On the question shall the bill be engrossed and read a third time to morrow. The yeas and nays were called for.

The yeas were:

Senators Barrett, Carr, Carson, Chambers, Chubb, Clark, Dodge, Duncan, Earle, Gault, Hendrie, Johnson, Knight, McDonough, Poyneer, Ryder, Sutton, Whiting, Wolfe and Young—20.

The nays were:

Senators Bolter, Burdick, Caldwell, Casey, Chesebro, Deal, Donnan, Dooley, Gatch, Henderson, Hutchison, McCoy, Miles, Robinson, Schmidt, Scott, Stephens, Sweney, Underwood, Weber and Whaley—21.

Absent or not voting:

Senators Bayless, Bloom, Cassatt, Doud, Glass, Parrott, Reiniger, Wilkin and Woolson—9.

So the bill was lost on engrossment.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has passed subject for Senate File No. 78, relating to county attorneys, their duties and compensation, with amendment.

J. K. POWERS, *Chief Clerk.*

Senate File No. 359, a bill for an act to provide for the assessment of mortgages or of mortgaged property and to prevent double assessment, with report of committee recommending amendments and do pass, was taken up, considered, and the report of the committee was adopted.

Senator Burdick moved to amend as follows: "In listing add to section 1, real estate in all cases where the same is to be assessed to a non-resident, owner, or assessed to an owner unknown, the assessor shall consult the records of mortgages in the county where the land is situate and shall be governed by such records in listing and assessing such real estate as herein provided."

Senator Bolter moved to recommit the bill to the Committee on Ways and Means.

On this the yeas and nays were demanded.

The yeas were:

Senators Bolter, Chesebro, Donnan, Gatch, Poyneer, Reiniger, Robinson, Schmidt, Scott, Stephens, Underwood, Weber and Whaley—13.

The nays were:

Senators Bayless, Bloom, Carr, Casey, Chambers, Chubb, Clark, Dodge, Dooley, Doud, Duncan, Earle, Gault, Hendrie, McCoy, McDonough, Sutton, Whiting, Wilkin, Wolfe and Young—21.

Absent or not voting:

Senators Barrett, Burdick, Caldwell, Carson, Cassatt, Deal, Glass, Henderson, Hutchison, Johnson, Knight, Miles, Parrott, Ryder, Sweney and Woolson—16.

So the bill was not recommitted.

Senator Sutton moved to reconsider the vote by which the committee amendments were adopted.

Carried.

Senator Sutton moved to amend as follows, insert after the word estate in line 3, section 1, the following, "to the amount of his mortgage, and the mortgagor."

Adopted.

The question recurring upon the amendment offered by Senator Burdick, it was adopted.

Senator Reiniger moved to amend as follows, add to section 1: "It shall be the duty of the owner of the real estate who claims that the same is mortgaged to furnish to the assessor at the time the real estate is assessed for taxation a sworn statement showing the amount thus due or to become due on the mortgage, and the name and place of residence of mortgagee, in order to be entitled to the benefits of this act.

Adopted.

Senator Burdick moved to amend as follows: "Provided that in assessing the interest of any mortgagee in any real estate as herein provided there shall be deducted the assessed value of all prior mortgagee's interest therein.

On motion of Senator Underwood, Senate adjourned until 2 P. M., to-day.

AFTERNOON SESSION.

2 O'CLOCK.

The Senate met in regular session at 2 P. M.

The President of the Senate in the chair.

Senator Sutton moved to take up Senator File No. 322, a bill for an act for appropriation for the Benedict Home, with report of committee recommending amendments, and do pass, and that when this is disposed of the Senate do take up the special order, it being Senate File No. 359.

So the Senate took up Senate File No. 322, and the amendments recommended by the committee were 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 Bayless, Bloom, Bolter, Caldwell, Carson, Casey, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Henderson, Hendrie, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Woolson—37.

The nays were, none.

Absent or not voting:

Senators Barrett, Burdick, Carr, Cassatt, Chambers, Chesebro, Chubb, Glass, Johnson, Knight, Ryder, Schmidt and Young—18.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Deal, 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. 155, a bill for an act to amend section 1061 of the Code of 1873, relating to the indebtedness of incorporations.

Substitute for House Files Nos. 171 and 173, a bill for an act making an appropriation for erecting an additional wing to the Iowa Hospital for the Insane at Mt. Pleasant, for female patients, and for the support of said hospital.

DEAL, *Chairman,*

Senator Deal submitted the following report:

To the Hon. President of the Senate and Speaker of the House of Representatives:

Your committee appointed to investigate the expenditure of the appropriation made to the State Agricultural Society for the purchase of permanent fair grounds for said society, would respectfully report as follows:

First—We find by deed of conveyance to the State that two hundred and sixty-five and 90 100 acres were purchased for the said purpose, located in sections 5 and 6, township 78, range 23, and lying east of the city of Des Moines, Polk county, Iowa. Two hundred and sixty-two and 90-100 acres of said land were purchased at a cost of \$175.00 per acre, and three acres at a cost of \$333 $\frac{1}{2}$ per acre; making the total expenditure for the land \$47,009.25, leaving an unused balance of \$2,990.75.

Second—Your committee personally visited and examined the land herein mentioned. It consists of about one hundred and forty acres of prairie, and the balance is high rolling land covered with natural forest trees. There are three dwelling houses and one large frame barn on the tract, and we consider that the tract is well adapted for the purpose for which it was purchased.

Third—In the matter of cash or property which the act of the Twentieth General Assembly required to be contributed by the city or locality where the said permanent fair grounds should be located, your committee would report that the city of Des Moines, Iowa, near which said fair grounds have been located, has paid into the hands of the Treasurer of said Agricultural Society, in cash, the sum of \$11,102.00, and said society also holds \$44,618.75 of unpaid subscription for cash, labor, and materials; \$25,000.00 of which, made by banks and railroad companies, we are informed, is ready to be paid on call of the Treasurer of the society. The whole subscription being considered as good by several leading citizens of Des Moines.

We are of the opinion that the subscription is good for the \$50,000.00 required by the act making the appropriation for said permanent fair grounds.

Fourth—We would recommend that the unused portion of said appropriation, amounting to \$2,990.75, be not paid over to the Agricultural Society until the Treasurer of said society shall file with the Auditor of State, a certificate that the full amount of the \$50,000.00, required by the act to be paid by the city where said grounds should be located, has been paid to said Agricultural Society.

JNO. K. DEAL,

F. D. BAYLESS,

Committee on the part of the Senate.

W. G. AGNEW,

JNO. KILLEN,

Committee on the part of the House.

Senator Scott, from the Committee on Investigation of the Capitol Building Expenditures, submitted the following report:

To the Twenty-first General Assembly of the State of Iowa:

GENTLEMEN—Your Committee to whom was referred joint resolution requiring to Investigate Capitol Building Expenses, would say that in compliance with said resolution that they have made a full investigation and beg leave to make the following report:

Amount on hand at last report	\$ 7,605.57
Amount appropriated by the Twentieth General Assembly	361,500.00
Total	<u>\$369,105.57</u>

Amount expended for salaries	\$ 22,861.00
Amount expended for plans for capitol grounds	1,883.70
Amount expended for Capitol Commissioners	2,197.20
Amount expended for labor, material, furniture, etc	299,348.52
Balance unexpended	43,315.15
	<u>\$369,105.57</u>

STREET IMPROVEMENTS.

Appropriation	\$ 28,000.00
	<u>\$ 28,000.00</u>

Amount expended	\$ 19,822.89
Amount unexpended	8,177.11
Total	<u>\$ 28,000.00</u>

Cash in hands of Capitol Commissioners, last report	\$ 3,055.77
To cash received from sale of refused material and old machinery	718.48
Total	<u>\$ 3,774.20</u>

BALANCE

To amount unexpended of capitol building fund.....	\$ 48,815.15
To amount of street improvement appropriation.....	8,177.11
To amount of cash on hand for refused material and machinery sold	3,774.20

Total amount on hand and unexpended.....\$ 55,266.46

The following sheets will show for what purpose the money appropriated was expended:

ACCOUNT OF STREET IMPROVEMENTS AND GROUNDS.

DATE.	No of Voucher.	TO WHOM PAID.	AMOUNT.
1886.			
January	43946	J. G. Foote, to street improvement.....	\$ 55.37
January	43947	J. G. Foote, to street improvement.....	144.79
January	43948	J. G. Foote, to street improvement.....	30.00
January	43953	Hugh Miller, to grading	3,575.29
January	43953	S. Green & Son, to curbing	2,912.83
January	43953	J. B. Smith & Co., to paving.....	10,539.00
January	43953	To interest, no receipt.....	253.72
January	53964	Iron Pipe and Tile Co., to drain tile.	17.50
January	63973	Iowa State Register, to advertising.....	2.40
January	63979	H. V. King, to excavating.....	2,291.90
		Cash on hand.....	8,177.11
		Total.....	\$ 28,000.00

EXPENSES OF CAPITOL GROUNDS.

DATE.	No of Voucher.	TO WHOM PAID.	AMOUNT.
1884.			
November	63721	B. R. Sherman, to traveling expenses.....	\$ 157.00
December	43725	P. A. Dey, to committee expenses.....	65.00
1885.			
January	63751	A. N. Prentiss, to plans, etc.....	550.00
February	283811	J. Weidenman, to sketching.....	239.00
May	63866	B. Schreiner, to ground improvements.....	12.00
1886.			
January	43952	J. Weidenman, to cash.....	260.20
February	43989	J. Weidenman, to ground improv'mts, services	660.50
		Total.....	\$ 1,883.70

EXPENSES OF CAPITOL COMMISSIONERS.

R. S. Finkbine.....	\$ 521.85
John G. Foote.....	420.50
Peter A. Dey.....	427.00
Cyrus Foreman.....	827.85
Total.....	\$ 2,197.20

TOTAL EXPENSE FOR SALARIES.

R. S. Finkbine.....	\$ 7,995.50
Ed Wright.....	4,400.00
Bell & Hackney.....	6,019.50
Foreman of laborers and watchman.....	2,508.00
J. G. Foote.....	1,448.00
Total.....	\$22,861.00

Amount of cash in the hands of Capitol Commissioners for refuse material and old machinery sold:

	DR.
1884.	
March. To cash at last report.....	\$ 3,055.77
May. To cash at last report.....	56.47
May and June. To cash at last report.....	41.50
July. To cash at last report.....	49.80
July and Aug. To cash at last report.....	13.35
September. To cash at last report.....	28.95
Sept. and Oct. To cash at last report.....	3.77
1885.	
Dec. and Jan. To cash at last report.....	156.70
Feb. and Mar. To cash at last report.....	47.48
April. To cash at last report.....	34.00
April and May. To cash at last report.....	66.50
May and June. To cash at last report.....	15.00
June and July. To cash at last report.....	19.85
July and Aug. To cash at last report.....	13.98
September. To cash at last report.....	23.68
Sept. and Oct. To cash at last report.....	62.95
1886.	
January. To cash at last report.....	85.45
Jan. and Feb. To cash at last report.....	3.00
	\$ 3,774.20

BALANCE SHEET.

On hand at last report.....	\$ 7,605.57
Appropriated by the Twentieth General Assembly.....	861,500.00
Appropriated for street improvements.....	28,000.00
For refuse material and old machinery sold.....	3,774.20
Total.....	\$400,879.77
Expense of capitol commissioners.....	\$ 2,197.20
Expense on street improvements.....	19,822.89
Expense for plans, etc., for grounds.....	1,888.70
Expense for salaries.....	22,361.00
Expense for materials, labor, etc.....	299,348.52
Capitol fund on hand.....	\$48,815.15
Refuse material fund on hand.....	3,774.20
Street improvement fund on hand.....	8,177.11
	\$ 55,266.46
Total.....	\$400,879.77

The unexpended funds of the appropriations for the capitol building and grounds are under the control of the Auditor of State, and the amount of \$3,774.20 receipts for refuse material and old machinery sold, is under the control of the capitol commissioners, and we would recommend that the amount be transferred to the capitol building funds. We would further state that we have made examination of

all the vouchers and find the same to be correct, and that we have made a thorough examination of the building and grounds, and in our opinion the expenditures have been properly and judiciously made.

JOHN SCOTT,
C. B. WOLFE,
J. F. THOMPSON,
PHIL SCHALLER.

The Senate then took up the next special order, it being Senate File No. 260, a bill for an act for an appropriation for the institution for feeble-minded children at Glenwood, with report of committee recommending amendments, and that it do pass.

Senator Hendrie moved to amend as follows:

Strike out second appropriation item in section 1 and insert in lieu thereof the following: "For improving new building and finishing and furnishing the two lower stories of same, twenty-five thousand dollars."

Adopted.

The report of the committee as amended was adopted.

Senator Hendrie 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, Bolter, Carr, Carson, Casey, Cassatt, Chesebro, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Gatch, Gault, Henderson, Hendrie, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Ryder, Schmidt, Scott, Stephens, Sutton, Underwood, Weber, Whaley, Wilkin, Woolson and Young—38.

The nays were:

Senators Burdick, Chubb, Earle, Hutchison, Robinson, Sweny and Whiting—7.

Absent or not voting:

Senators Caldwell, Chambers, Glass, Reiniger and Wolfe—5.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has passed the following bill:

Senate File No. 385, relative to Soldiers' Home, with amendment.
J. K. POWERS, *Chief Clerk.*

The next special order being on Senate File No. 186, a bill for an act making appropriation for the penitentiary at Fort Madison, with report of committee recommending amendments and that it do pass, was taken up and considered.

Senator Casey offered following amendment:

"That the warden of said prison be and he is hereby authorized to take and use the sum of \$7,500, or so much thereof as may be neces-

sary arising from the labor contract with said institution for the purpose of putting in an electric light plant in said prison: *Provided* there shall be a balance of such fund sufficient therefor over and above the amount required for such support, to be determined by the warden."

Adopted.

The report of the committee as amended was adopted.

Senator Casey moved that the rule be suspended, and the bill be considered engrossed and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bloom, Bolter, Burdick, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gault, Henderson, Hendrie, Hutchison, Knight, McCoy, McDonough, Miles, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Woolson and Young—38.

The nays were, none.

Absent or not voting:

Senators Caldwell, Deal, Gatch, Glass, Johnson, Parrott, Poyneer, Reiniger, Robinson, Ryder, Schmidt and Wolfe—12.

So the bill passed and the title was agreed to.

On motion of Senator Whaley, Senate File No. 385, a bill for an act to establish and maintain a soldiers' home in the State of Iowa, and making an appropriation for land and the construction of necessary buildings, reported back from the House with amendments was taken up.

Senator Wilkin moved to take up amendments by sections.

Carried.

On the question shall the Senate concur in the House amendments to section 3.

The yeas and nays were called.

The yeas were:

Senators Barrett, Bayless, Bloom, Burdick, Carr, Carson, Casey, Cassatt, Chesebro, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Henderson, Hendrie, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Woolson and Young—38.

The nay was:

Senator Wilkin—1.

Absent or not voting:

Senators Bolter, Caldwell, Chambers, Chubb, Glass, Poyneer, Reiniger, Robinson, Ryder, Schmidt and Wolfe—11.

So the House amendment to section 3 was agreed to.

On the question of concurring in other House amendments—

The yeas were:

Senators Barrett, Bayless, Bloom, Carr, Carson, Casey, Cassatt, Chesebro, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Scott, Stephens,

Sutton, Underwood, Weber Whaley, Whiting, Wilkin and Woolson—38.

The nays were, none.

Absent or not voting:

Senators Bolter, Burdick, Caldwell, Chambers, Chubb, Clark, Reiniger, Ryder, Schmidt, Sweney, Wolfe and Young—12.

So the House amendments were concurred in.

The Senate then took up the special order, it being Senate File No. 359, a bill for an act to provide for the assessment of mortgages or of mortgaged property and to prevent double assessment.

The question being upon the amendment of Senator Burdick.

Senator Sutton moved to refer the bill to a special committee of five, composed of Senators Duncan, Hendrie, Burdick, Stephens and Bolter, who are to report their action to-morrow, p. m., and be made a special order for that time.

Senator Poyneer moved to amend by referring the bill to the Committee on Ways and Means.

Lost.

The question being upon the motion by Senator Sutton to refer to a special committee.

Carried.

So the bill was referred to a special committee.

The hour having arrived for the consideration of special order, it being Senate File No. 145, a bill for an act to provide for carrying on the work in building the additional hospital for the Insane in southwestern Iowa, and to appropriate funds therefor, with report of committee recommending a substitute and that it do pass, was taken up and considered.

Senator Clark offered a substitute for the committee substitute, which was adopted.

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 Barrett, Bloom, Carr, Carson, Casey, Chambers, Chesebro, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Gatch, Henderson, Hendrie, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Underwood, Weber, Whaley and Wilkin—34.

The nays were:

Senators Bolter, Chambers, Chubb, Earle, Gault and Whiting—6.

Absent or not voting:

Senators Bayless, Burdick, Caldwell, Cassatt, Glass, Hutchison, Reiniger, Sweney, Wolfe, Woolson and Young—11.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Deal, 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. 155, a bill for an act to amend section 1061, of the Code of 1873, relating to the indebtedness of incorporations.

Substitute for House Files Nos. 171 and 173, a bill for an act making an appropriation for erecting an additional wing to the Iowa Hospital for the Insane at Mt. Pleasant, for female patients and for the support of said hospital.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Senate File No. 155.

Substitute for House Files Nos. 71 and 73.

J. K. POWERS, *Chief Clerk.*

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. 343, a bill for an act making appropriations for the 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 and that they recommend a substitute for same bill and that same substitute do pass.

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 275, a bill for an act making appropriations for girls' department 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 the same be amended by striking therefrom all items of appropriations, and by inserting the following:

Steam heating in new building.....	\$ 1,000
Contingent fund	2,000
New roof and floor in old building.....	1,000
For eighty acres of land.....	4,000
Library and school supplies.....	100
Bath tubs and plumbing.....	250
Organ.....	100
Sunday suits for girls.....	500

Total..... \$ 8,950

P. M. SUTTON, *Chairman.*

Ordered passed on file.

Senator Parrott, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred House File No. 487, a bill for an act to grant additional authority to cities organized under special charters, and to make certain provisions of law applicable 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.

MATT PARBOTT, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 307, a bill for an act to authorize board of directors of independent school districts and district townships to establish and maintain public school 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 be indefinitely postponed.

A. P. STEPHENS, *Chairman pro tem*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred Senate File No. 104, a bill for an act to amend certain school laws of 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 it be indefinitely postponed.

A. P. STEPHENS, *Chairman pro tem*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 571, a bill for an act to amend chapter 132 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.

A. P. STEPHENS, *Chairman pro tem*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 248, a bill for an act to provide for 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 the same be indefinitely postponed.

A. P. STEPHENS, *Chairman pro tem*.

Ordered passed on file.

Senator Barrett, from the Committee on Senatorial Districts, submitted the following report:

MR. PRESIDENT—Your Committee on Senatorial Districts, to whom was referred Senate Files Nos. 306, 325 and 362, bills for an act to apportion the State into senatorial districts, beg leave to report that they have had the same under consideration and have adopted a sub.

stitute for said bills, and have instructed me to report the same back to the Senate with the recommendation that it be adopted and when adopted it do pass.

O. M. BARRETT, *Chairman.*

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Agriculture, to whom was referred Senate File No. 181, a bill for an act to amend chapter 4, title 11, of the Code of 1873, in relation to partition fences, beg leave to report that they have considered said bill, 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 Chambers moved that Senate File No. 189, a bill for an act requiring banking corporations other than savings banks to incorporate the word "State" in their corporate name, and to prohibit certain other associations, partnerships or individuals engaged in banking business, buying or selling exchange, receiving deposits, discounting notes, etc., from adopting or using the word "State" in connection with such association, partnership or individual name, with report of committee recommending amendments and that it do pass, be indefinitely postponed.

INTRODUCTION OF BILLS.

By Senator Barrett, Senate File No. 397, a bill for an act to legalize certain records in office of the Secretary of State.

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

By Senator Clark, from Committee on Suppression of Intemperance, Senate File No. 398, a bill for an act relating to sales and soliciting orders for sales of intoxicating liquors in certain cases and providing punishment therefor.

Read a first and second time and passed on file.

By Senator Sutton, from Committee on Appropriations, Senate File No. 399, a bill for an act making appropriation to continue penitentiary at Anamosa.

Read a first and second time and passed on file.

Made special order to follow other appropriation bills.

Senator Wilkin moved to take up House messages.

Adopted.

House File No. 173, a bill for an act to prescribe manner of selling the sulphate and other preparations of morphine in this State and for other purposes.

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

House File No. 359, a bill for an act to amend chapter 24, acts Twentieth General Assembly, in relation to maintaining hatching-houses.

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

House File No. 444, a bill for an act repealing section 1774 as amended by chapter 161 of the acts of the Nineteenth General Assembly, and enacting a substitute therefor in relation to the duty of county superintendents and providing payment therefor.

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

On motion of Senator Scott, Senate File 193 was made special order for 2:30 P. M., to-morrow.

On motion of Senator Donnan, Senate File No. 117 was indefinitely postponed.

Senator Bloom moved to make Senate File No. — follow Senate File No. 193.

Carried.

INTRODUCTION OF BILLS.

By Committee on Public Buildings, Senate File No. 400, a bill for an act providing for a settlement with the Board of Capitol Commissioners, and to limit the term of office of the members of said board.

Read a first and second time and passed on file. Made special order to follow appropriation bills.

House File No. 672, a bill for an act to legalize official acts of the town council and ordinances of the incorporated town of Gowrie, Webster county, Iowa.

Read a first and second time, and on motion of Senator Weber was taken up.

On motion of Senator Weber, the rule was suspended and the bill was read third time.

The question being, shall the bill pass.

The yeas were :

Senators Barrett, Bayless, Bloom, Bolter, Burdick, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Glass, Henderson, Hendrie, McCoy, McDonough, Miles, Parrott, Poyneer, Scott, Stephens, Sutton, Sweny, Underwood, Weber, Whaley, Whiting, Wilkin, Woolson and Young—38.

The nays were, none.

Absent or not voting :

Senators Caldwell, Cassatt, Gatch, Gault, Hutchison, Johnson, Knight, Reiniger, Robinson, Ryder, Schmidt and Wolfe—12.

So the bill passed and the title was agreed to.

Senator Donnan moved that when Senate adjourn it be to 10 A. M. to-morrow.

Carried.

On motion the Senate adjourned.

SENATE CHAMBER,
Des MOINES, IOWA, March 31, 1886. }

The Senate met in regular session at 10 o'clock A. M.

The President of the Senate in the chair.

Prayer by Rev. A. W. Safford.

The journal of the previous day was read.

PETITIONS AND MEMORIALS.

Senator Dooley presented petition of citizens of Iowa asking the passage of Senate File No. 341.

Referred to Committee on Labor.

Senator Dooley presented petition of citizens of Iowa, asking for the passage of House File No. 273.

Same reference.

Senator Glass presented petition of 96 citizens of Clear Lake, asking that the Soldiers' Home be located at Mason City.

Referred to Committee on Military.

Senator Glass presented petition of C. H. Huntly Post G. A. R., on same subject.

Same reference.

Senator Glass presented petition of 10 ex-soldiers of Iowa, asking that Soldiers' Home be located at Mason City.

Same reference.

Senator Glass presented petition of 474 citizens of Cerro Gordo county on same subject.

Same reference.

Senator Young presented petition of members Post 324 G. A. R., Corning, asking pardon of Samuel Froyden from Ft. Madison Penitentiary.

Referred to Committee on Penitentiaries.

INTRODUCTION OF BILLS.

By Senator Whaley, Senate File No. 401, a bill for an act making an appropriation to pay expenses of Soldiers' Home Committee of the House and Military Committee of the Senate.

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

By Senator Burdick, by request, Senate File No. 402, a bill for an act prescribing duties of county surveyor and providing for his compensation.

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

By Senator Carr, by request, Senate File No. 403, a bill for an act for protection of wild deer and wild turkey.

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

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 Senate File No. 66, requiring foreign corporations to file their articles with the Secretary of State, with amendment.

Also, Senate File No. 218, a bill for an act to authorize cities and incorporated towns to erect and maintain fish dams across the outlets of meandered lakes, and to provide punishment for the injury or destruction of the same, without amendment.

J. K. POWERS, *Chief Clerk.*

RESOLUTIONS.

Senator Bolter offered the following resolution:

Resolved, That the President of the Senate be and is hereby authorized to appoint a sifting committee of nine members of the Senate, to which committee shall be referred all bills now pending in the Senate, or that may hereafter be presented except such as are now made special orders.

Senator Chambers moved to lay resolution on table.

Lost.

On the question of adopting the resolution the yeas and nays were demanded.

The yeas were :

Senators Barrett, Bloom, Bolter, Burdick, Carson, Casey, Chesebro, Clark, Deal, Dodge, Dooley, Doud, Earle, Gault, Glass, Henderson, Hendrie, Hutchison, Knight, Parrott, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Whiting and Young—32.

The nays were:

Senators Bayless, Cassatt, Chambers, Chubb, Donnan, Duncan and Wolfe—7.

Absent or not voting:

Senators Caldwell, Carr, Gatch, Johnson, McCoy, McDonough, Miles, Reiniger, Sutton, Wilkin and Woolson—11.

So the resolution was agreed to.

REPORT OF STANDING COMMITTEE.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 595, a bill for an act to amend section 2421, of the Code, relating to the filing of claims against 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.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was re-

ferred House File No. 243, a bill for an act to amend section 3299, of the Code, in relation to partition, beg leave to report that they 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 thereto the following: "But in such case the real estate shall be duly appraised by three disinterested freeholders to be appointed by the court, and sold for not less than the appraised value," and that as thus amended the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 416, a bill for an act to legalize the sale of certain school lands in Webster county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Senator Underwood, from the Committee on Medicine, Surgery, Hygiene and Pharmacy, submitted the following report:

MR. PRESIDENT—Your Committee on Medicine, Surgery, Hygiene and Pharmacy, to whom was referred House File No. 173, a bill for an act to prescribe the manner of selling the sulphate and other preparations of morphine in this State, and for other purposes, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

MYRON UNDERWOOD, *Chairman*.

Ordered passed on file.

Senator Duncan, from the Special Committee on Senate File No. 359, submitted the following report:

MR. PRESIDENT—Your Special Committee, to whom was referred Senate File No. 359, a bill for an act to provide for the assessment of mortgages, or of mortgaged property, and to prevent double assessment, beg leave 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 do pass.

The committee further recommend that the substitute be printed.

F. A. DUNCAN, *Chairman*.

Ordered passed on file.

On motion of Senator Hutchison, Senate File No. 391, a bill for an act to provide for the assessment and taxation of telephone lines within the State of Iowa, was taken up and considered.

Senator Hutchison 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, Bolter, Burdick, Carr, Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley,

Doud, Duncan, Earle, Gatch, Gault, Henderson, Hendrie, Hutchison, Knight, McDonough, Miles, Poyneer, Robinson, Schmidt, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Young—39.

The nays were, none.

Absent or not voting:

Senators Bloom, Caldwell, Carson, Glass, Johnson, McCoy, Parrott, Reiniger, Ryder, Sutton and Woolson—11.

So the bill passed and the title was agreed to.

On motion of Senator Wolfe, House File No. 47, a bill for an act to amend section 1091, of Code of 1873, providing for incorporations of trade unions and other organizations of labor, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bolter, Burdick, Carr, Casey, Cassatt, Chesebro, Chubb, Deal, Dodge, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Robinson, Schmidt, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Young—38.

The nays were, none.

Absent or not voting:

Senators Bloom, Caldwell, Carson, Chambers, Clark, Donnan, Johnson, Poyneer, Reiniger, Ryder, Sutton and Woolson—12.

So the bill passed and the title was agreed to.

On motion of Senator Whaley, Senate File No. 401, a bill for an act to make appropriation to defray the expenses incurred by the Military Committee of the Senate and the Soldiers' Home Committee of the House of Representatives, acting jointly to investigate the locations for the Soldiers' Home for the State of Iowa, was taken up and considered.

Senator Whaley 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, Bolter, Burdick, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Henderson, Hendrie, Knight, McCoy, McDonough, Miles, Parrott, Robinson, Schmidt, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Young—37.

The nays were, none.

Absent or not voting:

Senators Bayless, Bloom, Caldwell, Cassatt, Deal, Glass, Hutchison, Johnson, Poyneer, Reiniger, Ryder, Sutton and Woolson—13.

So the bill passed and the title was agreed to.

On motion of Senator Casey, Senate File No. 231, a bill for an act

to amend an act to provide for the organization and management of savings banks, with report of committee recommending substitute, and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Casey moved to insert the words "or the shareholders thereof" after the second word "association" in the seventh line of printed substitute; also strike out the word "its" at the end of same line and insert "their"; also strike out the words "or stockholders" in the eighth line.

Senator Casey moved to make the bill special order for Thursday, April 1, 2 o'clock p. m.

On motion of Senator Miles Senate File No. 219, a bill for an act repealing sections 10, 11, 12 and 13, of chapter 77, of the acts of the Seventeenth General Assembly, and prohibiting railroad corporations from discriminating in furnishing cars or in transporting property, and prohibiting unreasonable charges for transporting persons or property, and providing penalties and remedies for any violation of any of the provisions of this act, with report of committee recommending amendments and do pass, was taken up, considered, and the report of the committee and amendments were 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 Barrett, Bayless, Bloom, Bolter, Burdick, Carr, Carson, Cassatt, Chambers, Chesebro, Chubb, Clark, Dodge, Donnan, Dooley, Duncan, Earle, Gatch, Gault, Glass, Hendrie, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whiting, Wolfe and Young—37.

The nays were, none.

Absent or not voting:

Senators Caldwell, Casey, Deal, Doud, Henderson, Johnson, Knight, Robinson, Ryder, Schmidt, Whaley, Wilkin and Woolson—13.

So the bill passed and the title was agreed to.

Senator Chambers moved to take up bills on third reading.

Carried.

JOINT RESOLUTION.

A joint resolution proposing to amend section one (1) of article two (2) of the State of Iowa.

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

That the following amendment to the constitution of the State of Iowa be and the same is hereby proposed: To strike out the word "male" from section one (1) article two (2) of said constitution. *Resolved, further,* that the foregoing proposed amendment to the constitution be and the same is hereby referred to the legislature to be chosen at the next general election for members of the General Assembly and that the Secretary of State cause the same to be pub-

lished for three months previous to the day of said election as provided by law.

On the question, shall the joint resolution pass.

The yeas were:

Senators Barrett, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Gault, Glass, Hutchison, Johnson, McCoy, McDonough, Miles, Parrott, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—29.

The nays were:

Senators Bayless, Bloom, Bolter, Burdick, Carr, Carson, Cassatt, Dodge, Dooley, Earle, Hendrie, Knight, Poyneer, Ryder, Schmidt, Whiting and Wolfe—17.

Absent or not voting:

Senators Caldwell, Casey, Chesebro, and Henderson—4.

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

Senator Johnson filed a motion to reconsider the vote by which Joint Resolution No. 6 passed on third reading.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor at the hands of his private secretary:

STATE OF IOWA,
EXECUTIVE OFFICE,
DES MOINES, March 31, 1886. }

MR. PRESIDENT—I am instructed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of State, the following bills:

Senate File No. 273, an act to allow underground tile drains across public highway, and defining the duties of road supervisors relative to the same, and repeal section 1225, chapter 2, title 10 of the Code of Iowa.

Senate File No. 337, an act relating to qualification of county and township officers.

Senate File No. 342, on act authorizing the Governor to convey or grant right of way through certain State land.

Senate File No. 155, an act to amend section 1061 of the Code of 1873, relating to the indebtedness of corporations.

FRED'K W. HOSSFELD, *Private Secretary.*

On motion of Senator Gatch Senate File No. 268, a bill for an act to amend sections 3755, 3757, 3758 and 3760 of the Code, and section 2, chapter 117, laws of the Nineteenth General Assembly, relating to salaries of deputy State officers and the Governor's private secretary, with report of committee recommending amendments and that it do pass, was taken up and considered.

Senator Gatch moved to amend by inserting the following as section 7: "The salaries herein provided to commence on the first day of March, A. D. 1886." Also, to make original section 7, section 8; also, to insert the word "third" for "last," in line 2, section 2.

Pending which, Senator Dooley moved to adjourn.

Lost.

Senator Woolson moved amendments reported by committee as follows: Insert after words "deputy State officers" the words "and all fees hereafter received by or paid to any deputy State officer by virtue of their official positions shall be turned into the State treasury."

Adopted.

Senator Bolter moved to adjourn.

Lost.

The amendments reported to the committee were agreed to.

Senator Poyneer moved to insert as section 8 of bill the following: "That section 9, chapter 80, acts of Eighteenth General Assembly, be amended by striking out of 8th line of said section the words "two thousand dollars" and insert in lieu thereof the words "twenty-two hundred."

Pending which Senator Bolter moved to adjourn.

Carried.

AFTERNOON SESSION.

2 O'CLOCK.

The Senate met in regular session at 2 P. M.

The question being upon the pending amendment to Senate File No. 268, by Senator Poyneer.

Senator Poyneer withdrew his amendment.

Senator Gatch moved to reconsider the vote by which section 7 was adopted.

Carried.

Senator Gatch asked leave to withdraw his amendment to said section 7 relative to time of taking effect.

Granted.

Senator Whiting moved to amend section 7 as follows: "Provided further, that no clerk appointed by the Auditor or his deputy, the Treasurer or his deputy, the Secretary of State or his deputy or by the Executive Council or the Governor, shall receive directly or indirectly a greater sum than fifteen hundred dollars per annum for such services as such clerk."

Adopted.

Senator Sweney moved to reconsider the vote by which amendment by Senator Woolson was adopted.

Carried.

Senator Sweney moved to strike out the word "hereafter."

Adopted.

The amendment was adopted.

On motion of Senator Gatch, 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, Burdick, Carr, Carson, Casey, Deal, Dodge, Donnan, Dooley, Duncan, Earle, Gatch, Glass, Hendrie, McCoy, McDonough, Parrott, Poyneer, Robinson, Scott, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Woolson and Young—31.

The nays were:

Senators Caldwell, Chesebro, Johnson, Schmidt and Stephens—5.

Absent or not voting:

Senators Bolter, Cassatt, Chambers, Chubb, Clark, Dond, Gault Henderson, Hutchison, Knight, Miles, Reiniger, Ryder and Wolfe—14.

So the bill passed and the title was agreed to.

Senator Sweney moved to amend the title by adding "and clerks in State offices."

Adopted.

REPORTS OF COMMITTEES.

Senator Parrott, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 379, a bill for an act supplementary to chapter 162 of the acts of the Seventeenth General Assembly, entitled "an act to authorize cities of the first class to provide for the construction of sewers," additional to Code, chapter 10, title 4, concerning cities and incorporated towns, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it (printed bill) be amended as follows:

In the third line of title after the word "class" add "containing according to any legally authorized census or enumeration a population of over thirty thousand."

Also, after the word "class" in first line of section 1 add "containing according to any legally authorized census or enumeration a population over thirty thousand"

And when so amended that it do pass.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 387, a bill for an act making further provisions with respect to contracts by cities of the first class containing a population of over thirty thousand, for paving and curbing streets, and the construction of sewers and the making and collection of assessments and issuance of bonds or certificates to pay for 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 (printed bill) be amended as follows: By inserting the word "bonds" in place of the word "bond" in section 7, line 1, by inserting in section 12, line 4, after the word "per cent" the following, "from the date of the assessment." By

inserting in section 15, line 3, after the word "for" where it first occurs in said line the words, "as the case may be." By inserting in section 16, line 3, the word "lawful" instead of the word "unlawful," and in same section, line 5, the word "improvements," and by striking out of line 12, same section, the word "the" where it first occurs in said line. By striking out the word "and" in section 17, line 9, where it first occurs in said line and insert after the word "collection" in the same line the words "and payment." By striking out section 19 and making sections 20, 21 and 22, sections 19, 20 and 21 respectively, by inserting the following as section 22: "All acts and parts of acts in conflict with this act are hereby repealed, and when so amended that it do pass.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Senator Duncan, from the Committee on Roads and Highways, submitted the following report:

MR. PRESIDENT—Your Committee on Roads and Highways to whom was referred House File No. 171, a bill for an act to give discretionary power to the board of supervisors in their respective counties, to change and establish highways along streams where they can avoid building a bridge or bridges across said stream, beg leave to report that they have 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.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Highways, to whom was referred House File No. 296, a bill for an act to amend section 989, of the Code of Iowa, relative to the duties of road supervisors, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

F. A. DUNCAN, *Chairman.*

Ordered passed on file.

On motion of Senator Young, Senate File No. 283, a bill for an act in relation to canned or preserved food, with report of committee recommending amendments and do pass, was taken up, considered, and the report of the committee was adopted.

Senator Young moved to amend as follows, strike out the words "county and," in the 6th line printed bill.

Adopted.

Senator Young 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, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Deal, Dodge, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Hendrie, Hutchison, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Robinson, Scott, Stephens,

Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Woolson and Young—39.

The nays were, none

Absent or not voting:

Senators Bolter, Burdick, Cassatt, Clark, Donnan, Henderson, Poyneer, Reiniger, Ryder, Schmidt and Wolfe—11.

So the bill passed and the title was agreed to.

HOUSE MESSAGES.

On motion of Senator Sweney, Senate File No. 66, a bill for an act to require foreign corporations to file their articles of incorporation with the Secretary of State and imposing certain conditions on such corporations transacting business in this State, was taken up and considered.

The question being, shall the Senate concur in the House amendments, the yeas and nays were called.

The yeas were:

Senators Bloom, Bolter, Caldwell, Carr, Casey, Chubb, Deal, Dodge, Dooley, Gault, Glass, Johnson, Knight, Poyneer, Reiniger, Schmidt, Scott, Sweney, Weber and Whiting—20.

The nays were:

Senators Barrett, Bayless, Carson, Chambers, Donnan, Doud, Duncan, Earle, McCoy, McDonough, Miles, Parrott, Robinson, Stephens, Sutton, Underwood, Whaley, Wilkin, Woolson and Young—20.

Absent or not voting:

Senators Burdick, Cassatt, Chesebro, Clark, Gatch, Henderson, Hendrie, Hutchison, Ryder and Wolfe—10.

So the Senate did not concur in House amendment.

Senator Woolson and Election Committee were excused for the afternoon.

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 this General Assembly, been duly enrolled and signed by the Speaker of the House:

Senate File No. 385.

J. K. POWERS, *Chief Clerk.*

REPORT OF COMMITTEE.

Senator Deal, 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. 385, a bill for an act to establish and maintain a soldier's home in the State of Iowa, and making an appropriation for the purchase of land and the construction or purchase of necessary buildings.

JNO. K. DEAL, *Chairman.*

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined Senate File No. 385, a bill for an act to establish and maintain a soldiers' home in the State of Iowa, and making an appropriation for the purchase of land and the construction or purchase of necessary buildings, and find the same correctly enrolled.

J. K. DEAL, *Chairman*.

The hour having arrived for the consideration of the special order, it being Senate File No. 198, a bill for an act to appropriate money to defray the indebtedness incurred and to be incurred in making an exhibit of the resources and industries of Iowa at the World's Industrial and Cotton Centennial Exposition and at the North, Central and South American Exposition, with report of committee recommending amendments and do pass, was taken up and considered.

Senator Scott offered the printed House bill as a substitute for the committee amendments.

Adopted.

The amendments as amended were adopted.

Senator Scott, 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, Caldwell, Carson, Chambers, Doud, Gault, Henderson, McDonough, Parrott, Robinson, Scott, Sutton, Weber and Whaley—16.

The nays were:

Senators Carr, Chesebro, Deal, Donnan, Dooley, Hendrie, Hutchison, Johnson, Knight, Miles, Poyneer, Schmidt, Stephens, Underwood and Whiting—15.

Absent or not voting:

Senators Bolter, Burdick, Casey, Cassatt, Chubb, Clark, Dodge, Duncan, Earle, Gatch, Glass, McCoy, Reiniger, Ryder, Sweney, Wilkin, Wolfe, Woolson and Young—19.

So the bill was lost.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 389, a bill for an act to legalize the acknowledgment of deeds, mortgages, and instruments in writing, and legalizing the record 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.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 386, a bill for an act to repeal section 1697 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 the enacting clause be amended so as to read: "Be it enacted by the General Assembly of the State of Iowa." Also, that the title be amended by adding thereto the words "relating to acknowledgments in writing." And as thus amended the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 225, a bill for an act repealing section 2455 of the Code and enacting a substitute therefor, and amending sections 2456 and 2458 of the Code, in relation to the descent of intestate property, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended:

1. By striking out all of section 1 after the word "thereof," and inserting instead the words:

"Sec. 2455. If the intestate leave no issue, all of the property of which he dies seized, both real and personal, shall go to his wife to the amount of ten thousand dollars, and all different and other estate of the deceased shall go one-half to the wife and the other half to his parents. If he leave no wife the portion which would have gone to her shall go to his parents."

2. By striking out sections 2 and 3.

And that as thus amended the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 620, a bill for an act to amend chapter 7, of title 14, of the Code, relating to assignments, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

1. By striking from section 1 the proviso and inserting instead the following:

"*Provided, however,* That on application of two thirds of the creditors, in number and amount, the court shall remove the assignee and appoint in his stead a person as assignee approved by the creditors, in number and amount as aforesaid; and when any assignee is removed, he shall immediately turn over to the clerk of the district court, or any person appointed by the court, all money and property of the estate in his hands.

2. By striking out section 2.

3. By striking out section 3.

4. By striking out section 4.

5. By changing section 5 to section 2 and making it read as follows:

Section 2. Section 2123 is hereby amended by adding thereto the following: "The assignee shall dispose of personal property and divide the proceeds of the same among the creditors as they may be entitled thereto, within six months of the date of the assignment, and shall dispose of all real estate within one year from the date of the assignment, and make full settlement at that date unless the court or judge, for good reasons shown, shall extend the time within which such disposition shall be made."

And that as thus amended the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 688, a bill for an act to authorize the people of an incorporated town, located wholly within one independent school district, in which town is situated a public square or plat of ground dedicated or deeded to the use of the public, to transfer or dedicate such public square or plat of ground to the purpose of a public school-house lot, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that section 3 be stricken from the bill, and that as thus amended it do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 617, a bill for an act to legalize certain acts of the school board of the independent district of Hawkeye, of Farmersburg, and of the independent district of Farmersburg and Wagner, in Clayton 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 therecommendation that the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 488, a bill for an act to legalize the ordinances of the city of Keokuk, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended by inserting in line 4 of section 3, after the word "passage," the words "and are now authorized," and that as thus amended the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered 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 with amendments the following bill:

Senate File No. 283, a bill for an act amendatory of chapter 148, of the acts of the Twentieth General Assembly, relating to intoxicating liquors, and providing for the more effectual suppression of the illegal sale and transportation of intoxicating liquors and abatement of nuisances.

J. K. POWERS, *Chief Clerk.*

Ordered passed on file.

REPORTS OF COMMITTEES.

Senator Parrott, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred House File No. 40, a bill for an act relating to certifying special assessments in cities of the first-class, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Senator Young, from the Committee on Labor, submitted the following report:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate File No. 5, a bill for an act to compel corporations and others to pay lawful money to their employes, 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, another bill on the same subject having been favorably recommended.

YOUNG, *Chairman.*

Ordered passed on file.

Senator Parrott, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations to whom was referred House File No. 369, a bill for an act to amend section 2, chapter 192, of the laws of the Twentieth General Assembly by striking out the words and figures "fourteen (14)" and inserting instead thereof the words and figures "five (5)," beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Senator Young from the Committee on Labor submitted the following report:

MR. PRESIDENT—Your Committee on Labor to whom was referred Senate File No. 332, a bill for an act to prevent any employer of labor from compelling an employe to accept other than lawful money in advancement of wages or by coercion or intimidation compelling such employe to trade in any particular place, 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 same do pass.

YOUNG, *Chairman pro tem.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Labor, to whom was referred Senate File No. 341, a bill for an act regulating factories, workshops, and other places where labor is employed, providing for the liability of employer of labor, allowing an attorney's fee in cases for the recovery of debts due for labor actually performed, and in such cases doing away with the exemptions now allowed by law, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the substitute herewith presented be adopted, and that when so adopted it do pass.

YOUNG, *Chairman pro tem.*

Ordered passed on file.

SPECIAL ORDER.

The hour having arrived for consideration of special order it being Senate File No. 126, a bill for an act for an appropriation for the support of the State University of Iowa, with report of majority committee recommending amendments, and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Robinson moved to amend the report of committee by striking out "\$30,000" and inserting in lieu thereof "\$10,000" in second item.

Pending which Senator Knight moved that the Senate adjourn and that the bill under consideration be continued special order until disposed of.

Adopted.

Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, April 1, 1886. }

The Senate met in regular session at 10 A. M.

The President of the Senate in the chair.

Prayer by Rev. Dr. Webb.

Senator Donnan offered the following:

Resolved, That the Senate require the House of Representatives to return to the Senate the resolution fixing the time of final adjournment.

Adopted.

Senator McDonough moved to make substitute for Senate File No. 83, special order to follow Senate File No. 400.

Adopted.

PETITIONS AND MEMORIALS.

Senator Donnan presented petition from Geo. H. Morrissey, Commander, and R. M. Marvin, Adjutant, and 22 members of W. A. Morse Post No. 190, G. A. R., at Manchester, Delaware county, asking that the soldiers' home be located at Marshalltown.

Referred to Committee on Military.

Senator McDonough presented memorial from J. L. Young, Commander, and 38 members of Leon Post No. 251, G. A. R., at Leon, Decatur county, on same subject.

Same reference.

Senator Wilkin introduced joint resolution memorializing the Senators and Representatives of Iowa in Congress, in favor of the Culom bill regulating inter-state commerce.

Senator Sutton presented petition from 106 members of John Braden Post No. 242, and citizens of Parkersburg, Butler county, asking that the soldiers' home be located at Marshalltown, Iowa.

Referred to Committee on Military.

Also memorial from the Shell Rock Post No. 262, at Shell Rock, Butler county, asking that the soldiers' home be located at Marshalltown.

Same reference.

Also memorial from members of A. Kerney Post No. 15, G. A. R., at Glenwood, Mills county, asking that the soldiers' home be located at Marshalltown.

Same reference.

Also memorial and resolution from Post No. 204, G. A. R., at Malvern, Mills county, asking the location of the soldiers' home at Marshalltown.

Same reference.

Also memorial from F. E. Newburg, Commander, and C. L. Jones, Adjutant, representing 40 members of Surfus Post No. 105, G. A. R., at Bristow, Butler county, same subject.

Same reference.

Also memorial from 49 members of Robert Olmstead Post No 248,

G. A. R., and citizens of New Hartford, Butler county, asking that the soldiers' home be located at Marshalltown, Iowa.

Same reference.

RESOLUTION.

Senator Woolson offered the following resolution:

Resolved, That the Committee on Elections have leave to sit during the sittings of the Senate, for the purpose of proceeding with the election contest now being heard before said committee.

Adopted.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred substitute for House File No. 19, a bill for an act regulating the sale and transfer of grain in elevators and other places of storage, beg leave to report 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 do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Senator Parrott, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 32, a bill for an act providing for trials before mayors and police 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.

MATT PARROTT, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 339, a bill for an act to amend section 1 and to enact a substitute for section 3, chapter 37, laws of the Sixteenth General Assembly, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

MATT PARROTT, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Insurance to whom was referred House File No. 307, a bill for an act to amend sections 1169 and 1179 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.

BEN MCCOY, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Insurance to whom was referred mutual benefit associations, passed at the present session of the ferred Senate File No. 390, a bill for an act supplementary to and explanatory of an act to regulate the organization and operation of General Assembly 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.

BEN MCCOY, *Chairman.*

Ordered passed on file.

Senator Glass from the Committee on Schools submitted the following report:

MR. PRESIDENT—Your Committee on Schools to whom was referred Senate File No. 334, a bill for an act to prevent discriminations against female teachers, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN D. GLASS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 349, a bill for an act to amend section 1, chapter 149, laws of 1882, beg leave to report that they have 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 D. GLASS, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File 494, a bill for an act repealing section 1774, as amended by chapter 161, of the acts of the Nineteenth General Assembly, and enacting a substitute therefor, in relation to the duty of county superintendent and providing payment 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.

JOHN D. GLASS, *Chairman.*

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Senate File No. 218.

House Files Nos. 546, 672, 523, 575.

Also:

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. 680, to legalize the acts of the incorporated town of Story City, Story county, Iowa.

House File No. 464, a bill for an act to amend chapter 75 of the Eighteenth General Assembly, and chapter 137, acts Nineteenth General Assembly, relating to the practice of pharmacy.

House File No. 677, to legalize ordinances of the incorporated town of Cantril, Van Buren county, Iowa.

Also, the House has receded from its amendment to Senate File No. 66.

Also, the House refused to reconsider the vote by which Senate File No. 192 was passed, which I now herewith return.

Also, I am directed to return concurrent resolution relative to final adjournment, as per request of this honorable Senate.

J. K. POWERS, *Chief Clerk.*

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 256, a bill for an act to amend sections 4239 and 4240 of the Code, relating to preliminary examinations; also substitute for Senate File No. 256, a bill for an act to amend section 4240 of the Code, relating to preliminary examinations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the bill and substitute be indefinitely postponed.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 381, a bill for an act to provide for the appointment of public administrators and to define their duties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Senator Wolfe moved to take up House messages.

Adopted.

So the Senate took up substitute for Senate File No. 78, a bill for an act to provide for the election of county attorneys, define their duties, and fix their compensation, and to repeal chapter 8, title 3, of Code of 1873.

The question being upon concurring in the House amendments.

On this the yeas and nays were called.

The yeas were:

Senators Barrett, Bayless, Bolter, Burdick, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Donnan, Doud, Duncan, Earle, Gault, Glass, Henderson, Hendrie, Hutchison, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting and Wolfe—35.

The nays were:

Senators Dodge, Johnson and Schmidt—3.

Absent or not voting:

Senators Bloom, Caldwell, Clark, Deal, Dooley, Gatch, Knight, McCoy, Reiniger, Wilkin, Woolson and Young—12.

So the House amendments were concurred in.

Senator Chambers moved to lay on the table Senator Johnson's resolution to reconsider the vote by which joint resolution No. 6 passed the Senate.

Adopted.

The Senate then took up substitute for House File 213, on third reading.

House File No. 213, 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 of coal mines and their employes.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bloom, Burdick, Caldwell, Carson, Cassatt, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—33.

The nays were:

Senators Bayless, Bolter, Carr, Casey, Chesebro, Dooley, Earle, Gault, Hendrie, Johnson, Ryder, Whiting and Wolfe—13.

Absent or not voting:

Senators Dodge, Henderson, Knight and Schmidt—4.

Senator Gatch moved to amend title by substituting title for Senate File No. 330.

Carried.

So the bill passed and the title was agreed to.

Senator Cassatt filed a motion to reconsider the vote by which substitute for House File No. 213 was passed.

Senator Woolson moved to lay the motion on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Burdick, Chambers, Chubb, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—26.

The nays were:

Senators Bayless, Bloom, Bolter, Casey, Cassatt, Chesebro, Dodge, Dooley, Earle, Gault, Hendrie, Johnson, Ryder, Schmidt, Whiting and Wolfe—16.

Absent or not voting:

Senators Caldwell, Carr, Carson, Clark, Deal, Henderson, Knight and Reiniger—8.

So the motion to lay on the table was 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 concurred in Senate amendments to House File No. 517.

J. K. POWERS, *Chief Clerk.*

Senator Bloom moved that the Senate proceed to consider Senate File No. 126.

Adopted:

So the Senate resumed consideration of said bill, the question being upon the amendment by Senator Robinson to strike out “\$30,000” in the second item and insert “\$10,000” in lieu thereof.

Senator Chubb moved that the Senate do now adjourn.

Adopted.

 AFTERNOON SESSION.

2 O'CLOCK.

Senate met in regular session at 2 o'clock P. M.
The President of the Senate in the chair.

REPORT OF COMMITTEE.

Senator Whaley, 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. 403, a bill for an act for the preservation of wild deer and wild turkey, beg leave to report that they have had the same under consideration and a majority of the committee have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WHALEY, *Chairman.*

Ordered passed on file.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, it being substitute for Senate File No. 231, a bill for an act to amend an act to provide for the organization and management of savings banks, approved March 21, 1874, and to provide for a change and re-organization of such banks under the general incorporation laws of the State, was taken up and considered, and the question being upon the adoption of the pending amendments by Senator Casey.

Adopted.

On motion the substitute as amended was adopted.

Senator Cassatt moved to amend as follows:

Insert the word “savings” after the word “any” in line 5 of section

31; also, strike out the word "organization" and insert the word "organized" in lieu thereof.

Adopted.

Senator Cassatt moved to amend as follows:

Insert after the word "laws" in line 29, section 31, the words, "and in accordance with the provisions of this section."

Adopted.

Senator Poyneer offered following:

Amend by striking out the words "said act" in first line of section one, and inserting the words, "chapter sixty, acts of the Fifteenth General Assembly."

Adopted.

By unanimous consent publication clause was adopted.

Senator Casey 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, Bolter, Burdick, Carr, Carson, Casey, Cassatt, Chesebro, Chubb, Clark, Deal, Dodge, Dooley, Doud, Duncan, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, McCoy, McDonough, Miles, Poyneer, Robinson, Ryder, Schmidt, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wolfe and Woolson—39.

The nays were:

Senators Donnan, Earle and Johnson—3.

Absent or not voting:

Senators Caldwell, Chambers, Knight, Parrott, Reiniger, Scott, Wilkin and Young—8.

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:

Senate File No. 238, making appropriation for College for the Blind at Vinton, Iowa, without amendment.

J. K. POWERS, *Chief Clerk.*

Senator Poyneer moved to amend the title as follows: Insert after the word "amend," in first line, the words "chapter 60, acts of the Fifteenth General Assembly."

Also by striking out the words "approved March 21, 1874."

Adopted, and the title as amended was agreed to.

Senator Schmidt filed motion to reconsider the vote by which substitute for Senate File No. 231 was passed.

On motion, House messages was taken up.

Concurrent resolution relative to the final adjournment of the Senate and House of Representatives was read.

Senator Donnan called up motion to reconsider the vote by which the resolution was adopted.

Senator Bolter moved to lay the resolution on the table.

On this the yeas and nays were called.

The yeas were :

Senators Bayless, Bolter, Carr, Cassatt, Chesebro, Dodge, Dooley, Earle, Gault, Henderson, Hendrie, Johnson, Knight, McDonough, Schmidt, Whiting and Wolfe—17.

The nays were:

Senators Barrett, Burdick, Caldwell, Carson, Chambers, Chubb, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, Parrott, Poyneer, Reiniger, Robinson, Stephens, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—26.

Absent or not voting:

Senators Bloom, Casey, Clark, Miles, Ryder, Scott and Sutton—7.

So the motion to lay upon the table was lost.

So on motion the Senate reconsidered the vote by which the resolution relative to final adjournment was adopted.

And the same was made special order for Saturday at 10:15 A. M. to the exclusion of all other business.

HOUSE MESSAGES.

House File No. 677, a bill for an act to legalize ordinances of the incorporated town of Cantril, Van Buren county, Iowa.

Read a first and second time.

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 Bayless, Bloom, Bolter, Burdick, Caldwell, Carr, Carson, Cassatt, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Glass, Henderson, Hutchison, Johnson, Knight, McDonough, Miles, Poyneer, Robinson, Ryder, Schmidt, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wolfe and Young—39.

The nays were, none.

Absent or not voting:

Senators Barrett, Casey, Chambers, Gault, Hendrie, McCoy, Parrott, Reiniger, Scott, Wilkin and Woolson—11.

So the bill passed and the title was agreed to.

House File No. 680, a bill for an act to legalize the acts of the incorporated town council of Story City, Story county, Iowa.

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

House File No. 464, a bill for an act to amend chapter 75 of the acts of the Eighteenth General Assembly, and chapter 137 of the acts of the Nineteenth General Assembly, relating to the practice of pharmacy.

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

REPORT OF COMMITTEE.

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

MR. PRESIDENT—The Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 218, a bill for an act to authorize cities and incorporated towns to erect and maintain fish dams across the outlets of meandered lakes and to provide punishment for the injury or destruction of the same.

And find the same correctly enrolled.

JOHN K. DEAL, *Chairman.*

The Senate then resumed the consideration of Senate File No. 126, the question being upon the amendment of Senator Robinson to strike out "\$30,000" in the second line and insert "\$10,000" in lieu thereof.

On this the yeas and nays were called.

The yeas were:

Senators Barrett, Caldwell, Chambers, Chubb, Donnan, Duncan, Hutchison, McCoy, McDonough, Parrott, Poyneer, Reiniger, Robinson and Scott—14.

The nays were:

Senators Bayless, Bloom, Bolter, Burdick, Carr, Carson, Casey, Cassatt, Chesebro, Clark, Deal, Dodge, Dooley, Doud, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Johnson, Ryder, Schmidt, Stephens, Sutton, Sweney, Underwood, Weber, Whiting, Wilkin, Woolson and Young—32.

Absent or not voting:

Senators Wolfe, Whaley, Miles and Knight—4.

So the amendment was not agreed to.

Senator Bloom 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 Barrett, Bayless, Bloom, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Clark, Deal, Dodge, Donnan, Dooley, Doud, Earle, Gatch, Gault, Henderson, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—43.

The nays were:

Senator Duncan—1.

Absent or not voting:

Senators Cassatt, Chubb, Glass, Knight, Parrott and Reiniger—6.

So the bill passed and the title was agreed to.

Senator Glass from the joint committee on investigation of Auditor J. L. Brown's office submitted their report which was read.

Senator Johnson moved that the report be printed.

Adopted.

Senator Young moved that Senator Whiting have until Saturday, March 3d, at 10:30 A. M., in which to file minority report.

Adopted.

Senator Donnan moved to reconsider the vote by which the committee report was ordered printed.

Carried.

Senator Donnan moved that majority report do lie upon the table, until the time fixed for filing minority report.

Carried.

The Senate took up and considered Senate File No. 399, a bill for an act to appropriate funds to carry on the work at the additional penitentiary at Anamosa, and other purposes connected therewith, from Committee on Appropriations.

Senator Whaley 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, Bloom, Bolter, Caldwell, Carson, Casey, Chambers, Chesebro, Chubb, Deal, Dodge, Donnan, Dooley, Doud, Duncsn, Earle, Gault, Glass, Henderson, Hendrie, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Whaley, Wolfe, Woolson and Young—37.

The nays were, none.

Absent or not voting:

Senators Bayless, Burdick, Carr, Cassatt, Clark, Gatch, Johnson, Reiniger, Ryder, Schmidt, Sweney, Whiting and Wilkin—13.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Deal, 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. 218, a bill for an act to authorize cities and incorporated towns to erect and maintain fish dams across the outlets of meandered lakes, and to provide punishment for the injury or destruction to the same.

JNO. K. DEAL, *Chairman.*

Senator Whaley moved that when the Senate adjourn it be to 9 A. M. to-morrow.

Carried.

The next special order being on Senate File No. 400, a bill for an act to provide for a settlement with the board of capitol commissioners and to limit the term of office of the members of said board, with report of committee recommending that it do pass, was taken up, and considered.

Senator Scott, 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, Bolter, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Deal, Donnan, Dooley, Doud, Duncan, Earle, Gault, Glass, Hendrie, Hutchison, McDonough, Miles, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Underwood, Weber, Whaley, Whiting, Wolfe and Young—36.

The nays were, none.

Absent or not voting:

Senators Bloom, Burdick, Dodge, Gatch, Henderson, Johnson, Knight, McCoy, Parrott, Reiniger, Ryder, Sweney, Wilkin and Woolson—14.

So the bill passed and the title was agreed to.

The hour having arrived for the consideration of special order it being substitute for Senate File No. 83, a bill for an act to encourage manufactories and to exempt them from taxation for a term of years, with report of committee recommending amendments and do pass, was taken up, considered, and the report of the committee was adopted.

Senator McDonough 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 Bloom, Bolter, Caldwell, Carr, Carson, Casey, Cassatt, Chubb, Clark, Donnan, Duncan, Gault, Glass, McDonough, Miles, Parrott, Robinson, Scott, Stephens, Sutton, Sweney and Whaley—22.

The nays were:

Senators Bayless, Deal, Earle, Knight, Poyneer, Ryder, Schmidt, Underwood and Wolfe—9.

Absent or not voting:

Senators Barrett, Burdick, Chambers, Chesebro, Dodge, Dooley, Doud, Gatch, Henderson, Hendrie, Hutchison, Johnson, McCoy, Reiniger, Weber, Whiting, Wilkin, Woolson and Young—19.

So the bill was lost.

On motion of Senator Scott Senate File No. 374, a bill for an act to provide for the appointment and compensation of a custodian of public buildings and property and prescribing his duties, with report of committee recommending that it do pass, was taken up and considered.

Senator Scott moved to strike out after the word "State" in the third line to and including the word "commissioner" in the seventh line.

Adopted.

Senator Scott moved to strike out the word "hundred" in ninth line, printed bill, and insert the word "thousand."

Adopted.

Senator Cassatt moved to strike out "two thousand" in first line of section three and insert "fifteen hundred" in lieu thereof.

On this the yeas and nays were called.

The yeas were:

Senators Barrett, Bayless, Burdick, Carr, Carson, Casey, Cassatt,

Chesebro, Chubb, Clark, Deal, Donnan, Dooley, Doud, Duncan, Earle, Gault, Hendrie, Hutchison, Knight, McDonough, Miles, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber and Wolfe—38.

The nays were:

Senators Bloom, Bolter, Caldwell, Chambers, Dodge, Gatch, Glass, Henderson, Johnson, McCoy, Parrott, Reiniger, Whaley, Whiting, Wilkin, Woolson and Young—17.

So the amendment was adopted.

Senator Poyneer moved to insert "for his use in carrying out the provisions of this act," after the word "required" in line 3, section 5.

Adopted.

Senator Donnan moved to strike out "Secretary of State" in 10th line, section 1, and insert "Governor" in lieu thereof.

Adopted.

Senator Robinson moved to insert after the word "premises" in line 6, section 1, "appertinent thereto."

Adopted.

Senator Wolfe moved to insert the words, "or criminal" after the word "civil" in line 15, section 6.

Adopted.

Senator Scott 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, Burdick, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Donnan, Dooley, Doud, Duncan, Earle, Gault, Hendrie, Hutchison, Knight, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wolfe and Young—37.

The nays were, none.

Absent or not voting:

Senators Bolter, Deal, Dodge, Gatch, Glass, Henderson, Johnson, McCoy, Reiniger, Ryder, Stephens, Wilkin and Woolson—13.

So the bill passed and the title was agreed to.

On motion of Senator Chubb, Senate File No. 392, a bill for an act to repeal section 1848 of chapter 12, of the Code of 1873, relating to the sale of school lands, 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 Barrett, Bayless, Bloom, Burdick, Caldwell, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Deal, Donnan, Doud, Duncan, Earle, Gault, Hutchison, Knight, McDonough, Miles, Poyneer, Robinson, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Whiting, Wolfe and Young—33.

The nays were, none.

Absent or not voting:

Senators Bolter, Carr, Dodge, Dooley, Gatch, Glass, Henderson,

Hendrie, Johnson, McCoy, Parrott, Reiniger, Ryder, Schmidt, Sutton, Wilkin and Woolson—17.

Senator Wolfe moved to strike out words "chapter 12" of title. 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 Senate File No. 126, a bill for an act for an appropriation for the support of the State University of Iowa, without amendment.

Also, Senate File No. 128, making an appropriation for the Iowa State Agricultural College, without amendment.

J. K. POWERS, *Chief Clerk.*

On motion of Senator Sutton, Senate File No. 343, a bill for an act for an appropriation for the State Fish Commission, with report of committee recommending a substitute and do pass was taken up and considered.

Senator Poyneer moved that the further consideration of the bill be postponed until such time as it shall be printed.

On this the yeas and nays were called.

The yeas were:

Senators Chambers, Dooley, Doud, Duncan, Knight, Miles, Parrott, Poyneer, Scott, Sutton and Wolfe—11.

The nays were:

Senators Barrett, Bayless, Bloom, Bolter, Burdick, Caldwell, Carson, Casey, Chesebro, Chubb, Clark, Donnan, Earle, Gatch, Hendrie, Hutchison, McCoy, McDonough, Robinson, Schmidt, Underwood, Weber, Whiting, Wilkin and Young—25.

Absent or not voting:

Senators Carr, Cassatt, Deal, Dodge, Gault, Glass, Henderson, Johnson, Reiniger, Ryder, Stephens, Sweney, Whaley and Woolson—14.

So the motion to postpone was lost.

The question recurring upon the adoption of the committee's substitute it 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 Barrett, Bayless, Bloom, Bolter, Burdick, Caldwell, Carr, Carson, Casey, Cassatt, Chesebro, Chubb, Clark, Deal, Donnan, Dooley, Doud, Earle, Gatch, Gault, Henderson, Hendrie, Hutchison, McCoy, McDonough, Miles, Reiniger, Robinson, Ryder, Sutton, Sweney, Underwood, Weber, Whiting and Young—35.

The nays were:

Senators Chambers, Duncan, Knight, Parrott, Poyneer, Schmidt, Scott, Stephens and Wolfe—9.

Absent or not voting:

Senators Dodge, Glass, Johnson, Whaley, Wilkin and Woolson—6.

So the bill passed and the title was agreed to.

Senator Poyneer offered the following substitute for the title:

A bill to provide for feeding pickerel on carp and rainbow trout, and to support a fish commissioner at a popular summer resort.

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:

Substitute for House File No. 449, a bill for an act to appropriate funds to carry on the work at the Additional Penitentiary at Anamoss, and other purposes connected therewith.

Also, the House has passed Senate File No. 322, a bill for an act for an appropriation for the Benedict Home, without amendment.

J. K. POWERS, *Chief Clerk.*

Senator Sutton moved to make Senate File No. 275, special order after the reading of the journal April 2d.

Adopted.

Senator Bloom moved to make Senate File No. 288, special order following the disposition of Senate File No. 275.

Adopted.

Senator Clark moved to take up Senate File No. 263, with amendments by the House.

On motion of Senator Clark, Senate File No. 263, a bill for an act with amendments by the House, was taken up and considered.

Senator Knight moved to take up the bill by sections.

Adopted.

On the question shall the Senate concur in the House amendments to section 3.

The yeas and nays were called.

The yeas were:

Senators Barrett, Bayless, Caldwell, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wolfe, Woolson and Young—32.

The nays were:

Senators Bloom, Bolter, Burdick, Carr, Chesebro, Dooley, Earle, Gault and Henderson—9.

Absent or not voting:

Senators Casey, Cassatt, Dodge, Hendrie, Reiniger, Ryder, Whiting, Wilkin and Johnson—9.

So the Senate concurred, in the amendments to section 3.

On the question shall the Senate concur in the House amendments to the entire bill.

The yeas were:

Senators Barrett, Caldwell, Chambers, Chubb, Clark, Donnan, Doud, Duncan, Gatch, Glass, McCoy, McDonough, Miles, Poyneer, Reiniger, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Wolfe, Woolson and Young—28.

The nays were:

Senators Gault and Henderson—2.

Absent or not voting:

Senators Bayless, Bloom, Bolter, Burdick, Carr, Carson, Casey, Cassatt, Chesebro, Deal, Dodge, Dooley, Earle, Hendrie, Hutchison, Johnson, Knight, Parrott, Ryder and Whiting—20.

So the House amendments were concurred in.

On motion of Senator Dooley House File No. 668, a bill for an act to authorize the people of an incorporated town under certain stated circumstances to transfer public lots to the purposes of a school-house lot by a two-thirds vote of the election of the town, with report of committee recommending amendments, and do pass, was taken up, considered, and the report of the committee was adopted.

Senator Dooley 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, Caldwell, Carr, Carson, Casey, Cassatt, Chesebro, Chubb, Clark, Donnan, Doud, Duncan, Earle, Gatch, Gault, Glass, Hutchison, Knight, McCoy, Miles, Reiniger, Ryder, Scott, Stephens, Sutton, Sweney, Underwood, Whaley, Wolfe, Woolson and Young—33.

The nays were:

Senator McDonough—1.

Absent or not voting:

Senators Bolter, Burdick, Chambers, Deal, Dodge, Dooley, Henderson, Hendrie, Johnson, Parrott, Poyneer, Robinson, Schmidt, Weber, Whiting and Wilkin—16.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 520, a bill for an act to transfer certain territory by Independent School District of Porterville, in Marion county, to Independent School District of Pleasant Grove, in Mahaska 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.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 528, a bill for an act to grant the right-of-way to the Chicago, Iowa & Northern Pacific Railroad Company over lands owned by the State of Iowa, near 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 the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 354, a bill for an act to amend section 2313 of the Code, relating to the hearing of probate matters requiring notice, beg leave to report that they 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 at the end of line 3, in section 1, after the word "and" the words, "in case there is no contest." And that as thus amended the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 428, a bill for an act to legalize the acts of the officers and the ordinances of the town of West Side, Crawford 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 the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Senator Hutchison, 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. 388, a bill for an act to provide for the issuing and sale of State bonds to procure a loan of money to enable the State of Iowa to locate, construct, equip and operate a railroad from the city of Clinton, in the State of Iowa, to, at or near the city of Chicago, in the State of Illinois, so as to form connections with the trunk lines of railroads and the lakes to the eastern States, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

On motion of Senator Casey House File No. 488, a bill for an act to legalize the ordinances of the city of Keokuk, with report of committee recommending amendments and do pass, was taken up, considered, and the report of the committee was adopted.

Senator Casey 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, Bolter, Caldwell, Carr, Carson, Casey, Chubb, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Hutchison, Knight, McCoy, McDonough, Miles, Ryder, Scott, Stephens, Underwood, Weber, Whaley, Wilkin, Wolfe, Woolson and Young—31.

The nays were, none.

Absent or not voting:

Senators Burdick, Cassatt, Chambers, Chesebro, Clark, Deal, Dodge, Glass, Henderson, Hendrie, Johnson, Parrott, Poyneer, Reiniger, Robinson, Schmidt, Sutton, Sweney and Whiting—19.

So the bill passed and the title was agreed to.

Senator Carson moved to make House File No. 493 special order for 9:10 o'clock to-morrow morning.

Carried.

INTRODUCTION OF BILLS.

By Senator Young, Senate File No. 404, a bill for an act to appropriate money to reimburse citizens for money advanced to aid in making an exhibit of the resources of Iowa at the World's Exposition at New Orleans.

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

By Senator Whiting, Senate File No. 405, a bill for an act to amend section 1807 of Code relative to power of electors of independent districts at annual meetings and legalizing acts heretofore done.

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

Senator Young presented five petitions from different G. A. R. posts in Cass county, asking that the soldiers' home be located at Marshalltown.

Referred to Committee on Military.

Senator Duncan moved to make Senate File No. 359, special order following the disposal of House File No. 493.

Lost.

On motion the Senate adjourned to 9 A. M. to-morrow.

SENATE CHAMBER, }
DES MOINES, IOWA, April 2, 1896. }

The Senate met in regular session at 9 A. M.

The President of the Senate in the chair.

Reading of journal, on motion of Senator Carson, dispensed with. Senator Carson presented concurrent resolution as follows:

WHEREAS, The Union Pacific Railway company is asking Congress for the passage of an act providing for the cancellation of its present bonded indebtedness, and the obligations to the government, consisting of \$29,000,000 of 30-year seven per cent bonds, now nearly due, which will aggregate the sum of about \$90,000,000, which together with the other obligations made by the so-called Thurman act, would amount to more than \$100,000,000 in all; and,

WHEREAS, The said Union Pacific Railroad company seeks by such legislation to substitute in lieu of its obligations to the govern-

ment three per cent. bonds, to mature in eighty (80) years from the date of their issue; and,

WHEREAS, This proposition does violence to all business principles; and,

WHEREAS, The management of said Union Pacific Railroad company has been wasteful and extravagant, having misappropriated its earnings and proceeds from the sale of its domain, granted to it by the general government to aid in its construction; and,

WHEREAS, Such misappropriation of its proceeds and mismanagement is the cause of its present impoverished condition; and,

WHEREAS, It has unceasingly discriminated against Iowa and Iowa interests, crushing out enterprises of vital consequence to the State and its growth and material prosperity, together with other enterprises along the line of its road, varied in their character in other States and territories, thus giving continued evidence of its hostility to the people who must ultimately bear these enormous burdens; and,

WHEREAS, By its past record of misappropriation and wastefulness of its earnings and revenues, giving no assurance by this record that its credit would be improved in the end, or that the government or the people would in any measure be relieved by other additional burdens thus sought to be imposed. Therefore, be it

Resolved by the Senate, the House concurring, That we do solemnly protest against the enactment of this law, and that our senators be instructed and our representatives be requested to use all honorable means in their power to prevent the passage of such law.

Resolved, That the Secretary of State be and he is hereby instructed to forward duly certified copies of the foregoing preamble and concurrent resolution to each of our senators and representatives.

PRESENTATION TO PRESIDENT HULL.

Senator Casey arose to announce on behalf of his senatorial associates that they were about to present a tribute to the ability, impartiality and fairness of the President of the Senate, Lieutenant-Governor J. A. T. Hull, proceeding to the chair of the presiding officer and presenting him with a gold time piece.

The Lieutenant-Governor replied in appropriate words, thanking the Senators for the expression of confidence and appreciation of his labors as a presiding officer.

House File No. 493, a bill for an act to abolish the circuit court and to enlarge the powers and jurisdiction of the district court, and to reorganize the judicial districts of the State, with report of committee recommending amendments and that it do pass, was taken up and considered.

The committee's amendment to title of bill was adopted.

The committee's amendment to section 3 was adopted.

Also, committee's amendments.

Senator Miles moved to strike out the word "three" in line nine and insert "two."

The committee's amendments to subdivision 4 were adopted.

The committee's amendment to subdivision 5 was adopted.

The committee's amendment to 10th subdivision was adopted.

The committee's amendment to subdivision 11 was agreed to.

Senator Weber moved to reconsider the vote by which amendment to subdivision 11 was agreed to.

On this the yeas and nays were demanded.

The yeas were:

Senators Donnan, Gault, Knight, Parrott, Reiniger, Scott, Sutton, Sweney, Underwood, Weber and Woolson—11.

The nays were:

Senators Bolter, Burdick, Carson, Cassatt, Chubb, Deal, Doud, Gatch, Hendrie, Hutchison, Miles, Poyneer, Robinson, Stephens, Whaley, Wilkin, Wolfe and Young—18.

Absent or not voting:

Senators Barrett, Bayless, Bloom, Caldwell, Carr, Casey, Chambers, Chesebro, Clark, Dodge, Dooley, Duncan, Earle, Glass, Henderson, Johnson, McCoy, McDonough, Ryder, Schmidt and Whiting—21.

So the motion to reconsider was not agreed to.

REPORT OF COMMITTEE.

Senator Deal from Committee on Enrolled Bills submitted the following report:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 78, a bill for an act to provide for the election of county attorneys, define their duties, and fix their compensation, and to repeal chapter 8, title 3, and section 3775 of Code of 1873.

Senate File No 66, 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.

House File No. 207, a bill for an act to regulate the practice of medicine and surgery in the State of Iowa.

House File No. 677, a bill for an act to legalize the ordinances of the incorporated town of Cantril, Van Buren county, Iowa.

House File No. 251, a bill for an act requiring banking corporations other than savings banks to incorporate the word "State" in their corporate name, and to prohibit associations, partnerships or individuals engaged in banking business, buying or selling exchange, receiving deposits, discounting notes, etc., from adopting or using the word "State" in connection with such association, partnership or individual name.

House File No. 47, a bill for an act to amend section 1091 of the Code of 1873, providing for the incorporation of temperance societies, trade unions and other organizations of labor.

And find the same correctly enrolled.

JOHN K. DEAL, *Chairman.*

Pending consideration of committee amendments to subdivision 14, a committee of the House appeared to notify the Senate that the House was ready to go into joint convention.

Senator Whaley moved that the Senate do now proceed to meet

the House in joint convention to locate the Soldiers' Home, pursuant to section 3, chapter 58, acts of the 21st General Assembly.

Adopted.

The chair appointed as teller on part of the Senate, Senator Woolson.

The Senate proceeded in a body to the joint convention at 10 A. M.

JOINT CONVENTION.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, FRIDAY, April 2, 1886. }

Joint convention met at 10 o'clock A. M.

President of the Senate in the chair.

Joint resolution relative to location of Soldiers' Home under consideration.

The President appointed as teller on the part of the Senate, Senator Woolson.

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

Senator Donnan moved the joint convention proceed to ballot for location of the Soldiers' Home, without naming places or nominating speeches.

So ordered.

Mr. Dabney submitted a resolution relative to dropping localities having the lowest number of votes, after the fifth ballot.

On motion of Mr. Berryhill the resolution was laid on the table.

The clerk of the House called the roll of the joint convention, and members came to the bar of the House and deposited their votes.

FIRST BALLOT.

One hundred and forty-six votes cast; necessary to a choice seventy-four; of which

Burlington received 21 votes.

Marshalltown received 20 votes.

Sac City received 16 votes.

Jefferson received 14 votes.

Colfax received 10 votes.

Mason City received 8 votes.

Cedar Rapids received 6 votes.

McGregor received 6 votes.

Hampton received 6 votes.

Dubuque received 6 votes.

Indianola received 5 votes.

Decorah received 4 votes.

Ottumwa received 4 votes.

West Union received 3 votes.

Des Moines received 3 votes.

Webster City received 3 votes.

Grinnell received 2 votes.

Algona received 2 votes.

Boone received 2 votes.

Fort Dodge received 2 votes.
Denison received 2 votes.
Davenport received 1 vote.
No choice.

SECOND BALLOT.

One hundred and forty-six votes cast; necessary to a choice, seventy-four; of which

Burlington received 33 votes.
Marshalltown received 23 votes.
Sac City received 16 votes.
Cedar Rapids received 10 votes.
Colfax received 10 votes.
Mason City received 8 votes.
Jefferson received 7 votes.
McGregor received 7 votes.
Decorah received 5 votes.
Dubuque received 4 votes.
Webster City received 3 votes.
Hampton received 3 votes.
Ottumwa received 3 votes.
Algona received 3 votes.
Des Moines received 3 votes.
Indianola received 3 votes.
Grinnell received 2 votes.
Boone received 1 vote.
Fort Dodge received 1 vote.
West Union received 1 vote.
No choice.

THIRD BALLOT.

One hundred and forty-five votes cast; necessary to a choice, seventy-three; of which

Burlington received 34 votes.
Marshalltown received 27 votes.
Sac City received 18 votes.
Colfax received 11 votes.
McGregor received 11 votes.
Cedar Rapids received 6 votes.
Mason City received 6 votes.
Decorah received 6 votes.
Webster City received 4 votes.
Jefferson received 4 votes.
Hampton received 4 votes.
Dubuque received 3 votes.
Indianola received 3 votes.
Ottumwa received 2 votes.
Grinnell received 2 votes.
Algona received 2 votes.
Des Moines received 2 votes.
No choice.

FOURTH BALLOT.

One hundred and forty-seven votes cast; necessary to a choice, seventy-four; of which

Burlington received 38 votes.
Marshalltown received 29 votes.
Sac City received 21 votes.
Colfax received 18 votes.
McGregor received 9 votes.
Decorah received 7 votes.
Cedar Rapids received 6 votes.
Mason City received 5 votes.
Hampton received 4 votes.
Webster City received 4 votes.
Jefferson received 3 votes.
Algona received 3 votes.
Indianola received 3 votes.
Davenport received 3 votes.
Des Moines received 2 votes.
Grinnell received 2 votes.
No choice.

FIFTH BALLOT.

One hundred and forty-one votes cast; necessary to a choice, seventy-one; of which

Burlington received 38 votes.
Marshalltown received 30 votes.
Sac City received 23 votes.
Colfax received 18 votes.
Cedar Rapids received 8 votes.
Decorah received 6 votes.
McGregor received 5 votes.
Mason City received 5 votes.
Hampton received 3 votes.
Jefferson received 2 votes.
Algona received 2 votes.
Indianola received 2 votes.
Davenport received 1 vote.
Fort Dodge received 1 vote.
Des Moines received 1 vote.
Webster City received 1 vote.
No choice.

SIXTH BALLOT.

One hundred and forty-four votes cast; necessary to a choice, seventy-three; of which

Burlington received 34 votes.
Marshalltown received 25 votes.
Sac City received 21 votes.
Colfax received 18 votes.

Mason City received 8 votes.
 Cedar Rapids received 7 votes.
 McGregor received 5 votes.
 Boone received 5 votes.
 Indianola received 5 votes.
 Decorah received 5 votes.
 Webster City received 4 votes.
 Hampton received 3 votes.
 Jefferson received 2 votes.
 Des Moines received 1 vote.
 Algona received 1 vote.
 No choice.

On motion of Senator Whaley, and amended by Senator Doud, the joint convention took a recess until 2:00 o'clock P. M.

AFTERNOON SESSION.

2 O'CLOCK.

Joint Convention met.
 President of the Senate in the chair.

BALLOTING CONTINUED

For location of soldiers' home.

SEVENTH BALLOT.

One hundred and thirty-one votes cast; necessary to a choice, sixty-six; of which

Burlington received 24 votes.
 Marshalltown received 17 votes.
 Colfax received 15 votes.
 Harlan received 15 votes.
 Sac City received 11 votes.
 Cedar Rapids received 10 votes.
 Jefferson received 10 votes.
 Mason City received 6 votes.
 Indianola received 6 votes.
 McGregor received 5 votes.
 Decorah received 4 votes.
 Boone received 3 votes.
 Hampton received 3 votes.
 Webster City received 2 votes.
 No choice.

EIGHTH BALLOT.

One hundred and thirty-five votes cast; necessary to a choice, sixty-eight; of which

Burlington received 26 votes.
Marshalltown received 25 votes.
Sac City received 16 votes.
Colfax received 14 votes.
Jefferson received 8 votes.
Osceola received 8 votes.
Cedar Rapids received 7 votes.
McGregor received 6 votes.
Mason City received 6 votes.
Decorah received 5 votes.
Webster City received 4 votes.
Hampton received 3 votes.
Indianola received 3 votes.
Algona received 1 vote.
Boone received 1 vote.
Fort Dodge received 1 vote.
Harlan received 1 vote.
No choice.

NINTH BALLOT.

One hundred and forty-three votes cast; necessary to a choice, seventy-two; of which

Burlington received 23 votes.
Marshalltown received 22 votes.
Colfax received 21 votes.
Sac City received 17 votes.
McGregor received 9 votes.
Des Moines received 9 votes.
Bellevue received 9 votes.
Cedar Rapids received 8 votes.
Mason City received 6 votes.
Decorah received 4 votes.
Hampton received 3 votes.
Boone received 3 votes.
Indianola received 3 votes.
Fort Dodge received 3 votes.
Algona received 2 votes.
Humboldt received 1 vote.
No choice.

TENTH BALLOT.

One hundred and forty-three votes cast; necessary to a choice, seventy-two; of which

Marshalltown received 24 votes.
Burlington received 23 votes.
Colfax received 21 votes.

Sac City received 16 votes.
Cedar Rapids received 14 votes.
Des Moines received 11 votes.
McGregor received 7 votes.
Mason City received 6 votes.
Decorah received 4 votes.
Jefferson received 3 votes.
Hampton received 3 votes.
Webster City received 2 votes.
Grinnell received 2 votes.
Algona received 2 votes.
Indianola received 2 votes.
Boone received 1 vote.
Fort Dodge received 1 vote.
Humboldt received 1 vote.
No choice.

ELEVENTH BALLOT.

One hundred and forty-three votes cast; necessary to a choice, seventy-two; of which

Boone received 30 votes.
Colfax received 27 votes.
Marshalltown received 26 votes.
Burlington received 24 votes.
Sac City received 17 votes.
Cedar Rapids received 12 votes.
Des Moines received 2 votes.
Indianola received 2 votes.
Mason City received 1 vote.
Algona received 1 vote.
No choice.

TWELFTH BALLOT.

One hundred and forty-two votes cast; necessary to a choice, seventy-two; of which

Fort Dodge received 29 votes.
Jefferson received 26 votes.
Colfax received 24 votes.
Burlington received 24 votes.
Marshalltown received 19 votes.
Sac City received 8 votes.
Cedar Rapids received 4 votes.
Indianola received 3 votes.
Bloomfield received 3 votes.
Mason City received 1 vote.
Marengo received 1 vote.
No choice.

THIRTEENTH BALLOT.

One hundred and thirty-nine votes cast; necessary to a choice, seventy; of which

Algona received 39 votes.
Burlington received 24 votes.
Marshalltown received 23 votes.
Colfax received 22 votes.
Sac City received 13 votes.
Cedar Rapids received 9 votes.
Jefferson received 5 votes.
Indianola received 2 votes.
Webster City received 1 vote.
West Union received 1 vote.
No choice.

FOURTEENTH BALLOT.

One hundred and forty-one votes cast; necessary to a choice, seventy-one; of which

Webster City received 40 votes.
Burlington received 23 votes.
Colfax received 22 votes.
Marshalltown received 15 votes.
Sac City received 12 votes.
Denison received 10 votes.
Bloomfield received 5 votes.
Cedar Rapids received 4 votes.
Jefferson received 2 votes.
Indianola received 2 votes.
McGregor received 1 vote.
Marengo received 1 vote.
Fort Madison received 1 vote.
Shenandoah received 1 vote.
Red Oak received 1 vote.
Oskaloosa received 1 vote.
No choice.

FIFTEENTH BALLOT.

One hundred and forty-three votes cast; necessary to a choice, seventy-two; of which

Hampton received 57 votes.
Burlington received 21 votes.
Marshalltown received 21 votes.
Colfax received 19 votes.
Sac City received 9 votes.
Anamosa received 8 votes.
Cedar Rapids received 3 votes.
Indianola received 2 votes.
Bloomfield received 2 votes.

Webster City received 1 vote.
 Jefferson received 1 vote.
 Decorah received 1 vote.
 Mason City received 1 vote.
 Ottumwa received 1 vote.
 Winterset received 1 vote.
 No choice.

SIXTEENTH BALLOT.

One hundred and thirty-nine votes cast; necessary to a choice, seventy; of which
 Mason City received 30 votes.
 Marengo received 29 votes.
 Marshalltown received 22 votes.
 Burlington received 20 votes.
 Colfax received 20 votes.
 Sac City received 8 votes.
 Cedar Rapids received 7 votes.
 Jefferson received 1 vote.
 Decorah received 1 vote.
 Clarinda received 1 vote.
 No choice.

SEVENTEENTH BALLOT.

One hundred and thirty-seven votes cast; necessary to a choice, sixty-nine; of which
 Decorah received 39 votes.
 Cedar Rapids received 35 votes.
 Colfax received 19 votes.
 Burlington received 18 votes.
 Marshalltown received 16 votes.
 Sac City received 4 votes.
 Indianola received 3 votes.
 McGregor received 2 votes.
 Grinnell received 2 votes.
 Jefferson received 1 vote.
 No choice.

The President appointed as assistant teller Senator Burdick on the part of the Senate.

The Speaker appointed as assistant teller Mr. Greenlee on the part of the House.

EIGHTEENTH BALLOT.

One hundred and forty-two votes cast; necessary to a choice, seventy-two; of which
 McGregor received 58 votes.
 Colfax received 27 votes.
 Marshalltown received 20 votes.

Burlington received 18 votes.
 Sac City received 8 votes.
 Cedar Rapids received 4 votes.
 Indianola received 3 votes.
 Grinnell received 2 votes.
 Jefferson received 1 vote.
 Decorah received 1 vote.
 No choice.

NINETEENTH BALLOT.

One hundred and thirty nine votes cast; necessary to a choice, seventy; of which

West Union received 31 votes.
 Burlington received 26 votes.
 Colfax received 25 votes.
 Marshalltown received 21 votes.
 Belle Plaine received 17 votes.
 Cedar Rapids received 6 votes.
 Sac City received 6 votes.
 Grinnell received 2 votes.
 Indianola received 1 vote.
 Shenandoah received 1 vote.
 Mason City received 1 vote.
 Winterset received 1 vote.
 Lost Nation received 1 vote.
 No choice.

TWENTIETH BALLOT.

One hundred and forty-three votes cast; necessary to a choice, seventy-two; of which

Burlington received 43 votes.
 Sac City received 31 votes.
 Marshalltown received 25 votes.
 Colfax received 25 votes.
 Cedar Rapids received 5 votes.
 Grinnell received 4 votes.
 Mason City received 3 votes.
 Winterset received 2 votes.
 Webster City received 1 vote.
 Odebolt received 1 vote.
 Sioux City received 1 vote.
 Decorah received 1 vote.
 West Union received 1 vote.
 No choice.

TWENTY-FIRST BALLOT.

One hundred and forty-two votes cast; necessary to a choice, seventy-two; of which

Marshalltown received 47 votes.

Colfax received 35 votes.
 Burlington received 23 votes.
 Indianola received 11 votes.
 Sac City received 8 votes.
 Cedar Rapids received 4 votes.
 Hamburg received 4 votes.
 Mason City received 3 votes.
 Webster City received 2 votes.
 Marengo received 2 votes.
 Sioux City received 2 votes.
 Des Moines received 1 vote.
 Decorah received 1 vote.
 Grinnell received 1 vote.
 No choice.

TWENTY-SECOND BALLOT.

One hundred and forty-one votes cast; necessary to a choice, seventy-one; of which

Colfax received 42 votes.
 Burlington received 27 votes.
 Marshalltown received 27 votes.
 Sioux City received 27 votes.
 Cedar Rapids received 4 votes.
 Mason City received 3 votes.
 Indianola received 2 votes.
 Webster City received 1 vote.
 Sac City received 1 vote.
 Des Moines received 1 vote.
 Dubuque received 1 vote.
 Fort Dodge received 1 vote.
 Decorah received 1 vote.
 Lemars received 1 vote.
 Highlandsville received 1 vote.
 No choice.

Mr. Butler of Page moved the convention take a recess until 8 o'clock this evening.

Mr. Hotchkiss moved to amend by striking out 8 o'clock this evening and insert 9 o'clock A. M., to-morrow.

On the amendment the yeas and nays were called.

The question being, shall the amendment be adopted.

The yeas were:

Messrs. Agnew, Anderson of Hamilton, Bailey, Ball, Barnum, Benson, Berryhill, Bolter, Bradley, Bruce, Burgess, Butler of Cherokee, Butler of Page, Carr, Casey, Clark of Scott, Coie, Cousins, Culbertson of Carroll, Culbertson of Des Moines, Deal, Densmore, Dodge, Dooley, Earle, Finn, Garrett, Gault, Glass, Hamilton, Hammond, Harris, Hart of Pottawattamie, Hayzlett, Head, Henderson, Hotchkiss, Johnson, Keatley, Kent, Killen, Kline, Knight, Lathrop, Mander-schied, Meservey, Mitchell, Montgomery, Moore, Nelson, Pattee, Penny, Ramsey, Redhead, Reynolds, Rice, Riley, Roach, Roberts,

Russell, Rustad, Ryder, Schaller, Schee, Scott, Spencer, Stephens, Stiger, Sweet, Teale, Thompson of Clayton, Thompson of Linn, Tipton, Walker, Weaver, Weber, Welch, Whiting, Wilbur, Wiley, Wilson of Butler, Wolfe, Woolson and Wyland—84.

The nays were:

Messrs. Anderson of Warren, Barrett, Bayless, Bloom, Boggs, Brown, Burdick, Caldwell, Carson, Chesebro, Chubb, Clark of Page, Coleman, Converse, Craig, Custer, Dabney, Dent, Dobson, Donnan, Doud, Gatch, Gates, Greenlee, Hart of Clinton, Holbrook, Hutchison, La Force, Larson, Lyons of Guthrie, Lyons of Mahaska, McCoy, McDonough, Nachtwey, Overholtzer, Parrott, Peterson, Poyneer, Redman, Reiniger, Robb, Robinson, Shaw, Smith, Sweeney, Underwood, Whaley, Wilkin, Wilson of Cass, Wright and Young—51.

Absent or not voting:

Messrs. Baldwin, Cassatt, Chamberlin, Chambers, Deitz, Duncan, Hendrie, Linehan, McCarthy, Miles, Ranck, Schmidt, Storey, Sutton and Withrow—15.

So the amendment was adopted and the motion, as amended, adopted, and the joint convention took a recess until 9 o'clock A. M. Saturday, April 3, 1886.

SATURDAY, APRIL 3, 1886.

Joint convention reassembled.

The President of the Senate in the chair.

TWENTY-THIRD BALLOT.

One hundred and seventeen votes cast; necessary to a choice, fifty-nine; of which

Marshalltown received 30 votes.

Burlington received 24 votes.

Colfax received 23 votes.

Algona received 13 votes.

Cedar Rapids received 7 votes.

Davenport received 5 votes.

Sac City received 3 votes.

Mason City received 3 votes.

Winterset received 2 votes.

Indianola received 2 votes.

Webster City received 1 vote.

Des Moines received 1 vote.

Fort Dodge received 1 vote.

Boone received 1 vote.

Jefferson received 1 vote.

No choice.

TWENTY-FOURTH BALLOT.

One hundred and twenty-three votes cast; necessary to a choice, sixty-two; of which

Burlington received 27 votes.
Marshalltown received 26 votes.
Hampton received 26 votes.
Colfax received 24 votes.
Cedar Rapids received 6 votes.
Winterset received 6 votes.
Mason City received 2 votes.
Sac City received 1 vote.
Jefferson received 1 vote.
Indianola received 1 vote.
New Hampton received 1 vote.
McGregor received 1 vote.
No choice.

TWENTY-FIFTH BALLOT.

One hundred and thirty-two votes cast; necessary to a choice, sixty-seven; of which

Mason City received 40 votes.
Colfax received 29 votes.
Burlington received 26 votes.
Marshalltown received 24 votes.
Cedar Rapids received 8 votes.
Indianola received 3 votes.
Jefferson received 1 vote.
Winterset received 1 vote.
No choice.

TWENTY-SIXTH BALLOT.

One hundred and twenty-eight votes cast; necessary to a choice, sixty-five; of which

West Union received 33 votes.
Colfax received 28 votes.
Burlington received 26 votes.
Marshalltown received 26 votes.
Cedar Rapids received 8 votes.
Indianola received 6 votes.
Davenport received 1 vote.
No choice.

TWENTY-SEVENTH BALLOT.

One hundred and twenty-nine votes cast; necessary to a choice, sixty-five; of which

Sac City received 49 votes.
Burlington received 24 votes.
Marshalltown received 24 votes.

Colfax received 22 votes.
 Cedar Rapids received 5 votes.
 Algona received 1 vote.
 Indianola received 1 vote.
 Mason City received 1 vote.
 Winterset received 1 vote.
 Boone received 1 vote.
 No choice.

TWENTY-EIGHTH BALLOT.

One hundred and thirty-one votes cast; necessary to a choice, sixty-six; of which

Boone received 31 votes.
 Marshalltown received 30 votes.
 Burlington received 29 votes.
 Colfax received 28 votes.
 Cedar Rapids received 6 votes.
 Sac City received 2 votes.
 Indianola received 1 vote.
 Mason City received 1 vote.
 Winterset received 1 vote.
 Webster City received 1 vote.
 Des Moines received 1 vote.
 No choice.

Senator Scott offered the following resolution:

Resolved, That immediately upon the counting of the twenty-ninth ballot the president of the joint convention shall declare the same dissolved.

Mr. Storey moved to amend by striking out twenty-ninth and insert thirty-third.

Senator Robinson moved to lay the resolution and amendments on the table.

On this question the yeas and nays were demanded.

The yeas were:

Messrs. Anderson of Hamilton, Bailey, Baldwin, Benson, Bradley, Brown, Burgess, Caldwell, Carson, Casey, Chamberlin, Coleman, Culbertson of Carroll, Culbertson of Des Moines, Custer, Deal, Deitz, Dobson, Dodge, Donnan, Dooley, Doud, Duncan, Glass, Greenlee, Harris, Hart of Pottawattamie, Hayzlett, Johnson, Keatley, Kent, Kline, LaForce, Linehan, Lyons of Guthrie, Lyons of Mahaska, McCoy, Meservey, Mitchell, Moore, Nachtwey, Penny, Peterson, Ranok, Reiniger, Robinson, Russell, Ryder, Schaller, Schee, Schmidt, Shaw, Smith, Stephens, Sutton, Sweney, Sweet, Thompson of Clayton, Thompson of Linn, Tipton, Underwood, Welch, Whaley, Wilson of Cass, Woolson, Wright and Young—67.

The nays were:

Messrs. Agnew, Anderson of Warren, Barnum, Bayless, Berryhill, Bloom, Boggs, Bolter, Bruce, Burdick, Butler of Cherokee, Butler of Page, Cassatt, Chesebro, Carr, Chubb, Clark of Page, Clark of Scott, Coie, Converse, Craig, Dabney, Densmore, Dent, Earle, Finn, Garrett,

Gatch, Gates, Hamilton, Hart of Clinton, Hendrie, Holbrook, Hotchkiss, Hutchison, Killen, Knight, Larson, Lathrop, Manderscheid, Montgomery, Nelson, Overholtzer, Parrott, Pattee, Poyneer, Ramsey, Redman, Reynolds, Rice, Robb, Rustad, Scott, Spencer, Stiger, Storey, Teale, Walker, Weaver, Weber, Whiting, Wilbur, Wiley, Wilkin, Wilson of Butler, Wolfe and Wyland—68.

Absent or not voting:

Messrs. Ball, Barrett, Chambers, Cousins, Gault, Hammond, Head, Henderson, McCarthy, McDonough, Redhead, Riley, Roach and Withrow—14.

So the motion to lay on the table was lost.

The question recurring on the amendment of Mr. Storey, it was adopted.

The question recurring on the resolution by Senator Scott, as amended, the yeas and nays were demanded.

The yeas were:

Messrs. Agnew, Anderson of Hamilton, Anderson of Warren, Baldwin, Barnum, Berryhill, Bolter, Bruce, Butler of Cherokee, Butler of Page, Carr, Casey, Cassatt, Chesebro, Chubb, Clark of Page, Clark of Scott, Coie, Craig, Dabney, Deitz, Densmore, Dent, Dooley, Finn, Gatch, Gates, Hamilton, Hart of Pottawattamie, Hendrie, Holbrook, Hotchkiss, Hutchison, Keatley, Kent, Killen, Knight, Lathrop, Miles, Montgomery, Moore, Overholtzer, Parrott, Pattee, Poyneer, Ramsey, Reynolds, Rice, Robb, Roberts, Rustad, Schaller, Schee, Scott, Storey, Teale, Weber, Welch, Whiting, Wiley, Wilson of Butler, Wolfe and Wyland—63.

The nays were:

Messrs. Bailey, Bayless, Benson, Bloom, Boggs, Brown, Burdick, Burgess, Caldwell, Carson, Chamberlin, Coleman, Converse, Cousins, Culbertson of Carroll, Culbertson of Des Moines, Custer, Deal, Dobson, Dodge, Donnan, Doud, Duncan, Earle, Garrett, Glass, Greenlee, Harris, Hart of Clinton, Hayzlett, Johnson, Kline, La Force, Larson, Linehan, Lyons of Guthrie, Lyons of Mahaska, McCoy, Manderschied, Meservey, Mitchell, Nachtwey, Nelson, Redman, Reiniger, Robinson, Russell, Ryder, Schmidt, Shaw, Smith, Spencer, Stephens, Stiger, Sutton, Sweney, Sweet, Thompson of Clayton, Thompson of Linn, Tipton, Underwood, Walker, Weaver, Whaley, Wilbur, Wilkin, Wilson of Cass, Woolson, Wright and Young—70.

Absent or not voting:

Messrs. Ball, Barrett, Chambers, Gault, Hammond, Head, Henderson, McCarthy, McDonough, Penny, Peterson, Ranck, Redhead, Riley, Roach and Withrow—16.

So the resolution was lost.

Senator Wolfe offered the following resolution:

Resolved, That the Sergeant-at-Arms be directed to clear the floor of the House of all persons except the members and officers of the joint convention and reporters.

Mr. Lyons of Guthrie moved to lay the resolution on the table.

On this question the yeas and nays were demanded.

The yeas were:

Messrs. Bailey, Barnum, Bayless, Benson, Berryhill, Bloom, Boggs, Bradley, Brown, Burdick, Burgess, Butler of Page, Carson, Casey,

Chamberlin, Chesebro, Chubb, Clark of Scott, Coie, Cousins, Craig, Culbertson of Carroll, Culbertson of Des Moines, Deal, Deitz, Densmore, Dent, Dobson, Dodge, Dooley, Duncan, Garrett, Gates, Glass, Greenlee, Hamilton, Hart of Pottawattamie, Hayzlett, Head, Hendrie, Keatley, Kent, Killen, LaForce, Larson, Lathrop, Lyons of Guthrie, Lyons of Mahaska, McCoy, Meservey, Miles, Montgomery, Moore, Nachtwey, Nelson, Pattee, Penny, Poyneer, Ramsey, Ranck, Redhead, Redman, Reiniger, Reynolds, Rice, Roberts, Rustad, Schaller, Smith, Spencer, Stiger, Storey, Sweney, Sweet, Thompson of Linn, Tipton, Walker, Weber, Whaley, Wiley and Woolson—81.

The nays were:

Messrs. Agnew, Anderson of Warren, Baldwin, Bolter, Bruce, Butler of Cherokee, Caldwell, Carr, Cassatt, Clark of Page, Converse, Custer, Dabney, Donnan, Doud, Gatch, Harris, Hart of Clinton, Holbrook, Hotchkiss, Hutchison, Johnson, Knight, Linehan, Mander-schied, Overholtzer, Parrott, Robinson, Russell, Ryder, Schee, Schmidt, Scott, Shaw, Stephens, Sutton, Teale, Thompson of Clayton, Weaver, Whiting, Wilbur, Wilkin, Wilson of Butler, Wilson of Cass, Wolfe and Wright—47.

Absent or not voting:

Messrs. Anderson of Hamilton, Ball, Barrett, Chambers, Earle, Finn, Gault, Hammond, Henderson, Kline, McCarthy, McDonough, Mitchell, Peterson, Riley, Roach, Robb, Underwood, Welch, Withrow, Wyland and Young—22

So the resolution was laid on the table.

TWENTY-NINTH BALLOT.

One hundred and thirty-nine votes cast; necessary to a choice, seventy; of which

Webster City received 40 votes.

Burlington received 33 votes.

Marshalltown received 27 votes.

Colfax received 27 votes.

Cedar Rapids received 6 votes.

Mason City received 2 votes.

Indianola received 1 vote.

Winterset received 1 vote.

Des Moines received 1 vote.

Harlan received 1 vote.

No choice.

On motion of Senator Weber the rules of the House were made the rules of the joint convention so far as applicable.

THIRTIETH BALLOT.

One hundred and thirty-two votes cast; necessary to a choice, sixty-seven; of which

McGregor received 40 votes.

Marshalltown received 29 votes.

Burlington received 27 votes.

Colfax received 20 votes.

Cedar Rapids received 6 votes.

Jefferson received 3 votes.
 Des Moines received 2 votes.
 Sac City received 1 vote.
 Indianola received 1 vote.
 Winterset received 1 vote.
 Davenport received 1 vote.
 Decorah received 1 vote.
 No choice.

THIRTY-FIRST BALLOT.

One hundred and twenty votes cast; necessary to a choice, sixty-one; of which

Marshalltown received 29 votes.
 Fort Dodge received 28 votes.
 Burlington received 24 votes.
 Colfax received 23 votes.
 Cedar Rapids received 4 votes.
 Winterset received 3 votes.
 Indianola received 2 votes.
 Sac City received 1 vote.
 Jefferson received 1 vote.
 Hampton received 1 vote.
 Davenport received 1 vote.
 Des Moines received 1 vote.
 Decorah received 1 vote.
 Calmar received 1 vote.
 No choice.

THIRTY-SECOND BALLOT.

One hundred and twenty-two ballots cast; necessary to a choice, sixty-two; of which

Decorah received 40 votes.
 Burlington received 25 votes.
 Marshalltown received 24 votes.
 Colfax received 18 votes.
 Jefferson received 5 votes.
 Cedar Rapids received 3 votes.
 Indianola received 3 votes.
 Winterset received 1 vote.
 Davenport received 1 vote.
 Fort Dodge received 1 vote.
 Van Horn received 1 vote.
 No choice.

THIRTY-THIRD BALLOT.

One hundred and thirty-four votes cast; necessary to a choice, sixty-eight; of which

Jefferson received 48 votes.
 Marshalltown received 26 votes.

Burlington received 22 votes.
 Colfax received 14 votes
 Cedar Rapids received 5 votes.
 Mason City received 3 votes.
 Sac City received 2 votes.
 Indianola received 2 votes.
 McGregor received 2 votes.
 Woodburn received 2 votes.
 Davenport received 1 vote.
 Boone received 1 vote.
 Decorah received 1 vote.
 Fort Dodge received 1 vote.
 Denison received 1 vote.
 Sioux City received 1 vote.
 Le Mars received 1 vote.
 Iowa Falls received 1 vote.

No choice.

Senator Scott moved the joint convention be now dissolved.

On this question the yeas and nays were demanded.

The yeas were:

Messrs. Agnew, Anderson of Warren, Bailey, Bolter, Bruce, Butler of Cherokee, Butler of Page, Chambers, Chesebro, Chubb, Clark of Scott, Dabney, Dent, Finn, Garrett, Gates, Hart of Clinton, Holbrook, Hotchkiss, Killen, Knight, Lathrop, McDonough, Miles, Parrott, Peterson, Rice, Robb, Roberts, Rustad, Scott, Teale, Wiley and Wolfe—34.

The nays were:

Messrs. Anderson of Hamilton, Baldwin, Benson, Berryhill, Boggs, Bradley, Brown, Burdick, Burgess, Caldwell, Carson, Casey, Chamberlin, Coie, Coleman, Converse, Cousins, Craig, Culbertson, of Carroll, Culbertson of Des Moines, Custer, Deal, Deitz, Dobson, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Glass, Greenlee, Hamilton, Harris, Hart of Pottawattamie, Hayzlett, Head, Henderson, Hutchison, Johnson, Keatley, Kent, Kline, LaForce, Larson, Lyons of Guthrie, Lyons of Mahaska, McCoy, Manderscheid, Meservey, Mitchell, Montgomery, Moore, Nachtwey, Nelson, Pattee, Penny, Poyneer, Ramsey, Ranck, Redhead, Redman, Reiniger, Reynolds, Robinson, Russell, Ryder, Schaller, Schee, Shaw, Smith, Spencer, Stiger, Sutton, Sweney, Sweet, Thompson of Clayton, Thompson of Linn, Tipton, Underwood, Walker, Weber, Welch, Whaley, Wilbur, Wilkin, Wilson of Butler, Wilson of Cass, Wright and Young—91.

Absent or not voting:

Messrs. Ball, Barnum, Barrett, Bayless, Bloom, Carr, Cassatt, Clark of Page, Densmore, Gault, Hammond, Hendrie, Linehan, McCarthy, Overholtzer, Riley, Roach, Schmidt, Weaver, Whiting, Withrow, Woolson and Wyland—23.

So the motion to dissolve was lost.

On motion of Mr. Sohee the joint convention took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

2 O'CLOCK P. M.

Joint convention met, President in the chair.

Mr Dabney offered the following resolution:

Resolved, That immediately after announcing the result of the 41st ballot the President of this joint convention shall declare the same dissolved, unless some place shall have received a majority of all the votes cast prior to that time.

On motion of Mr. Thompson of Linn the further consideration of the resolution was postponed until after the 41st ballot.

THIRTY-FOURTH BALLOT.

One hundred and twenty-four votes cast; necessary to a choice, sixty-three; of which

Cedar Rapids received 59 votes.
 Colfax received 21 votes.
 Burlington received 17 votes.
 Marshalltown received 16 votes.
 Sioux City received 4 votes.
 Mason City received 1 vote.
 Winterset received 1 vote.
 Davenport received 1 vote.
 Denison received 1 vote.
 Dubuque received 1 vote.
 Algona received 1 vote.
 Newton received 1 vote.
 No choice.

THIRTY-FIFTH BALLOT.

One hundred and twenty-six votes cast; necessary to a choice, sixty-four; of which

Burlington received 43 votes.
 Des Moines received 26 votes.
 Marshalltown received 22 votes.
 Colfax received 15 votes.
 Cedar Rapids received 9 votes.
 Algona received 4 votes.
 Dubuque received 2 votes.
 Webster City received 1 vote.
 Mason City received 1 vote.
 Sioux City received 1 vote.
 Winterset received 1 vote.
 Hampton received 1 vote.
 No choice.

THIRTY SIXTH BALLOT.

One hundred and thirty-four votes cast; necessary to a choice, sixty-eight; of which

Marshalltown received 52 votes.

Ottumwa received 23 votes.

Burlington received 19 votes.

Algona received 17 votes.

Colfax received 16 votes.

Cedar Rapids received 3 votes.

Dubuque received 2 votes.

Des Moines received 2 votes.

No choice.

THIRTY-SEVENTH BALLOT.

One hundred and thirty-four votes cast; necessary to a choice, sixty-eight; of which

Marshalltown received 37 votes.

Hampton received 31 votes.

Burlington received 21 votes.

Colfax received 18 votes.

Indianola received 9 votes.

Cedar Rapids received 5 votes.

Dubuque received 3 votes.

Ottumwa received 3 votes.

Davenport received 3 votes.

Jefferson received 1 vote.

Mason City received 1 vote.

Des Moines received 1 vote.

Polk City received 1 vote.

No choice.

THIRTY-EIGHTH BALLOT.

One hundred and thirty-two votes cast; necessary to a choice, sixty-seven; of which

Dubuque received 41 votes.

Marshalltown received 30 votes.

Colfax received 18 votes.

Burlington received 13 votes.

Cedar Rapids received 13 votes.

Mason City received 12 votes.

Indianola received 2 votes.

Des Moines received 1 vote.

Ottumwa received 1 vote.

Davenport received 1 vote.

No choice.

THIRTY-NINTH BALLOT.

One hundred and nineteen votes cast; necessary to a choice, sixty;
of which

Colfax received 40 votes.
Marshalltown received 31 votes.
Burlington received 22 votes.
Cedar Rapids received 15 votes.
Boone received 6 votes.
Jefferson received 1 vote.
Indianola received 1 vote.
Winterset received 1 vote.
Des Moines received 1 vote.
Davenport received 1 vote.
No choice.

FORTIETH BALLOT.

One hundred and twenty-seven votes cast; necessary to a choice,
sixty-four; of which

Marshalltown received 49 votes.
Burlington received 28 votes.
Colfax received 19 votes.
Cedar Rapids received 11 votes.
Sac City received 7 votes.
McGregor received 3 votes.
Mason City received 2 votes.
Creston received 2 votes.
Indianola received 1 vote.
Webster City received 1 vote.
Winterset received 1 vote.
Des Moines received 1 vote.
Polk City received 1 vote.
Grinnell received 1 vote.
No choice.

Mr. Thompson of Clayton, moved the Joint Convention be finally dissolved at 6 o'clock this evening, provided no choice is made sooner.

On motion of Mr. Weaver the further consideration of the motion was postponed until 5:45 o'clock.

FORTY-FIRST BALLOT.

One hundred and thirty votes cast; necessary to a choice, sixty-six;
of which

Marshalltown received 48 votes.
Burlington received 34 votes.
Colfax received 15 votes.
Cedar Rapids received 13 votes.
Creston received 8 votes.
Jefferson received 3 votes.
Boone received 3 votes.

Mason City received 2 votes.

Webster City received 1 vote.

Algona received 1 vote.

Hampton received 1 vote.

McGregor received 1 vote.

No choice.

Mr. Dabney called up his resolution relative to dissolving the convention after the 41st ballot.

On motion of Mr. Cousins the further consideration of the resolution was postponed until 6 o'clock.

FORTY-SECOND BALLOT.

One hundred and thirty-three votes cast; necessary to a choice, sixty-seven; of which

Burlington received 54 votes.

Marshalltown received 50 votes.

Colfax received 15 votes.

Webster City received 5 votes.

Cedar Rapids received 4 votes.

Dubuque received 1 vote.

Winterset received 1 vote.

Hampton received 1 vote.

Davenport received 1 vote.

McGregor received 1 vote.

No choice.

FORTY-THIRD BALLOT.

One hundred and thirty-eight votes cast; necessary to a choice, seventy; of which

Burlington received 62 votes.

Marshalltown received 55 votes.

Colfax received 8 votes.

Cedar Rapids received 8 votes.

McGregor received 2 votes.

Jefferson received 1 vote.

Winterset received 1 vote.

Davenport received 1 vote.

No choice.

FORTY-FOURTH BALLOT.

One hundred and thirty-seven votes cast; necessary to a choice, sixty-nine; of which

Marshalltown received 59 votes.

Burlington received 52 votes.

Cedar Rapids received 12 votes.

Colfax received 10 votes.

Jefferson received 1 vote.

Indianola received 1 vote.

Winterset received 1 vote.

McGregor received 1 vote.

No choice.

FORTY-FIFTH BALLOT.

One hundred and thirty-seven votes cast; necessary to a choice, sixty-nine; of which

Marshalltown received 57 votes.

Burlington received 45 votes.

Colfax received 14 votes.

Cedar Rapids received 10 votes.

Dubuque received 9 votes.

Winterset received 1 vote.

No choice.

FORTY-SIXTH BALLOT.

One hundred and thirty-two votes cast; necessary to a choice, sixty-seven; of which

Marshalltown received 52 votes.

Burlington received 40 votes.

Cedar Rapids received 16 votes.

Dubuque received 12 votes.

Colfax received 9 votes.

Webster City received 1 vote.

Algona received 1 vote.

Winterset received 1 vote.

No choice.

FORTY-SEVENTH BALLOT.

One hundred and thirty-four votes cast; necessary to a choice, sixty-eight; of which

Marshalltown received 48 votes.

Burlington received 42 votes.

Cedar Rapids received 26 votes.

Colfax received 14 votes.

Jefferson received 2 votes.

Dubuque received 1 vote.

Winterset received 1 vote.

No choice.

FORTY-EIGHTH BALLOT.

One hundred and twenty three votes cast; necessary to a choice sixty-two, of which

Marshalltown received 40 votes.

Cedar Rapids received 36 votes.

Burlington received 27 votes.

Colfax received 15 votes.

Pulaski received 2 votes.

Mason City received 1 vote.

Winterset received 1 vote.

Boone received 1 vote.

No choice.

FORTY-NINTH BALLOT.

One hundred and twenty-five votes cast; necessary to a choice sixty-three, of which

Cedar Rapids received 43 votes.
 Marshalltown received 39 votes.
 Burlington received 20 votes.
 Colfax received 16 votes.
 Mason City received 2 votes.
 Webster City received 1 vote.
 Dubuque received 1 vote.
 Winterset received 1 vote.
 No choice.

FIFTIETH BALLOT.

One hundred and twenty-five votes cast; necessary to a choice sixty-three, of which

Cedar Rapids received 44 votes.
 Marshalltown received 31 votes.
 Burlington received 26 votes.
 Colfax received 16 votes.
 Mason City received 4 votes.
 Dubuque received 1 vote.
 Winterset received 1 vote.
 Boone received 1 vote.
 Rising Sun received 1 vote.
 No choice.

FIFTY-FIRST BALLOT.

One hundred and thirty votes cast; necessary to a choice, sixty-six; of which

Cedar Rapids received 41 votes.
 Marshalltown received 32 votes.
 Burlington received 25 votes.
 Colfax received 16 votes.
 Mason City received 4 votes.
 Dubuque received 2 votes.
 Winterset received 2 votes.
 Algona received 1 vote.
 Jefferson received 1 vote.
 Chariton received 1 vote.
 No choice.

SPECIAL ORDER.

Being the resolutions by Messrs. Dabney and Thompson, of Clayton, relative to dissolving the joint convention at 6 o'clock P. M.

On this question, the yeas and nays were demanded.

The yeas were:

Messrs. Agnew, Anderson of Warren, Barnum, Bayless, Boggs, Bolter, Bradley, Butler of Page, Carr, Casey, Chubb, Clark of Page, Clark

of Scott, Craig, Dabney, Deitz, Densmore, Earle, Finn, Garrett, Gates, Hamilton, Hart of Clinton, Hart of Pottawattamie, Hendrie, Holbrook, Hotchkiss, Keatley, Kent, Killen, Larson, Lathrop, McDonough, Manderschied, Mitchell, Montgomery, Moore, Nelson, Parrott, Peterson, Ramsey, Reynolds, Rice, Robb, Roberts, Rustad, Schee, Scott, Teale, Thompson of Clayton, Weaver, Whiting, Wolfe and Wyland—54.

The nays were:

Messrs. Anderson of Hamilton, Bailey, Baldwin, Benson, Berryhill, Bloom, Brown, Burdick, Burgess, Butler of Cherokee, Caldwell, Carson, Chamberlin, Coleman, Converse, Cousins, Culbertson of Carroll, Culbertson of Des Moines, Custer, Deal, Dent, Dobson, Dodge, Donnan, Doud, Duncan, Gatch, Glass, Greenlee, Harris, Henderson, Hutchison, Kline, Lyons of Guthrie, Lyons of Mahaska, McCoy, Meservey, Miles, Overholzer, Penny, Poyneer, Ranck, Redhead, Redman, Reiniger, Robinson, Russell, Ryder, Schaller, Schmidt, Smith, Spencer, Stephens, Stiger, Sutton, Sweney, Sweet, Thompson of Linn, Tipton, Underwood, Walker, Weber, Welch, Wilbur, Wiley, Wilkin, Wilson of Cass, Woolson, Wright and Young—70.

Absent or not voting:

Messrs. Ball, Barrett, Bruce, Cassatt, Chambers, Chesebro, Coie, Dooley, Gault, Hammond, Hayzlett, Head, Johnson, Knight, La Force, Linehan, McCarthy, Nachtwey, Pattee, Riley, Roach, Shaw, Storey, Whaley, Wilson of Butler and Withrow—26.

So the resolution was lost.

On motion of Senator Clark, and amended by Senator Sweney, the joint convention took a recess until 7:45 o'clock this evening.

EVENING SESSION.

7:45 O'CLOCK.

Joint convention met. Speaker in the chair.

Balloting resumed.

FIFTY-SECOND BALLOT.

One hundred and fourteen votes cast; necessary to a choice, fifty-eight; of which

Marshalltown received 34 votes.

Burlington received 32 votes.

Cedar Rapids received 15 votes.

Colfax received 13 votes.

Webster City received 4 votes.

Mason City received 3 votes.

Algona received 2 votes.

Sac City received 2 votes.

Dubuque received 1 vote.
 Winterset received 1 vote.
 Jefferson received 1 vote.
 Decorah received 1 vote.
 Sioux City received 1 vote.
 Davenport received 1 vote.
 Des Moines received 1 vote.
 No choice.

FIFTY-THIRD BALLOT.

One hundred and nineteen votes cast; necessary to a choice, sixty;
 of which

Marshalltown received 39 votes.
 Burlington received 27 votes.
 Cedar Rapids received 16 votes.
 Colfax received 13 votes.
 Des Moines received 5 votes.
 Webster City received 3 votes.
 Algona received 2 votes.
 McGregor received 2 votes.
 Muscatine received 2 votes.
 Mason City received 1 vote.
 Winterset received 1 vote.
 Boone received 1 vote.
 Jefferson received 1 vote.
 Davenport received 1 vote.
 No choice.

FIFTY-FOURTH BALLOT.

One hundred and twenty-one votes were cast; necessary to a choice
 sixty-one, of which

Burlington received 40 votes.
 Marshalltown received 36 votes.
 Cedar Rapids received 17 votes.
 Colfax received 15 votes.
 Des Moines received 8 votes.
 Mason City received 2 votes.
 Webster City received 2 votes.
 Dubuque received 1 vote.
 Winterset received 1 vote.
 Boone received 1 vote.
 Algona received 1 vote.
 Sioux City received 1 vote.
 Indianola received 1 vote.
 No choice.

FIFTY-FIFTH BALLOT.

One hundred and twenty-five votes were cast; necessary to a choice
 sixty-three, of which

Burlington received 42 votes.

Marshalltown received 36 votes.
 Colfax received 29 votes.
 Cedar Rapids received 4 votes.
 Webster City received 3 votes.
 Indianola received 3 votes.
 Mason City received 2 votes.
 Des Moines received 2 votes.
 Dubuque received 1 vote.
 Winterset received 1 vote.
 Sioux City received 1 vote.
 Hampton received 1 vote.
 No choice.

FIFTY-SIXTH BALLOT.

One hundred and nineteen votes cast; necessary to a choice sixty,
 of which

Colfax received 34 votes.
 Burlington received 31 votes.
 Marshalltown received 18 votes.
 Algona received 13 votes.
 Dubuque received 11 votes.
 Cedar Rapids received 7 votes.
 Sac City received 1 vote.
 Decorah received 1 vote.
 Des Moines received 1 vote.
 Indianola received 1 vote.
 No choice.

FIFTY-SEVENTH BALLOT.

One hundred and fifteen votes cast; necessary to a choice, fifty-
 eight; of which

Colfax received 39 votes.
 Burlington received 27 votes.
 Marshalltown received 24 votes.
 Algona received 11 votes.
 Cedar Rapids received 7 votes.
 Dubuque received 4 votes.
 Mason City received 1 vote.
 Webster City received 1 vote.
 Jefferson received 1 vote.
 No choice.

FIFTY-EIGHTH BALLOT.

One hundred and twelve votes cast; necessary to a choice, fifty-
 seven; of which

Colfax received 40 votes.
 Burlington received 28 votes.
 Marshalltown received 20 votes.
 Webster City received 14 votes.

Cedar Rapids received 6 votes.
 Algona received 2 votes.
 Dubuque received 1 vote.
 Sac City received 1 vote.
 No choice.

FIFTY-NINTH BALLOT.

One hundred and ten votes cast; necessary to a choice, fifty-six; of which

Colfax received 38 votes.
 Burlington received 28 votes.
 Marshalltown received 21 votes.
 Webster City received 13 votes.
 Cedar Rapids received 5 votes.
 Jefferson received 3 votes.
 Dubuque received 1 vote.
 Sac City received 1 vote.
 No choice.

Mr. Teale moved the joint convention be now dissolved, to be determined by ballot.

On motion of Mr. Schaller the resolution was laid on the table for fifteen minutes.

Mr. Finn moved the joint convention shall be dissolved after the announcement of the sixty-first ballot, if not sooner concluded.

Mr. Weaver offered the following substitute:

WHEREAS, The Twenty-first General Assembly has by law provided for the building of a soldiers' home, and has further provided for levying a tax for the construction and maintenance of such home; and,

WHEREAS, Good faith requires the selection of a location and the prosecution of the work without unnecessary delay; and,

WHEREAS, The method provided by the statute for making the location of the home has, after a fair trial, been found ineffectual; therefore, be it

Resolved—1. That it is the sense of this joint convention that this General Assembly should at once so amend the statute as to provide a more simple, speedy and adequate method of locating the soldiers' home.

2. That this joint convention be dissolved after the sixty-first ballot, if not sooner concluded.

The substitute was lost.

The question recurring on the resolution by Mr. Finn it was adopted.

SIXTIETH BALLOT.

One hundred and fourteen votes cast; necessary to a choice, fifty-eight; of which

Marshalltown received 51 votes.
 Burlington received 32 votes.

Colfax received 13 votes.
 Webster City received 10 votes.
 Cedar Rapids received 3 votes.
 Sioux City received 2 votes.
 Algona received 1 vote.
 Jefferson received 1 vote.
 Indianola received 1 vote.
 No choice.

Senator McCoy moved the vote by which the convention decided to dissolve after the sixty-first ballot be reconsidered.

On motion of Mr. Schee the motion was laid on the table.

Mr. Weaver offered the following resolution:

Resolved, That it is the sense of this joint convention that the Twenty-first General Assembly is in honor bound to make selection of a site for a soldiers' home, or to so amend the statute as to provide some adequate, speedy and effectual method of making said location.

Mr. Clark moved the resolution be laid on the table.

On this question the yeas and nays were demanded.

The yeas were:

Messrs. Barnum, Bayless, Bloom, Bolter, Clark of Scott, Custer, Dabney, Deitz, Dent, Dooley, Earle, Garrett, Hart of Clinton, Hendrie, Hotchkiss, Johnson, Manderschied, Rice, Rustad, Underwood and Whiting—21.

The nays were:

Messrs. Agnew, Anderson of Hamilton, Anderson of Warren, Bailey, Benson, Boggs, Bradley, Brown, Butler of Cherokee, Butler Page, Carson, Casey, Chamberlin, Chubb, Clark of Page, Coleman, Converse, Cousins, Craig, Culbertson of Carroll, Culbertson of Des Moines, Deal, Densmore, Dobson, Dodge, Donnan, Doud, Duncan, Finn, Gatch, Gates, Glass, Hamilton, Hart of Pottawattamie, Henderson, Kent, Kline, Larson, Lathrop, Lyons of Guthrie, Lyons of Mahaska, McCoy, McDonough, Meservey, Moore, Nelson, Overholzer, Poyneer, Ramsey, Ranck, Redhead, Redman, Reiniger, Reynolds, Robinson, Russell, Ryder, Schaller, Schee, Scott, Smith, Spencer, Stephens, Stiger, Sweney, Sweet, Teale, Thompson of Clayton, Tip-ton, Weaver, Weber, Welch, Wilbur, Wiley, Wilkin, Wilson of Cass, Withrow, Woolson, Wright and Young—80.

Absent or not voting:

Messrs. Baldwin, Ball, Barrett, Berryhill, Bruce, Burdick, Burgess, Caldwell, Carr, Cassatt, Chambers, Chesebro, Coie, Gault, Greenlee, Hammond, Harris, Hayzlett, Head, Holbrook, Hutchison, Keatley, Killen, Knight, LaForce, Linehan, McCarthy, Miles, Mitchell, Montgomery, Nachtwey, Parrott, Pattee, Penny, Peterson, Riley, Roach, Robb, Roberts, Schmidt, Shaw, Storey, Sutton, Thompson of Li.n., Walker, Whaley, Wilson of Butler, Wolfe and Wyland—49.

So the resolution was not tabled, and the President ruled the resolution out of order.

SIXTY-FIRST BALLOT.

One hundred and thirteen votes cast; necessary to a choice, fifty-seven; of which

•Marshalltown received 50 votes.

Burlington received 35 votes.

Colfax received 14 votes.

Cedar Rapids received 9 votes.

Sioux City received 2 votes.

Jefferson received 1 vote.

No choice.

On motion of Senator Robinson the reading of the journal was dispensed with.

The President declared the joint convention dissolved.

J. K. POWERS, *Clerk of Joint Convention.*

SENATE CHAMBER, }
DES MOINES, IOWA, April 8, 1896. }

Senate met in regular session after the dissolution of the joint convention at 11:15 P. M.

The President of the Senate in the chair.

Senator Chubb moved to call up Senate File No. 359.

Senator Duncan moved to make the bill a special order for Monday at 10 A. M., and to continue a special order until disposed of.

On this the yeas and nays were called.

The yeas were:

Senators Barrett, Bloom, Casey, Chubb, Dodge, Dooley, Duncan, Gatch, Hutchison, McDonough, Reiniger, Scott and Wilkin—13.

The nays were:

Senators Bayless, Bolter, Deal, Doud, Earle, Henderson, Parrott, Poyneer, Robinson, Ryder, Stephens, Sweney, Underwood, Woolson and Young—15.

Absent or not voting:

Senators Burdick, Caldwell, Carr, Carson, Cassatt, Chambers, Chesebro, Clark, Donnan, Gault, Glass, Hendrie, Johnson, Knight, McCoy, Miles, Schmidt, Sutton, Weber, Whaley, Whiting and Wolfe—22.

So the motion did not prevail.

Senator Burdick was granted leave of absence for an indefinite length of time.

Senator Bolter moved that the Senate adjourn until 10 A. M. on Monday, April 5.

Adopted.

SENATE CHAMBER, }
DES MOINES, IOWA, April 5, 1886. }

The Senate met in regular session at 10 A. M.
The President of the Senate in the chair.
Prayer by Rev. J. E. Rouse.
Reading of journal of last session and journal of joint convention dispensed with.

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 this General Assembly, been duly enrolled and signed by the Speaker of the House:
Senate Files Nos. 66 and 78.
House Files Nos. 47, 207, 251 and 677.

J. K. POWERS, *Chief Clerk.*

REPORTS OF COMMITTEES.

Senator Caldwell, from the Committee on Medicine, Surgery, Hygiene and Pharmacy, submitted the following report:

MR. PRESIDENT—Your Committee on Medicine, Surgery, Hygiene and Pharmacy, to whom was referred House File No. 464, a bill for an act to amend chapter 75 of the acts of the Eighteenth General Assembly, and chapter 137 of the acts of the Nineteenth General Assembly, relating to the practice of pharmacy, 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.

T. J. CALDWELL, *Chairman.*

Ordered passed on file.

On motion Senators Donnan and Chambers were excused for an indefinite length of time.

Senator Caldwell moved to take up House File No. 464, a bill for an act to amend chapter 75, Acts of the Eighteenth General Assembly, and chapter 137 of the Acts of the Nineteenth General Assembly relating to the practice of pharmacy, with report of committee recommending that it do pass.

On this question the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bolter, Caldwell, Casey, Chubb, Clark, Dodge, Dooley, Doud, Duncan, Earle, Henderson, Hendrie, Hutchison, McCoy, McDonough, Poyneer, Robinson, Scott, Stephens, Sutton, Sweny Underwood, Weber Wilkin and Woolson—27.

The nays were:

Senators Carr, Glass, Johnson, Miles, Schmidt and Wolfe—6.

Absent or not voting:

Senators Bloom, Burdick, Carson, Cassatt, Chambers, Chesebro,

Deal, Donnan, Gatch, Gault, Knight, Parrott, Reiniger, Ryder, Whaley, Whiting and Young—17.

So the bill was taken up.

Senator Caldwell moved to make Senate File No. 464 special order to follow disposition of House File No. 493.

Carried.

MESSAGE FROM THE GOVERNOR.

The following communication was received from the Governor at the hands of his private secretary:

STATE OF IOWA,
EXECUTIVE DEPARTMENT, }
DES MOINES, April 2, 1886.

MR. PRESIDENT—I am instructed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of State:

Senate File No. 218, an act to authorize cities and incorporated towns to erect and maintain fish dams across outlets of meandered lakes, and to provide punishment for the injury or destruction of the same.

FRED'K W. HOSSFELD, *Private Secretary.*

RESOLUTION.

Senator Bolter offered the following resolution:

Resolved by the Senate, That all committee clerks, except Judiciary, Elections, Appropriations, Engrossed Bills and Enrolled Bills, on the part of the Senate, be and the same are hereby discharged, and that per diem to each and all of said clerks shall cease on and after this date.

Senator Wilkin moved to lay the resolution on the table, and the yeas and nays were demanded.

The yeas were:

Senators Barrett, Carson, Gatch, Robinson, Wilkin, Woolson and Young—7.

The nays were:

Senators Bayless, Bloom, Bolter, Caldwell, Carr, Casey, Chubb, Clark, Dodge, Dooley, Doud, Duncan, Earle, Glass, Henderson, Hendrie, Hutchison, Johnson, Miles, Parrott, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Weber, Whiting and Wolfe—29.

Absent or not voting:

Senators Burdick, Cassatt, Chambers, Chesebro, Deal, Donnan, Gault, Knight, McCoy, McDonough, Poyneer, Reiniger, Underwood and Whaley—14.

So the motion to table was not agreed to.

The resolution was adopted.

The Senate resumed consideration of House File No. 493, with pending amendment to subdivision No. 14 to insert after the word "Dickinson" word "Humboldt," and strike out words "Winnebago and Hancock."

The yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bolter, Carr, Carson, Chubb, Deal, Dodge, Dooley, Duncan, Gatch, Glass, Hutchison, Johnson, McCoy, Miles, Poyneer, Reiniger, Robinson, Ryder, Sweney, Wilkin and Wolfe—23.

The nays were:

Senators Bloom, Caldwell, Casey, Clark, Earle, Henderson, Parrott, Scott, Stephens, Sutton, Underwood and Weber—12.

Absent or not voting:

Senators Burdick, Cassatt, Chambers, Chesebro, Donnan, Doud, Gault, Hendrie, Knight, McDonough, Schmidt, Whaley, Whiting, Woolson and Young—15.

So the amendment was adopted and the section agreed to.

Committee amendments to 15th subdivision were agreed to.

Committee amendments to section 3 were agreed to.

The committee amendments to section 5 were read, and Senator Casey moved to amend by inserting in 5th line after words "county seats," the words "except in counties where courts have been held for twenty years past."

Adopted.

Senator Sweney moved to reconsider the vote by which amendments were adopted.

Carried.

(This amendment to section 5 passed for the present.)

The amendments otherwise recommended by the committee to section 5 and to section 6, were adopted.

The amendments by the committee to section 10 were adopted.

The amendments by the committee to section 11 were adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Senate Files Nos. 126, 123, 322, 238 and 263.

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. 273, a bill for an act preventing non-resident aliens acquiring title to real estate in Iowa, and for the acquiring of such property now held by them by the State.

J. K. POWERS, *Chief Clerk.*

Senator Woolson moved to insert word "executors" after word "administrators" in amendment to first subdivision.

Carried.

The committee amendments to first subdivision were adopted as amended.

The committee amendments to second and third subdivisions of section 13 and to section 13 were adopted.

The committee amendments to section 14 were adopted.

The committee amendment to section 15 was adopted.

The question recurring on the amendment of Senator Casey to committee amendments to section 5.

Adopted.

The committee amendments as amended were agreed to.

Senator Sweney moved to amend subdivision 13, section 3, by striking word "13" and inserting word "12" in lieu thereof.

Adopted.

Senator Chubb moved to amend by striking in section 12 in second line the word "\$2,500," and insert "\$2,200."

REPORT OF COMMITTEE.

Senator Deal, 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. 123, a bill for an act making appropriation for repairs and improvements on the Iowa State Agricultural College and Farm.

Senate File No. 126, a bill for an act for an appropriation for the support of the State University of Iowa.

Senate File No. 238, a bill for an act making appropriations for the College for the Blind at Vinton.

Senate File No. 322, a bill for an act for an appropriation for the Benedict Home.

Senate File No. 263, a bill for an act amendatory of chapter 143 of the acts of the Twentieth General Assembly relating to intoxicating liquors, and providing for the more effectual suppression of the illegal sale and transportation of intoxicating liquors and abatement of nuisances.

And find the same correctly enrolled.

JNO. K. DEAL, *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. 123, a bill for an act making appropriation for repairs and improvements on the Iowa State Agricultural College and Farm.

Senate File No. 126, a bill for an act for an appropriation for the support of the State University of Iowa.

Senate File No. 238, a bill for an act making appropriations for the College for the Blind at Vinton.

Senate File No. 322, a bill for an act for appropriation for Benedict Home.

Senate File No. 263, a bill for an act amendatory of chapter 143 of the acts of the Twentieth General Assembly relating to intoxicating liquors and providing for the more effectual suppression of the illegal sale and transportation of intoxicating liquors and abatement of nuisances.

Senate File No. 78, a bill for an act to provide for the election of

county attorneys, define their duties, and for their compensation, and to repeal chapter 8, title 3 and section 3775 of Code of 1878.

Senate File No. 66, 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.

JNO. K. DEAL, *Chairman.*

Senator Schmidt moved that the Senate do adjourn until 2 P. M.
Adopted.

AFTERNOON SESSION.

2 O'CLOCK.

Senator Casey moved to take up motion filed to reconsider vote by which Senate File No. 231 passed.

Carried.

Senator Casey moved to lay the motion on the table.

Carried.

The Senate resumed consideration of special order on House File No. 493 with pending amendment, to strike words "\$2,500," and insert "\$2,200."

On this the yeas and nays were called.

The yeas were:

Senators Bayless, Bolter, Caldwell, Carr, Chubb, Dooley, Duncan, Earle, Gault, Hendrie, McDonough and Stephens—12.

The nays were:

Senators Barrett, Bloom, Carson, Clark, Deal, Dodge, Doud, Gatch, Henderson, Hutchison, Johnson, McCoy, Miles, Parrott, Poyneer, Reiniger, Robinson, Schmidt, Scott, Sweney, Underwood, Weber, Whaley, Wilkin, Wolfe, Woolson and Young—27.

Absent or not voting:

Senators Burdick, Casey, Cassatt, Chambers, Chesebro, Donnan, Glass, Knight, Ryder, Sutton and Whiting—11.

So the amendment was lost.

Senator Wolfe moved to amend sub-division seven of section 3, by striking out the word "seven" and insert the word "nine" in both places where it occurs, also amend sub-division nine of same section by striking out the word "nine" where it occurs in said sub-division and insert the word "seven."

Adopted.

Senator Woolson offered substitute for section 1.

On the substitute the yeas and nays were demanded.

The yeas were:

Senators Bolter, Caldwell, Carr, Casey, Cassatt, Clark, Deal, Dooley, Gault, Hendrie, McDonough, Stephens, Sweney, Whiting and Woolson—15.

The nays were:

Senators Barrett, Bayless, Carson, Chubb, Dodge, Doud, Duncan, Earle, Gatch, Glass, Henderson, Hutchison, Johnson, McCoy, Miles, Parrott, Poyneer, Robinson, Scott, Sutton, Underwood, Weber, Whaley, Wilkin, Wolfe and Young—26.

Absent or not voting:

Senators Bloom, Burdick, Chambers, Chesebro, Duncan, Knight, Reiniger, Ryder and Schmidt—9.

So the substitute was not 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 Barrett, Bloom, Carson, Chesebro, Chubb, Dodge, Doud, Duncan, Earle, Gatch, Glass, Henderson, Hutchison, Johnson, McCoy, Miles, Parrott, Poyneer, Reiniger, Robinson, Schmidt, Scott, Stephens, Sutton, Underwood, Weber, Whaley, Wilkin, Wolfe and Young—30.

The nays were:

Senators Bayless, Bolter, Caldwell, Carr, Casey, Cassatt, Clark, Deal, Dooley, Gault, Hendrie, McDonough, Sweney, Whiting and Woolson—15.

Absent or not voting:

Senators Burdick, Chambers, Donnan, Knight and Ryder—5.

So the bill passed and the title was agreed to.

Senator Doud filed the following:

Resolved, That the vote by which House File No. 493, was passed and the vote by which the rules were suspended and bill read a third time, be reconsidered.

Senator McCoy moved to lay the motion on the table.

Carried.

REPORTS OF COMMITTEES.

Senator Robinson from the Committee on Judiciary submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 680, a bill for an act legalizing the acts of the council of the incorporated town of Story City, and legalize the ordinances passed and adopted by said council and for the government 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 be amended as follows:

1. By striking out of lines 11 and 12, of section 1, the words "and all requirements of the law complied with."

2. By striking out the last three lines of said section 1, and inserting in lieu thereof the words, "to the same extent as though the law had been fully complied with in calling and recording the yeas

and nays upon the passage of the ordinances, and in certifying to the publication of the same."

And that as thus amended the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 648, a bill for an act to legalize the organization and official proceedings of the independent district of Barnum, in Webster county, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that section 2 be amended by striking out all thereof after the word "if," in line thirteen, and inserting in lieu thereof the words, "the territory herein described had contained not less than two hundred inhabitants on the second day of March, A. D. 1886," and as thus amended that the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred House File No. 570, a bill for an act to require railroad companies to refund extra charges exacted for passage on account of failure to buy tickets at stations, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. H. SWENEY, *Chairman*.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 71, a bill for an act providing for the levy of writs of attachment and executions upon mortgaged chattels 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.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred subject for House File No. 77, a bill for an act to provide for the levy of attachments or execution on personal property covered by mortgage, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

1. By striking from line 7, of chapter 1, the words, "or to accrue."
2. By adding to section 1, the following: "When the debt secured by a mortgage hereafter made is not due, as shown by such chattel mortgage, he must also deposit with the clerk interest on the principal sum at the agreed rate specified in the mortgage, for the term of sixty days from the date of deposit; provided, however, if

the debt secured fall due in less than sixty days from the date of deposit, then interest shall be deposited only for such shorter period; and when such sums are tendered to the holder of the mortgage, or deposited with the clerk, the attaching creditor shall be subrogated to all the rights of the holder of the mortgage; and the proceeds from the sale of the mortgaged property shall go first to the discharge of such indebtedness and costs of execution; provided, however, that if the judgment debtor shall pay the debt for which the attachment or execution was issued, the property shall be released, and the creditor shall be entitled to receive money deposited to pay the mortgage debt, and shall have no right or interest in the mortgage, or in the mortgaged property,"

3. By inserting in line 2, of section 2, after the word "signature," the words, "and under oath."

4. By adding to said section 2 a proviso, as follows: *Provided, however,* that the execution or attaching creditors shall have a right to controvert, in the court from which the process issued, such statement of indebtedness, in the manner provided in other garnishment proceedings, if he give notice in writing to the clerk at the time of the deposit; and the clerk shall hold the deposit until such matter is determined. If the attaching or judgment creditor fail to sustain his claim against the mortgage, he shall pay to the holder of the mortgage, interest upon the debt at the rate of ten per cent. per annum, together with the costs of the proceeding, and an attorney's fee of ten per cent. on the amount of the debt."

5. By striking out section 5, and inserting in lieu thereof, two new sections, as follows:

Section 5. Upon written demand of a creditor, his agent, or attorney, or of any mortgager of personal property other than exempt property, the person entitled to receive said debt shall deliver to said creditor a statement in writing under oath, which statement shall show the nature and amount of the original debt secured by the mortgage, the date and amount of each payment, if any, which has been made thereon, and an itemized statement of the amount then due and unpaid.

Section 6. The refusal of the person entitled to receive said mortgage debt, or his failure within a reasonable time after demand to deliver to the attachment or execution creditor, or to his attorney or agent, the statements, or either of them, required by the second and fifth sections of this act, is hereby declared to be a misdemeanor, and willfully swearing to a greater amount of mortgaged debt than is actually due shall be deemed perjury. The person who fails or refuses to furnish the verified statements, or either of them, required by the second and fifth sections of this act, shall also be liable to the attachment or execution creditor for all damages which shall result from such refusal or failure and for reasonable attorneys' fees and costs in any action brought to recover such damages, or to ascertain the amount of the mortgage debt.

And as thus amended that the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Senator Parrott, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred House File No. 372, a bill for an act to repeal section 8 of chapter 89, of the laws of the Nineteenth General Assembly, granting additional powers to cities organized under the general corporation laws of the State, 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.

MATT PARROTT, Chairman.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 91, a bill for an act to legalize the acts of the board of supervisors of Pocahontas county in the establishment of roads upon the section lines of said county by an order made June 5, 1871, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, Chairman.

Ordered passed on file.

Senator Parrott, from the Committee on Municipal Corporations submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 190, a bill for an act providing for the investigation of the official conduct of city officers of cities of the first-class containing a population of over thirty thousand, and for removals from office, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

MATT PARROTT, Chairman.

Ordered passed on file.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 369, a bill for an act to legalize the proceedings of the board of supervisors of Johnson county, in the locating, establishing and conducting of the Alcock ditch in said county, in the apportioning of the costs, expenses, cost of construction, and fees thereof, and in the assessing and levying of taxes to pay 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.

G. S. ROBINSON, Chairman.

Ordered 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 bills in which the concurrence of the Senate is asked:

House File No. 481, a bill for an act to amend section 537 of the Code of 1873.

House File No. 640, a bill for an act to prevent appropriation of swamp lands or proceeds thereof for any purpose other than that for which they are granted to the State.

House File No. 518, a bill for an act to amend section 1807 of the Code.

Also, the House has passed Senate File No. 274, a bill for an act to legalize the official acts of the town council of the incorporated town of Forest City, Winnebago county, without amendment.

Also, the House has concurred in the resolution relating to the proposed legislation proposed by the Union Pacific Railroad Company.

Also, the House has passed Senate File No. 43, relating to traffic in dead swine, without amendment.

Also, the House has passed a resolution relative to election of trustees of State institutions, in which the concurrence of the Senate is asked.

Also, the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 486, a bill for an act to provide for the order of paying warrants.

J. K. POWERS, *Chief Clerk.*

Also:

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

House Files Nos. 488 and 668.

J. K. POWERS, *Chief Clerk.*

The minority report of committee on investigation of the office of State Auditor was received and read 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 bills in which the concurrence of the Senate is asked:

House File No. 38, a bill for an act to amend chapter 2, title 24, relating to contagious diseases in domestic animals.

Substitute for House File No. 569, a bill for an act to amend chapter 197, acts of the Twentieth General Assembly.

Also, the House has passed without amendment substitute for Senate File No. 145, a bill for an act to provide for the carrying on of the work and construction of the additional Hospital for the Insane at Clarinda, Iowa, and appropriating funds therefor.

Also, Senate File No. 171, a bill for an act to amend section 5 of chapter 171, laws of Nineteenth General Assembly, relating to the sale of indemnity lands, without amendment.

J. K. POWERS, *Chief Clerk.*

REPORTS OF COMMITTEES.

Senator Barrett, from the Committee on Normal Schools, submitted the following report:

MR. PRESIDENT—Your Committee on Normal Schools, to whom was referred Senate File No. 151, a bill for an act to establish a normal school for teachers, 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.

BARRETT, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Normal Schools, to whom was referred Senate File No. 301, a bill for an act to establish the north-western normal school for the instruction and training of teachers, 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.

BARRETT, *Chairman.*

Ordered passed on file.

The hour having arrived for the consideration of the special order, it being House File No. 464, a bill for an act to amend chapter 75 of the acts of the Eighteenth General Assembly, and chapter 137 of the acts of the Nineteenth General Assembly, relating to the practice of pharmacy, with report of majority of the committee recommending that it do pass, was taken up and considered.

Senator Bayless moved that the word "sole" in fourth line of section 2 be stricken out.

Senator McCoy moved that the Senate do now go into executive session.

Senator Caldwell moved to postpone the further consideration of House File No. 464 until 10:30 A. M. to-morrow.

Adopted.

RESOLUTION.

Senator Bolter offered resolution relative to final adjournment.

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 April 9th, at twelve o'clock noon of that day.

Senator Woolson moved that the resolution be made special order to follow the conclusion of the consideration of House File No. 464.

Carried.

INTRODUCTION OF BILLS.

By Senator Whiting, Senate File No. 406, a bill for an act granting powers to cities of the first class, organized as such since January 1, 1886.

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

By Senator Gatch, Senate File No. 407, a bill for an act to amend section 1091, chapter 2, title 9 of the Code, in relation to corporations other than those for pecuniary profit.

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

Senator Bloom moved that Senate File No. 288, be made special order for to-morrow at 3 P. M.

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 bill in which the concurrence of the Senate is asked:

Substitute for House Files Nos. 142, 155 and 275, a bill for an act to repeal section five hundred and six (506) of the Code of 1873, and to enact a substitute therefor, relating to the jurisdiction of mayors in cities and incorporated towns in civil and criminal cases.

J. K. POWERS, *Chief Clerk.*

Senator Parrott moved that House File No. 643 be made a special order immediately after Senate File No. 288.

Lost.

The question recurring upon the motion of Senator McCoy that the Senate do now go into executive session, it was adopted.

Senate went into executive session at 6 P. M.

The Senate resumed after executive session.

Senator Bayless moved to adjourn until 8 o'clock this evening.

Senator Woolson moved to amend by striking out 8 and inserting 10 o'clock A. M. to-morrow.

Senator Hutchison moved to amend by inserting 9 o'clock.

Adopted.

So the Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, April 6, 1886. }

The Senate met in regular session at 9 o'clock A. M.

The President of the Senate in the chair.

Prayer by Rev. A. W. Safford.

The reading of the journal of the previous day was dispensed.

Senator Whaley, by request, presented Senate File No. 408, a bill for an act to repeal section 3 of chapter 58 of the acts of the Twenty-first General Assembly, and to enact a substitute therefor, with petition and memorial from Colfax Improvement Company.

Read a first and second time.

Senator Sutton moved that the bill be referred to the Committee on Military.

Senator Hutchison moved to amend by adding that "the committee be requested to make a report on April 7, in the forenoon."

Lost.

The question recurring upon the motion of Senator Sutton, the bill was referred to the Committee on Military.

On motion, Senator Wolfe was excused.

INTRODUCTION OF BILLS.

By Senator Sutton, Senate File No. 409, a bill for an act to provide for the temporary relief of the old soldiers of Iowa.

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

By Senator Miles, Senate File No. 410, a bill for an act to legalize the annexation of certain territory to the town of Cleveland, Lucas county, Iowa, and to legalize the election and proceeding had and held in said annexation.

Read a first and second time.

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 Barrett, Bayless, Bloom, Caldwell, Carr, Carson, Casey, Chesebro, Chubb, Deal, Dodge, Dooley, Doud, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Johnson, McCoy, Miles, Parrott, Poyneer, Reiniger, Robinson, Ryder, Schmidt, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin and Young—37.

The nays were, none.

Absent or not voting:

Senators Bolter, Burdick, Cassatt, Chambers, Clark, Donnan, Duncan, Hutchison, Knight, McDonough, Sutton, Wolfe and Woolson—13.

So the bill passed and the title was agreed to.

PETITIONS AND MEMORIALS.

Senator Scott presented memorial from Rippey Post No. 185, at Angus, Boone county, Iowa, relative to location of soldiers' home.

Referred to Committee on Military.

Senator Young presented a petition relative to free text-books.

Referred to Committee on Schools.

Senator Wilkin presented a petition from Pitzer Post No. 55 at Winterset, relative to location of soldiers' home.

Referred to Committee on Military.

Senator Wilkin presented a resolution from G. A. R. Post of Macksburg on same subject.

Same reference.

RESOLUTION.

Senator Gatch presented the following concurrent resolution:

Be it resolved by the Senate, the House concurring, That our Senators and Representatives in Congress be and they are hereby requested to use all honorable means to secure the allowance by Congress of a suitable annual pension to Mrs. Sarah Young of the city of Des Moines in this State for meritorious and valuable services rendered during civil war as an army nurse.

Resolved, That the Secretary of State is hereby instructed to transmit to each of our Senators and Representatives in Congress a certified copy of this resolution.

Adopted.

On motion of Senator Gatch, Senate File No. 387, a bill for an act making further provision with respect to contracts by cities of the first-class containing a population of over thirty thousand, for paving and curbing streets, and the construction of sewers, and the making and collection of assessments and issuance of bonds or certificates to pay for same, with report of committee recommending amendments and do pass, was taken up, considered, and the report of the committee was adopted.

Senator Sweney moved to amend section 13 by inserting after the word "lien" in line four, the words, "excepting ordinary taxes."

Adopted.

Senator Dooley moved to amend by striking out in the third and fourth lines in section 13 the words, "and shall have precedence over all other liens."

On this the yeas and nays were called.

The yeas were:

Senators Casey, Chesebro, Dodge, Dooley, Johnson and Stephens

—6.

The nays were:

Senators Barrett, Bayless, Bloom, Bolter, Chambers, Chubb, Doud, Duncan, Gatch, Glass, Hutchison, Parrott, Poyneer, Reiniger, Schmidt, Scott, Sutton, Sweney, Underwood and Weber—20.

Absent or not voting:

Senators Burdick, Caldwell, Carr, Carson, Cassatt, Clark, Deal, Donnan, Earle, Gault, Henderson, Hendrie, Knight, McCoy, McDonough,

Miles, Robinson, Ryder, Whaley, Whiting, Wilkin, Wolfe and Woolson—24.

So the amendment was not adopted.

Senator Sweney moved to amend section 10 by adding the following:

“Provided nothing in this act shall be construed as authorizing the assessment of any such costs on property belonging to the State of Iowa.”

Adopted.

Senator Gatch 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, Carson, Casey, Chambers, Chesebro, Clark, Deal, Duncan, Gatch, Gault, Glass, Hutchison, Johnson, McCoy, Miles, Parrott, Reiniger, Robinson, Scott, Sutton, Sweney, Underwood, Weber, Whaley and Whiting—27.

The nays was:

Senator Dooley—1.

Absent or not voting:

Senators Bolter, Burdick, Caldwell, Carr, Cassatt, Chubb, Dodge, Donnan, Doud, Earle, Henderson, Hendrie, Knight, McDonough, Poyneer, Ryder, Schmidt, Stephens, Wilkin, Wolfe, Woolson and Young—22.

So the bill passed and the title was agreed to.

On motion of Senator Bayless House File No. 617, a bill for an act to legalize certain acts of the school board of the independent district of Hawkeye, of Farmersburg, and of the independent district of Farmersburg and Wagner, in Clayton county, with report of committee recommending that 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 Barrett, Bayless, Bloom, Bolter, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Dodge, Dooley, Doud, Duncan, Earle, Gatch, Gault, Hutchison, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whiting and Young—33.

The nays were, none.

Absent or not voting:

Senators Burdick, Cassatt, Deal, Donnan, Glass, Henderson, Hendrie, Johnson, Knight, McCoy, McDonough, Ryder, Schmidt, Whaley, Wilkin, Wolfe and Woolson—17.

So the bill passed and the title was agreed to.

INTRODUCTION OF BILLS.

By Senator Scott, Senate File No. 411, a bill for an act to prohibit members of the faculties in State institutions from serving as members or officers of the board of trustees thereof.

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

By Senator Scott, Senate File No. 412, a bill for an act to provide for supervision of the expenditure of appropriations for erecting, extending or repairing buildings for State institutions.

Read a first and second time and passed on file.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, it being House File No. 464, a bill for an act to amend chapter 75 of the acts of the Eighteenth General Assembly, and chapter 137, of the acts of the Nineteenth General Assembly, relating to the practice of pharmacy, with report of committee recommending that it do pass, was taken up and considered.

The question being upon the amendment offered by Senator Bayless to strike out the word "sole" from the fourth line of section 2.

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bloom, Bolter, Carr, Carson, Cassatt, Dodge, Dooley, Earle, Gault, Johnson, McCoy, Schmidt and Whiting—14.

The nays were:

Senators Caldwell, Casey, Chambers, Chesebro, Clark, Deal, Doud, Duncan, Gatch, Hutchison, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Wilkin, Woolson and Young—23.

Absent or not voting:

Senators Barrett, Burdick, Chubb, Donnan, Glass, Henderson, Hendrie, Knight, McDonough, Ryder, Sweney, Whaley and Wolfe—18.

So the amendment was not adopted.

Senator Johnson moved to amend section 8 by striking out in line 14 printed copy commencing with words "twenty-five" up to and including "amendatory" in line 18.

On this the yeas and nays were demanded.

The yeas were:

Senators Bloom, Bolter, Carr, Cassatt, Chesebro, Deal, Dooley, Earle, Johnson, Robinson, Ryder, Schmidt, Sweney, Whiting and Wilkin—15.

The nays were:

Senators Barrett, Bayless, Caldwell, Carson, Casey, Chambers, Chubb, Clark, Doud, Duncan, Gatch, Gault, Glass, Hendrie, Hutchison, McCoy, Miles, Parrott, Poyneer, Reiniger, Scott, Stephens, Sutton, Underwood, Weber, Whaley, Woolson and Young—28.

Absent or not voting:

Senators Burdick, Dodge, Donnan, Henderson, Knight, McDonough and Wolfe—7.

So the amendment was not adopted.

Senator Johnson moved to amend section 8 by striking out the word "shall" in the 28th line of printed bill and insert the word "may" in lieu thereof.

Lost.

Senator Johnson moved to amend section 8 by inserting after the

word "issued" in the 28th line of printed bill "such permit shall be in force for a period of one year from its date unless sooner revoked." On this the yeas and nays were demanded.

The yeas were :

Senators Bloom, Bolter, Cassatt, Chesebro, Dooley, Doud, Earle, Hendrie, Johnson, Ryder, Schmidt and Whiting—12.

The nays were :

Senators Barrett, Bayless, Casey, Chambers, Chubb, Clark, Duncan, Gatch, Glass, Hutchison, Miles, Parrott, Poynear, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin and Woolson—24.

Absent or not voting :

Senators Burdick, Caldwell, Carr, Carson, Deal, Dodge, Donnan, Gault, Henderson, Knight, McCoy, McDonough, Wolfe and Young—14.

So the amendment was not adopted.

Senator McCoy moved to amend section 4 as follows: Strike out the word "such" in sixth line, printed bill, of section 12, of said section, and strike out the words "as do not include any intoxicating liquors or poisons" in sixth and seventh lines, printed bill.

Senator Doud moved to amend the amendment by adding the words "as are not intoxicating."

Senator Woolson called for a division of the question.

On motion of Senator Gault the Senate adjourned until 2 p. m.

AFTERNOON SESSION.

2 O'CLOCK.

Senate met pursuant to adjournment at 2 o'clock P. M.

PETITIONS.

Senator Clark presented petition from citizens of Fremont county in reference to the passage of House File No. 464.

Referred to the Committee on Medicine, Surgery, Hygiene and Pharmacy.

By Senator Carson, petition from citizens of Pottawattamie county on same subject.

Referred to same committee.

By Senator Stephens, petition from citizens of Ringgold county on same subject.

Referred to same committee.

By Senator Dooley, petition from citizens of Keokuk county, Iowa, on same subject.

Referred to same committee.

By Senator Whaley, petition from citizens of Butler county on same subject.

Referred to same committee.

By Senator Whiting, petition from citizens of Woodbury, Monona and Crawford counties on same subject.

Referred to same committee.

By Senator Bolter, petition from citizens of Harrison county on same subject.

Referred to same committee.

By Senator Woolson, petition from citizens of Henry county on same subject.

By Senator Robinson, petition from citizens of Sac county on same subject.

Referred to same committee.

By Senator Duncan, petition from citizens of Louisa and Washington counties on same subject.

Referred to same committee.

By Senator Hutchison, petition from citizens of Wapello county on same subject.

Referred to same committee.

By Senator Deal, petition from citizens of Carroll and Calhoun counties on same subject.

Referred to same committee.

By Senator Wilkin, petition from citizens of Carlisle, Warren county, and Madison county on same subject.

Referred to same committee.

By Senator Miles, petition from citizens of Lucas county on same subject.

Referred to same committee.

By Senator Henderson, petition from citizens of Linn county on same subject.

Referred to same committee.

By Senator Carr, petition of citizens of Van Buren county on same subject.

Referred to same committee.

By Senator Chambers, petition from citizens of Jones and Cedar counties on same subject.

Referred to same committee.

By Senator Parrott, petition from citizens of Black Hawk county on same subject.

Referred to same committee.

By Senator Reiniger, petition from citizens of Chickasaw county on same subject.

Referred to same committee.

By Senator Bloom, petition from citizens of Johnson county on same subject.

Referred to same committee.

By Senator Weber, petition from citizens of Hamilton county on same subject.

Referred to same committee.

By Senator Chubb, petition of citizens of Kossuth, Clay, Pocahontas and Humboldt counties on same subject.

Referred to same committee.

By Senator Poyneer, petition from citizens of Poweshiek county on same subject.

Referred to same committee.

By Senator Hendrie, petition from citizens of Mills and Montgomery counties on same subject.

Referred to same committee.

By Senator Barrett, petition from citizens of O'Brien, Plymouth, Osceola and Sioux counties on same subject.

Referred to same committee.

The Senate resumed the consideration of House File No. 464.

The question being upon the amendments offered by Senator McCoy to strike out the words "such" in 6th line of section 12 of section 4 of printed bill, also to strike out the words "as do not include any intoxicating liquors or poisons" in 6th and 7th lines, same section, printed bill.

And the amendment by Senator Doud to the amendment by adding the words "as are not intoxicating," upon which a division of the question was demanded.

On the question to strike out, the yeas and nays were demanded.

The yeas were:

Senators Bloom, Bolter, Carr, Carson, Cassatt, Chesebro, Chubb, Dodge, Dooley, Doud, Henderson, Hendrie, Johnson, McCoy, Robinson, Ryder, Whiting and Wilkin—18.

The nays were:

Senators Bayless, Caldwell, Casey, Chambers, Clark, Deal, Duncan, Earle, Gatch, Glass, Hutchison, Miles, Parrott, Poyneer, Reiniger, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Woolson and Young—24.

Absent or not voting:

Senators Barrett, Burdick, Donnan, Gault, Knight, Schmidt, McDonough and Wolfe—8.

So the amendment to strike out the word "such" was not adopted.

Senator Ryder moved to strike out all of the section after the word medicine in 6th line of section 4, printed bill.

Lost.

Senator Caldwell moved that the rules be suspended, and read a third time now.

On this question the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Caldwell, Carson, Casey, Chambers, Chubb, Clark, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Woolson and Young—31.

The nays were:

Senators Bolter, Carr, Cassatt, Chesebro, Hendrie, Johnson, Robinson, Ryder, Schmidt, Whiting and Wilkin—11.

Absent or not voting:

Senators Bloom, Burdick, Deal, Dodge, Donnan, Dooley, Knight and Wolfe—8.

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

On the question, shall the bill pass.

The yeas were :

Senators Barrett, Bayless, Caldwell, Casey, Chambers, Chubb, Clark, Deal, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Woolson and Young—31.

The nays were:

Senators Bolter, Carr, Carson, Cassatt, Hendrie, Johnson, Robinson, Ryder, Schmidt, Whiting and Wilkin—11.

Absent or not voting :

Senators Bloom, Burdick, Chesebro, Dodge, Donnan, Henderson, Knight and Wolfe—8.

So the bill passed and the title was agreed to.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor at the hands of his private secretary:

STATE OF IOWA,
EXECUTIVE OFFICE,
DES MOINES, April 6, 1898. }

MR. PRESIDENT—I am instructed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of State the following bills:

Senate File No. 263, an act amendatory of chapter 143 of the acts of the Twentieth General Assembly, relative to intoxicating liquors, and providing for the more effectual suppression of the illegal sale and transportation of intoxicating liquors and abatement of nuisances.

Senate File No. 66, 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.

Senate File No. 78, an act to provide for the election of county attorneys, define their duties and fix their compensation, and to repeal chapter 8, title 3, and section 3775 of Code of 1873.

Senate File No. 123, an act making an appropriation for repairs and improvements in the Iowa State Agricultural College and Farm.

Senate File No. 126, an act for an appropriation for the support of the State University of Iowa.

Senate File No. 238, an act making appropriations for the College for the Blind at Vinton.

FRED'K W. HOSSFELD, *Private Secretary.*

The resolution relative to final adjournment was taken up and considered.

Senator Robinson moved that the resolution be postponed and made a special order for Thursday, April 8th, at 11 A. M.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Caldwell, Carson, Chambers, Chubb, Doud, Duncan, Gatch, Glass, McCoy, Miles, Parrott, Poyneer, Reiniger,

Robinson, Stephens, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—28.

The nays were:

Senators Bloom, Bolter, Carr, Cassatt, Chesebro, Dodge, Dooley, Earle, Gault, Henderson, Hendrie, Johnson, McDonough, Ryder, Schmidt and Whiting—16.

Absent or not voting:

Senators Bayless, Burdick, Casey, Clark, Deal, Donnan, Hutchison, Knight, Scott, Sutton, and Wolfe—11.

So the resolution was postponed and made special order for Thursday, April 8th, at 11 A. M.

Senator Wilkin moved to suspend the next special order for the consideration of Senate File No. 228.

Adopted.

On motion of Senator Wilkin, Senate File No. 228, a bill for an act to amend section 3756 of the Code, in relation to fees to be charged for filing and recording articles of incorporation, with report of committee recommending that it do pass, be taken up.

Carried.

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 Barrett, Bloom, Bolter, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Doud, Duncan, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, McCoy, McDonough, Miles, Parrott, Reiniger, Robinson, Ryder, Schmidt, Scott, Stephens, Sweney, Underwood, Weber, Wilkin, Woolson and Young—37.

The nays were, none.

Absent or not voting:

Senators Bayless, Burdick, Cassatt, Donnan, Dooley, Earle, Johnson, Knight, Poyneer, Sutton, Whaley, Whiting and Wolfe—18.

So the bill passed and the title was agreed to.

Senator Robinson moved to take up House messages.

HOUSE MESSAGES.

Substitute for House Files Nos. 142, 155 and 275, a bill for an act defining the jurisdiction and powers of mayors and marshals of incorporated towns and cities and providing for their compensation.

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

House File No. 518, a bill for an act to amend section 1807 of the Code, relating to the power of the electors of independent districts at annual meetings and the legalizing acts heretofore done.

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

House File No. 481, a bill for an act to amend section 537 of the Code of 1873.

Read a first and second time.

Senator Gatch, 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 Barrett, Bayless, Bolter, Caldwell, Carr, Casey, Chambers, Chesebro, Chubb, Deal, Dodge, Doud, Duncan, Gatch, Glass, Henderson, Hendrie, Hutchison, McCoy, McDonough, Miles, Poyneer, Reiniger, Robinson, Ryder, Scott, Stephens, Sutton, Sweney, Underwood, Weber Whaley, Whiting, Wilkin and Woolson—35.

The nays were, none.

Absent or not voting:

Senators Bloom, Burdick, Carson, Cassatt, Clark, Donnan, Dooley, Earle, Gault, Johnson, Knight, Parrott, Schmidt, Wolfe and Young—15.

So the bill passed and the title was agreed to.

Concurrent resolution relative to joint convention for election of trustees.

On motion the Senate concurred in the resolution.

Senator Woolson moved to reconsider the vote by which the resolution was concurred in.

Carried.

Senator Woolson moved to amend the resolution by striking out the words "Wednesday, April 7," and insert the words "Thursday, April 8" in lieu thereof.

Adopted.

On motion the resolution as amended was adopted.

House File No. 640, a bill for an act to prevent the appropriation of swamp lands, or the proceeds thereof, for any purpose other than that for which they were granted to the State.

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

Substitute for House File No. 589, a bill for an act to amend chapter 197, acts of the Twentieth General Assembly.

Read a first and second time and Senator Underwood moved that the bill be taken up now.

Senator Johnson moved that it be committed to the Committee on Printing.

Lost.

Senator Underwood offered the following amendment to be added as section 2:

Section 2. That section 307 of the Code, as amended by chapter 197, of the acts of the Twentieth General Assembly, be and the same is hereby amended by striking out of said section the following words, to-wit: "Provided, that in counties having ten thousand inhabitants or more, a newspaper printed in each foreign language, if published within the county, may also be selected, in which such proceedings shall be published under the same limitation as to compensation."

Adopted.

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

On this the yeas and nays were demanded.

The yeas were:

Senators Caldwell, Carson, Chambers, Clark, Deal, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweeney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—26.

The nays were:

Senators Barrett, Bayless, Bloom, Cassatt, Chesebro, Chubb, Henderson, Johnson and Schmidt—9.

Absent or not voting:

Senators Bloom, Burdick, Carr, Casey, Dodge, Donnan, Dooley, Earle, Gault, Hendrie, Knight, Miles, Ryder, Whiting and Wolfe—15.

So the motion prevailed and the bill was read a third time.

On the question, shall the bill pass.

The yeas were:

Senators Caldwell, Carson, Chambers, Chesebro, Clark, Deal, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweeney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—27.

The nays were:

Senators Barrett, Bayless, Cassatt, Dodge, Henderson, Hendrie, Ryder and Whiting—8.

Absent or not voting:

Senators Bloom, Bolter, Burdick, Carr, Casey, Chubb, Donnan, Dooley, Earle, Gault, Johnson, Knight, Miles, Schmidt and Wolfe—15.

So the bill passed and the title was agreed to.

House File No. 273, a bill for an act preventing non-resident aliens acquiring title to real estate in Iowa and for the acquiring of such property now held by the State.

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

Substitute for House File No. 449, 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.

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 Barrett, Bloom, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Deal, Dodge, Doud, Duncan, Gatch, Gault, Glass, Hendrie, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Scott, Sweeney, Underwood, Weber, Whaley, Whiting, Wilkin, Woolson and Young—33.

The nay was:

Senator Earle—1.

Absent or not voting:

Senators Bayless, Bolter, Burdick, Caldwell, Cassatt, Clark, Donnan, Dooley, Henderson, Johnson, Knight, Reiniger, Schmidt, Stephens, Sutton and Wolfe—16.

So the bill passed and the title was agreed to.

House File No. 486.

Read a first and second time.

Senator Young 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 Barrett, Bayless, Bloom, Caldwell, Carson, Casey, Chambers, Chesebro, Chubb, Deal, Dodge, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Hendrie, Hutchison, McCoy, McDonough, Parrott, Poyneer, Reiniger, Robinson, Scott, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Woolson and Young—35.

The nays were :

Senators Johnson and Schmidt—2.

Absent or not voting :

Senators Bolter, Burdick, Carr, Cassatt, Clark, Downan, Henderson, Knight, Miles, Ryder, Stephens, Sutton and Wolfe—13.

So the bill passed and the title was agreed to.

House File No. 38, a bill for an act to amend chapter 11, title 24 of the Code relating to contagious diseases in domestic animals.

Referred to Committee on Agriculture.

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 relating to pension for Mrs. Sarah Young.

Also, the House has concurred in Senate amendments to House File No. 493.

J. K. POWERS, *Chief Clerk.*

The hour having arrived for the consideration of the next special order, it being Senate File No. 288, a bill for an act fixing the compensation of the State Librarian and assistants, with report of committee recommending that it do pass, was taken up and considered.

Senator Bloom moved to amend section three by striking out the word "March," in the first line, printed bill, and inserting the word "May" in lieu thereof.

Adopted.

Senator Chubb moved to strike out the words "fifteen hundred," in first and second lines of section 1, printed bill, and insert the words "twelve hundred" in lieu thereof.

On this the yeas and nays were demanded.

The yeas were:

Senators Bolter, Caldwell, Carr, Cassatt, Chesebro, Chubb, Deal, Earle, Gault, Glass, Hendrie, McDonough, Miles, Scott, Sweney, and Whiting—16.

The nays were:

Senators Bloom, Carson, Casey, Dodge, Doud, Gatch, Henderson, Hutchison, McCoy, Poyneer, Reiniger, Robinson, Stephens, Sutton, Underwood, Woolson and Young—17.

Absent or not voting:

Senators Barrett, Bayless, Burdick, Chambers, Clark, Donnan, Dooley, Duncan, Johnson, Knight, Parrott, Ryder, Schmidt, Weber, Whaley, Wilkin and Wolfe—17.

So the amendment was lost.

Senator Chubb moved to strike out the words "seven hundred," in section 2, line two, printed bill, and insert "six hundred" in lieu thereof.

Lost.

Senator Carson moved to amend section 2 by adding thereto:

"*Provided further*, The Librarian shall be provided by the Executive Council with a type-writer, and that the Librarian shall furnish certified copies of opinions of court reports and other books and documents in the library, at the cost of labor required for such work, and such copies when so certified shall be received and considered same as original reports or documents."

Lost.

Senator Bayless moved to strike out of section 2 all after the word "year," in the second line, printed bill.

Lost.

Senator Deal moved to strike out in section 2, lines two and three, printed bill, the following words: "one assistant, at a salary of five hundred dollars a year."

Lost.

Senator Sutton moved to reconsider the vote by which the amendment offered by Senator Carson was lost.

Lost.

Senator Bloom 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 Carson, Casey, Dodge, Doud, Gatch, Henderson, Hutchison, McCoy, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Wilkin, Woolson and Young—19.

The nays were:

Senators Bayless, Bloom, Bolter, Caldwell, Carr, Cassatt, Chesebro, Duncan, Gault, Johnson, McDonough, Miles, Ryder, Sweney and Whiting—15.

Absent or not voting:

Senators Barrett, Burdick, Chambers, Chubb, Clark, Deal, Donnan, Dooley, Earle, Glass, Hendrie, Knight, Schmidt, Weber, Whaley and Wolfe—16.

So the bill was lost.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred concurrent resolution authorizing the placing at the capitol building of a statue of Hon. Augustus C. Dodge, beg leave to report

that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be adopted.

P. M. SUTTON, *Chairman*.

Ordered passed on file.

Senator Parrott, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—A majority of your Committee on Municipal Corporations, to whom was referred Senate File No. 406, a bill for an act granting powers to cities of the first-class organized as such since January 1, 1886, in relation to sewers and the improvement of streets and alleys, and providing for payment therefor by issuing bonds and the levy of a tax, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

MATT PARROTT, *Chairman*.

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Senate Files Nos. 43, 145, 171 and 274.

House Files Nos. 517 and 617.

J. K. POWERS, *Chief Clerk*.

REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 145, a bill for an act to provide for the carrying on of the work and construction of the additional Hospital for the Insane at Clarinda, Iowa, and appropriating funds therefor.

Senate File No. 274, a bill for an act to legalize the official acts of the town council of the incorporated town of Forest City, Winnebago county, Iowa.

Senate File No. 43, a bill for an act to prohibit the traffic in hogs infected with swine plague or hog cholera, and to prevent the spread of the same.

Senate File No. 171, a bill for an act to amend section 5 of chapter 171, of the laws of the Nineteenth General Assembly, relating to the sale of indemnity lands.

House File No. 617, a bill for an act to legalize certain acts of the school boards of the Independent District of Hawkeye of Farmersburg, and of the Independent District of Farmersburg and Wagner, in Clayton county, Iowa.

House File No. 517, a bill for an act authorizing certain cities to fund certain outstanding indebtedness, and to provide for the levy of

taxes for the payment thereof, and providing a penalty for the diversion of such tax.

And find the same correctly enrolled.

JOHN K. DEAL, *Chairman.*

INTRODUCTION OF BILLS.

By Senator Woolson, Senate File No. 413, a bill for an act to repeal section 3, chapter 57, acts of the Twenty-first General Assembly and enact a substitute therefor, relating to the location of the soldiers' home.

Read a first and second time.

Senator Woolson moved to consider the bill at this time.

Senator Johnson moved that the bill be committed to the Committee on Military and they are requested to report to-morrow morning, and the bill set for special order at 10 A. M. to-morrow.

Adopted.

By Senator Dodge, Senate File No. 414, a bill for an act providing the manner in which the Soldiers Home shall be located in the State of Iowa.

Read a first and second time and referred to the Committee on Military and included in the special order with Senate File No. 413.

Senator Bloom moved to reconsider the vote by which Senate File No. 288 was ordered engrossed.

Adopted.

Senator Bloom moved to strike out section 1 of the bill.

Adopted.

Senator Bloom moved to strike out "\$720," and insert "\$600" in lieu thereof in second line, section 2, printed bill.

Adopted.

Senator Bloom moved to amend section 2 by striking out the "first of May," and inserting in lieu thereof the words, "fourth day of April."

Adopted.

Senator Bloom 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.

Senator Clark was excused.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bloom, Bolter, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Deal, Dodge, Doud, Duncan, Earle, Gatch, Gault, Glass, Hendrie, Hutchison, McCoy, McDonough, Miles, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whiting, Wilkin, Woolson and Young—36.

The nays were:

Senator Ryder—1.

Absent or not voting:

Senators Bardick, Cassatt, Clark, Donnan, Dooley, Henderson, Johnson, Knight, Parrott, Poyneer, Schmidt, Whaley and Wolfe—18.

So the bill passed and the title was agreed to.

Senator Robinson offered the following as title for the bill:

A bill for an act providing for the employment and payment of assistant librarian and messengers.

Adopted.

REPORT OF COMMITTEE.

Senator Parrott, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations, to whom was referred Senate File No. 407, a bill for an act to amend section 1091, chapter 2, title 9, of the Code, in relation to corporations other than those for pecuniary profit, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the following amendments: By inserting "words" for "word" in line 2, section 1, and the words "depredations upon", before the word "property", in the same line, including them in the quotation.

2d. By striking out the words "in the sixth line of said section."

And that when so amended it do pass.

MATT PARROTT, *Chairman.*

Ordered passed on file.

On motion of Senator Gatch, Senate File No. 379, a bill for an act supplementary to chapter 162, of the acts of the Seventeenth General Assembly, entitled an act to authorize cities of the first class to provide for the construction of sewers, additional to Code, chapter 10, title 4, concerning cities and incorporated towns, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Gatch 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 Barrett, Bayless, Bolter, Carr, Casey, Chesebro, Deal, Dodge, Doud, Duncan, Gatch, Gault, Hendrie, Hutchison, McCoy, McDonough, Miles, Reiniger, Robinson, Ryder, Scott, Stephens, Sutton, Underwood, Weber, Whaley, Whiting, Wilkin and Young—29.

The nays were, none.

Absent or not voting:

Senators Bloom, Burdick, Caldwell, Carson, Cassatt, Chambers, Chubb, Clark, Donnan, Dooley, Earle, Glass, Henderson, Johnson, Knight, Parrott, Poyneer, Schmidt, Sweney, Wolfe and Woolson—21.

So the bill passed and the title was agreed to.

On motion of Senator Weber, House File No. 648, a bill for an act to legalize the organization and official proceeding of the independent school district of Barnum, in Webster county, Iowa, with report of committee recommending amendments, and do pass, was taken up, considered, and the report of the committee was adopted.

Senator Weber 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 Barrett, Bayless, Bolter, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Deal, Dodge, Doud, Duncan, Earle, Gatch, Gault, Glass, Hendrie, Hutchison, McCoy, McDonough, Miles, Poyneer, Reiniger, Robinson, Ryder, Scott, Stephens, Sutton, Sweney, Underwood, Whaley, Whiting, Wilkin and Young—86.

The nays were, none.

Absent or not voting:

Senators Bloom, Burdick, Cassatt, Clark, Donnan, Dooley, Henderson, Johnson, Knight, Parrott, Schmidt, Weber, Wolfe and Woolson—14.

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 bills in which the concurrence of the Senate is asked:

House File No. 95, a bill for an act to amend section 249 of the Code of 1873, in relation to sureties on bonds and authorizing the acceptance of guarantee companies as such sureties.

House File No. 630, a bill for an act to amend section 296, of chapter 2, title 4, of Code, changing the time of holding the September meeting of boards of supervisors to October.

House File No. 670, a bill for an act to legalize the acts and ordinances of the town of Nichols, Muscatine county, Iowa.

Senate File No. 410, to legalize annexation of certain territory to the town of Cleveland, Lucas county, Iowa.

Senate File No. 400, relating to settlement with Capitol Commissioners, and limit the term of office of members of said board. Without amendment.

Senate File No. 345, a bill for an act to amend an act passed at the present session of this General Assembly, entitled an act to enable cities to aid in the construction of highway bridges over navigable boundary rivers of the State of Iowa. Without amendment.

J. K. POWERS, *Chief Clerk.*

Senator Deal offered the following resolution:

Resolved, That the President of the Senate is hereby authorized to appoint a sufficient number of clerks to assist in the work of enrolling bills, and to discharge them as soon as their services are not needed, and to discharge all clerks who refuse or neglect to perform the work assigned them.

Adopted.

Senator Deal, 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. 171, an act to amend section 5 of chapter 171 of

the laws of the Nineteenth General Assembly, relating to the sale of indemnity lands.

Senate File No. 145, an act to provide for the carrying on of the work and construction of the additional hospital for the insane at Clarinda, Iowa, and appropriating funds therefor.

Senate File No. 43, an act to prohibit the traffic in hogs infected with swine plague or hog cholera and to prevent the spread of same.

Senate File No. 274, an act to legalize the official acts of the town council of the incorporated town of Forest City, Winnebago county, Iowa.

JNO. K. DEAL, *Chairman.*

Senator Caldwell moved that the Senate do now adjourn until 8 P. M. this evening.

Adopted.

EVENING SESSION.

The Senate met in regular session at 8 P. M.

RESOLUTION.

Senator Whaley offered the following resolution:

Resolved, That the Military Committee may employ a clerk for said committee for one day.

Adopted.

Senator Gault moved a call of the Senate.

Pending the call of the Senate Senator Stephens moved that further proceedings under the call be dispensed.

Lost.

Senator Young moved to dispense with further proceedings under the call.

Lost.

Senator Robinson moved to reconsider the vote by which the Senate refused to dispense with a call of the Senate.

Carried.

The question recurring on dispensing with a call of the Senate was carried.

On motion of Senator Casey House File No. 487, a bill for an act to grant additional authority to cities organized under special charters and to make certain provisions of law applicable thereto, with report of committee recommending that it do pass was taken up and considered.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bolter, Caldwell, Carr, Carson, Casey, Chesebro, Chubb, Dodge, Doud, Duncan, Earle, Gatch, Gault, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Stephens, Underwood, Weber, Whiting, Wilkin and Young—30.

The nays were, none.

Absent or not voting:

Senators Bloom, Burdick, Cassatt, Chambers, Clark, Deal, Donnan, Dooley, Henderson, Hendrie, Johnson, Knight, Reiniger, Ryder, Scott, Sutton, Sweney, Whaley, Wolfe and Woolson—20.

So the bill passed and the title was agreed to.

On motion of Senator Caldwell, House File No. 655, a bill for an act to legalize the official acts of the town council and incorporated town of Dexter, with report of committee recommending amendments and that 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, which motion prevailed and the bill was read a third time.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bolter, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Dodge, Doud, Duncan, Earle, Gatch, Gault, Glass, Hendrie, Hutchison, McCoy, Miles, Parrott, Poyneer, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Whiting, Wilkin and Young—33.

The nays were, none.

Absent or not voting:

Senators Bloom, Burdick, Clark, Deal, Donnan, Dooley, Henderson, Johnson, Knight, McDonough, Reiniger, Ryder, Whaley, Schmidt, Sweney, Whaley, Wolfe and Woolson—17.

So the bill passed and the title was agreed to.

On motion of Senator Wilkin, Senate File No. 164, a bill for an act to provide for the inspection, and to regulate the sale of petroleum and its products, with report of committee recommending substitute and that it do pass, was taken up and considered.

Senator Wilkin moved to amend by inserting in 6th line of section 2 of printed bill after the word "when" the word "he."

Adopted.

Senator Wilkin moved to amend, to add to section 4, "all fees accruing for inspection shall be a lien upon the oil so inspected."

Adopted.

The substitute as amended 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 Barrett, Bolter, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Dodge, Doud, Duncan, Earle, Gatch, Gault, Glass, Hendrie, Hutchison, McCoy, McDonough, Miles, Poyneer, Robinson,

Schmidt, Scott, Stephens, Sweney, Underwood, Weber, Whiting, Wilkin, and Young—32.

The nays were, none:

Absent or not voting:

Senators Bayless, Bloom, Burdick, Cassatt, Clark, Deal, Donnan, Dooley, Henderson, Johnson, Knight, Parrott, Reiniger, Ryder, Sutton, Whaley, Wolfe and Woolson—18.

So the bill passed and the title was agreed to.

On motion of Senator Schmidt, Senate File No. 384, a bill for an act authorizing cities under special charters to levy a special tax for the maintenance of a paid fire department, with report of committee recommending that it do pass, was taken up and considered.

Senator Schmidt 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, Bolter, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Dodge, Doud, Duncan, Earle, Gatch, Gault, Glass, Hendrie, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Underwood, Weber, Whiting, Wilkin and Young—35.

The nays were, none.

Absent or not voting:

Senators Bloom, Burdick, Clark, Deal, Donnan, Dooley, Henderson, Johnson, Knight, Reiniger, Ryder, Sweney, Whaley, Wolfe and Woolson—15.

So the bill passed and the title was agreed to.

On motion, Senator Casey was excused.

On motion of Senator Poyneer, House File No. 171, a bill for an act to establish highways and avoid building bridges at certain localities, with report of committee recommending that it do pass, was taken up and considered.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bolter, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Dodge, Doud, Duncan, Gatch, Gault, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Underwood, Weber, Whiting, Wilkin and Young—33.

The nays were, none.

Absent or not voting:

Senators Bloom, Burdick, Clark, Deal, Donnan, Dooley, Earle, Henderson, Hendrie, Johnson, Knight, Reiniger, Ryder, Sweney, Whaley, Wolfe and Woolson—17.

So the bill passed and the title was agreed to.

On motion of Senator Duncan, House File No. 236, a bill for an act to amend section 989 of the Code of Iowa, relative to the duties

of road supervisors, with report of committee recommending that it do pass, was taken up and considered.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bolter, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Dodge, Doud, Duncan, Gatch, Gault, Glass, Hendrie, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Scott, Stephens, Underwood, Weber, Whaley, Whiting, Wilkin, Woolson and Young—32.

The nays was:

Senator Earle—1.

Absent or not voting:

Senators Bayless, Bloom, Burdick, Cassatt, Clark, Deal, Donnan, Dooley, Henderson, Johnson, Knight, Reiniger, Ryder, Schmidt, Sutton, Sweney and Wolfe—17.

So the bill passed and the title was agreed to.

On motion of Senator Bayless Senate File No. 249, a bill for an act to amend section 1725, chapter 9, title 12, Code of Iowa, with report of committee recommending a substitute and it do pass, was taken up, considered, and the report of the committee was adopted.

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 Bayless, Bolter, Caldwell, Carson, Casey, Cassatt, Chesebro, Chubb, Dodge, Doud, Duncan, Earle, Gatch, Gault, Glass, Hendrie, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Weber, Whiting, Wilkin, Woolson and Young—31.

The nays were, none.

Absent or not voting:

Senators Barrett, Bloom, Burdick, Carr, Chambers, Clark, Deal, Donnan, Dooley, Henderson, Johnson, Knight, Reiniger, Ryder, Sutton, Sweney, Underwood, Whaley and Wolfe—19.

So the bill passed and the title was agreed to.

On motion of Senator Underwood, House File No. 571, a bill for an act to amend chapter 132 of the laws of the Eighteenth General Assembly, with report of committee recommending that it do pass, was taken up and considered.

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

On the question, shall the bill pass.

The yeas were :

Senators Barrett, Bayless, Bolter, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Dodge, Doud, Duncan, Gatch, Gault, Glass, Hendrie, Hutchison, McCoy, McDonough, Miles, Parrott,

Poyneer, Scott, Stephens, Underwood, Weber, Whiting, Wilkin and Woolson—30.

The nay was:

Senator Chubb—1.

Absent or not voting:

Senators Bloom, Burdick, Clark, Deal, Donnan, Dooley, Earle, Henderson, Johnson, Knight, Reiniger, Robinson, Ryder, Schmidt, Sutton, Sweney, Whaley, Wolfe and Young—19.

So the bill passed and the title was agreed to.

On motion of Senator Whiting, Senate File No. 406, a bill for an act granting powers to cities of the first class, organized as such since January 1, 1886, in relation to sewers and the improvement of streets and alleys and providing for payment therefor, by issuing bonds and the levy of a tax, in addition to and amendment of chapter 162, laws of the Seventeenth General Assembly of Iowa, and chapter 20, laws of the Twentieth General Assembly of Iowa, with report of committee recommending that it do pass, was taken up and considered.

Senator Whiting 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, Bolter, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Dodge, Doud, Duncan, Earle, Gatch, Gault, Glass, Hendrie, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Scott, Stephens, Underwood, Weber, Whiting, Wilkin, Woolson and Young—34.

The nays were, none.

Absent or not voting:

Senators Bloom, Burdick, Clark, Deal, Donnan, Dooley, Henderson, Johnson, Knight, Reiniger, Ryder, Schmidt, Sutton, Sweney, Whaley and Wolfe—16.

So the bill passed and the title was agreed to.

On motion of Senator Parrott Senate File No. 182, a bill for an act amending section 611 of the Code, relative to the hours of opening and closing the polls at all general elections, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Parrott moved that the rule be suspended and the bill be considered engrossed and read a third time, which motion prevailed and the bill was read a third time.

On the question, shall the bill pass.

The yeas were:

Senators Caldwell, Carson, Chesebro, Dodge, Duncan, Earle, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Wilkin and Woolson—28.

The nays were:

Senators Bayless, Bolter, Carr, Casey, Cassatt, Chubb, Doud, Hendrie and Whiting—9.

Absent or not voting:

Senators Bloom, Burdick, Chambers, Clark, Deal, Donnan, Dooley,

Gault, Henderson, Johnson, Knight, Reiniger, Ryder, Schmidt, Sweney, Whaley, Wolfe and Young—18.

So the bill was lost.

On motion of Senator Carr, House File No. 457, a bill for an act authorizing the consolidation of the coupon fund in the State treasury with the general fund, with report of committee recommending that it do pass, was taken up and considered.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bolter, Caldwell, Carr, Carson, Casey, Cassatt, Chesebro, Chubb, Clark, Dodge, Doud, Duncan, Earle, Gatch, Gault, Glass, Hendrie, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Whiting, Wilkin and Woolson—33.

The nays were, none.

Absent or not voting:

Senators Bayless, Bloom, Burdick, Chambers, Deal, Donnan, Dooley, Henderson, Johnson, Knight, Reiniger, Ryder, Schmidt, Sweney, Whaley, Wolfe and Young—17.

So the bill passed and the title was agreed to.

On motion of Senator Dodge, substitute for House File No. 19, a bill for an act regulating the sale and transfer of grain in elevators and other places of storage, with report of committee recommending that it do pass, was taken up and considered.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Carr, Carson, Casey, Cassatt, Chesebro, Deal, Dodge, Donnan, Doud, Duncan, Gatch, Gault, Glass, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Poyneer, Robinson, Scott, Stephens, Sutton, Weber, Wilkin and Young—29.

The nays were:

Senators Bolter, Chubb, Earle and Underwood—4.

Absent or not voting:

Senators Bloom, Burdick, Caldwell, Chambers, Clark, Dooley, Henderson, Knight, Parrott, Reiniger, Ryder, Schmidt, Sweney, Whaley, Whiting, Wolfe and Woolson—17.

So the bill passed and the title was agreed to.

On motion of Senator Hendrie, Senate File No. 187, a bill for an act to repeal section 1214, chapter 2, title 10, of the Code, in relation to drains and ditches, and enact a substitute therefor, with report of committee recommending amendments, and do pass, was taken up, considered, and the report of the committee was adopted.

Senator Hendrie 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, Caldwell, Carr, Carson, Casey, Deal, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Gault, Glass, Hendrie, Hutchison, Johnson, McDonough, Miles, Reiniger, Robinson, Scott, Stephens, Sweney, Underwood, Weber and Young—28.

The nays were:

Senators Bolter, Chesebro, Whiting and Wilkin—4.

Absent or not voting:

Senators Bloom, Burdick, Cassatt, Chambers, Chubb, Clark, Dooley, Henderson, Knight, McCoy, Parrott, Poyneer, Ryder, Schmidt, Sutton, Whaley, Wolfe and Woolson—18.

So the bill passed and the title was agreed to.

RESOLUTION.

Senator Sweney offered the following resolution:

Be it resolved, That on this 24th anniversary of the battle of Shiloh, the Senate of Iowa sends its compliments and greeting to the citizen soldiers of Iowa, now assembled at Sioux City, Iowa, assuring them of remembrance of their valor in war, and their honorable citizenship in peace.

Adopted.

On motion of Senator Robinson substitute for House File No. 77, a bill for an act to provide for the levy of attachments or executions on personal property covered by mortgages, with report of committee recommending amendments, and that they do pass, was taken up, considered, and the report of the committee was adopted.

Senator Robinson moved to insert after the word "execution" the word "hereafter" in 1st line section 1, printed bill. Also, insert after the word "mortgage" in same line the words "or heretofore mortgaged when the debt secured thereby is due."

Adopted.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Caldwell, Carson, Casey, Chesebro, Dodge, Donnan, Doud, Duncan, Gatch, Gault, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Parrott, Robinson, Scott, Stephens, Sutton, Sweney, Weber, Wilkin, Woolson and Young—28.

The nays were:

Senators Bolter and Earle—2.

Absent or not voting:

Senators Bloom, Burdick, Carr, Cassatt, Chambers, Chubb, Clark, Deal, Dooley, Glass, Henderson, Knight, Poyneer, Reiniger, Ryder, Schmidt, Underwood, Whaley, Whiting and Wolfe—20.

So the bill passed and the title was agreed to.

On motion of Senator Scott, House File No. —, a bill for an act to legalize the acts of the incorporated town council of Story City, Story county, Iowa, with report of committee recommending amend-

ments and that it do pass, was taken up, considered, and the report of the committee was adopted.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bolter, Caldwell, Carson, Casey, Chubb, Donnan, Doud, Duncan, Gatch, Gault, Glass, Hutchison, McCoy, McDonough, Parrott, Poyneer, Robinson, Scott, Stephens, Sweeney, Underwood, Weber, Whiting, Woolson and Young—27.

The nays were, none.

Absent or not voting:

Senators Bloom, Burdick, Carr, Cassatt, Chambers, Chesebro, Clark, Deal, Dodge, Dooley, Earle, Henderson, Hendrie, Johnson, Knight, Miles, Reiniger, Ryder, Schmidt, Sutton, Whaley, Wilkin and Wolfe—23.

So the bill passed and the title was agreed to.

On motion of Senator Scott, Senate File No. 272, a bill for an act defining duties of township trustees in relation to tile drainage, was taken up and report of committee to indefinitely postpone adopted.

On motion of Senator Scott, Senate File No. 271, a bill for an act to encourage immigration to the State of Iowa, was taken up and report of committee to indefinitely postpone adopted.

On motion of Senator Donnan House File No. 528, a bill for an act to grant right of way to the Chicago, Iowa & Northern Pacific Railroad company, with the report of committee recommending that it do pass, was taken up and considered.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bolter, Caldwell, Carson, Casey, Chesebro, Chubb, Donnan, Duncan, Gatch, Gault, Glass, Hutchison, McCoy, McDonough, Poyneer, Robinson, Scott, Stephens, Sweeney, Underwood, Weber, Whiting, Wilkin, Woolson and Young—27.

The nays were, none.

Absent or not voting:

Senators Bloom, Burdick, Carr, Cassatt, Chambers, Clark, Deal, Dodge, Dooley, Doud, Earle, Henderson, Hendrie, Johnson, Knight, Miles, Parrott, Reiniger, Ryder Schmidt, Sutton, Whaley and Wolfe—23.

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 625, a bill for an act to amend section 456, chapter 10, title 4 of the Code, relating to the powers of incorporated towns.

House File No. 685, a bill for an act to amend a legalizing act,

namely: chapter 10, acts of the Eighteenth General Assembly, legalizing the incorporated town of Reinbeck, Grundy county, Iowa.

Also:

The House has concurred in Senate amendment to House resolution relating to joint convention to elect trustees for State institutions.

J. K. POWERS, *Chief Clerk.*

Senator Weber moved to make Senate File No. 28, a bill for an act to repeal section 2, chapter 27, acts of the Seventeenth General Assembly, and providing for the election of railroad commissioners, special order for 2:30 P. M. to-morrow.

Senator Bayless moved to adjourn to 9:30 A. M.

The yeas and nays were demanded.

The yeas were:

Senators Bayless, Bolter, Casey, Duncan, Gatch, Hutchison, McCoy, McDonough, Poyneer, Robinson, Scott, Stephens, Whiting, Wilkin and Woolson—15.

The nays were:

Senators Barrett, Caldwell, Carson, Chubb, Donnan, Glass, Reinger, Sweney, Underwood, Weber, Whaley and Young—12.

Absent or not voting:

Senators Bloom, Burdick, Carr, Cassatt, Chambers, Chesebro, Clark, Deal, Dodge, Dooley, Doud, Earle, Gault, Henderson, Hendrie, Johnson, Knight, Miles, Parrott, Ryder, Schmidt, Sutton and Wolfe—23.

So the Senate adjourned.

SENATE CHAMBER, }
DES MOINES, IOWA, April 7, 1886. }

The Senate met in regular session at 10 A. M.

The President of the Senate in the chair.

Prayer by A. H. Shaffer.

The reading of the journal of the previous day was on motion dispensed with.

Senator Bloom moved to expunge from the records of the evening session that part containing summons to the Sergeant-at-Arms to arrest Senators not answering roll call and not excused.

Adopted.

On motion, Senator McDonough was excused for to-day.

REPORT OF COMMITTEE.

Senator McCoy, 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. 402, a bill for an act prescribing the duties of county surveyor and providing for his com-

pensation, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

BEN MCCOY, *Chairman.*

Ordered passed on file.

CONCURRENT RESOLUTION.

Senator Duncan offered the following concurrent resolution:

WHEREAS, There is throughout the State, and especially in our larger cities, a very general complaint of excessive and inequitable taxation; and,

WHEREAS, To a very large extent the farmers and workingmen under the present revenue system of the State feel that taxation is too high and that the plan of double assessment and taxation on mortgages is an injustice that ought to be remedied; and,

WHEREAS, Efficient legislation must be based upon full and reliable information; and,

WHEREAS, No such information in detail upon this subject is now available; therefore,

Resolved by the Senate, the House concurring:

1. That the Commissioner of Labor Statistics is hereby directed to prepare necessary blanks and to send the same to proper authorities and thus ascertain the amount of assessment and of taxation throughout the State, or in such parts thereof as may, by said commissioner, be deemed expedient, giving especial attention to the taxation of municipalities and to the incidents of taxation.

2. He shall publish in the next report of his office—or prior to such time if deemed best by the Governor—a report of his investigation on this subject together with such statistics, upon the same, as he shall collect.

Adopted.

Senator Carson offered the following concurrent resolution:

WHEREAS, By the lapse of time the old soldiers and sailors of the late war, are in many instances unable to obtain the degree of proof required by the pension department, to enable them to be enrolled upon the pension rolls; and,

WHEREAS, The infirmities caused by exposure while in the service, are difficult to definitely prove; and,

WHEREAS, While the old heroes were able to struggle on, and obtain a livelihood for themselves and dependants, they did it without a murmur, and did not ask the government they saved to help them, while sufficient strength and vigor remained to earn a living on the battle-field of life. But they are now rapidly falling to the rear, for want of strength to remain at the post, as they did in the stormy days of battle, and,

WHEREAS, The Government of the United States is in duty bound to spare its dependants from penury and want; therefore,

Be it resolved by the Senate, the House concurring, that our Senators and Representatives in Congress, etc., and they are hereby requested to obtain the passage of an act, that will authorize and require the pension department to place on pension rolls, the names of such

soldiers and sailors, as shall be found suffering from permanent disability, when such soldiers shall have complied in other respects, with the rules of the department.

Resolved, That the Secretary of State is hereby instructed to forward a copy of this concurrent resolution and preamble, to each of our Senators and Representatives in Congress.

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 resolution in which the concurrence of the Senate is asked:

Relating to the "Cullom bill regulating inter-state commerce," now pending in Congress.

Also, the House has passed Senate File No. 180, a bill for an act to authorize administrators, executors and guardians appointed in other states or counties to release judgments and deeds of trust, without amendment.

J. K. POWERS, *Chief Clerk*.

Senator Sweney submitted the following communication:

TOPEKA, KAN., April 5, 1886.

To his Excellency, WILLIAM LARRABEE, Governor of Iowa, Des Moines, Iowa:

MY DEAR SIR—The buildings for the Leavenworth Home are rapidly approaching completion. There are now about three hundred and fifty inmates in the Home, and it will accommodate nearly 1,500 when fully completed, which will probably be in the course of the next month or so. I do not know how many soldiers from Iowa can be admitted, but presume that all who desire admission can be admitted. I assume that there are no more than two or three hundred soldiers in Iowa who would enter the Home if they could do so.

Yours, very respectfully,

JOHN A. MARTIN.

(Signed)

On motion, read and passed on file.

Senators Sweney, Hutchison and Johnson were appointed a committee to request the Governor to telegraph the above letter to the G. A. R. Encampment in session at Sioux City.

RESOLUTION.

Senator Weber offered the following resolution:

Resolved, That when work is on the callender the roll shall be called, and as the names are called the bill shall be taken up and considered chosen by the member named, provided that no member shall call up more than one bill on one roll-call.

Senator Scott moved to amend by adding "and that each alternate roll-call shall begin at bottom of the roll."

Pending which, the hour for the special order arrived, and the following reports were read.

REPORTS OF COMMITTEES.

Senator Whaley, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate File No. 414, a bill for an act providing the manner in which the Soldiers and Sailors' Home shall be located in the State of Iowa, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WHALEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on Military, to whom was referred Senate File No. 363, a bill for an act to establish and maintain a soldiers' home, beg leave to report that they had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WHALEY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate File No. 413, a bill for an act to repeal section 3, chapter 58, acts of the Twenty-first General Assembly, and enact a substitute therefor, relating to the location of the soldiers' 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 following amendments:

1. Strike out the words "five days" and insert "seven days" in line 55, of section 1, of original bill.
2. Strike out, commencing in line 64 of original bill, the words, "the locality receiving the greatest number of votes upon the twenty-first ballot," and insert the words, "the place receiving the lowest number or places receiving the lowest and equal number of votes, upon the twenty-first ballot, shall be dropped on the next succeeding ballot, and this same provision shall obtain in the succeeding ballots; and balloting shall continue under this provision until some one place shall receive a majority of all the commissioners, which place," and as so amended recommend it do pass.

WHALEY, *Chairman.*

Ordered passed on file.

Senator Whaley moved to postpone the special order until 3 P. M.

Adopted.

The question recurring on the resolution offered by Senator Weber with pending amendments by Senator Scott, on motion was referred to the sifting committee.

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, without amendment:

Senate File No. 198, to repeal sections 1, 2, 3, 4, 5 and 6, chapter 21, acts of the Twentieth General Assembly, and enact substitute therefor, relating to mines and mining.

J. K. POWERS, *Chief Clerk.*

On motion of Senator Weber Senate File No. 28, a bill for an act to repeal section 2, chapter 27, acts of the Seventeenth General Assembly, and providing for the election of railroad commissioners, with report of committee recommending amendments, and do pass, was taken up, considered, and the report of the committee was adopted.

By leave, Senator Henderson presented for reading a petition from the citizens of Cedar Rapids, asking that the present manner of choosing railroad commissioners be continued, except that they be approved by the Senate.

Senator Bolter moved to amend by adding to section 2 "and such commissioners, when so elected, shall have the power to fix maximum rates of freights on all railroads in Iowa."

Senator Barrett offered the following amendment to the amendment: Add after the word freight "and passenger rates, dictate when and how trains, both passenger and freight, shall be run, and in fact do all and every act that the railroads of right might have done had this act not been passed."

Lost.

The question recurring upon the amendment offered by Senator Bolter.

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassat, Chesebro, Chubb, Dodge, Dooley, Earle, Gault, Henderson, Johnson, Ryder, Schmidt, Scott, Whiting, Wolfe and Young—20.

The nays were:

Senators Barrett, Caldwell, Chambers, Clark, Donnan, Doud, Duncan, Gatch, Glass, McCoy, Miles, Parrott, Poyneer, Reiniger, Robinson, Stephens, Sweney, Underwood, Weber, Whaley, Wilkin and Woolson—22.

Absent or not voting:

Senators Burdick, Carson, Deal, Hendrie, Hutchison, Knight, McDonough and Sutton—8.

So the amendment was not adopted.

The following communication was received from the Governor, at the hands of his private secretary:

APRIL 7, 1886.

MR. PRESIDENT—I am instructed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of State the following bills:

Senate File No. 43, an act to prohibit the traffic in hogs infected with swine plague or hog cholera and to prevent the spread of the same.

Senate File No. 145, an act to provide for the carrying on of the work and construction of the additional hospital for the insane at Clarinda, Iowa, and appropriating funds therefor.

Senate File No. 171, an act to amend section 5, of chapter 171 of the laws of the Nineteenth General Assembly, relating to the sale of indemnity lands.

Senate File No. 274, an act to legalize the official acts of the town council of the incorporated town of Forest City, Winnebago county, Iowa.

FRED'K W. HOSSFELD, *Private Secretary.*

MESSAGE FROM THE HOUSE.

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

House Files Nos. 464 and 486.

Also, I am directed to inform you that the House has requested the return of Senate File No. 198, for the purpose of correcting the same.

J. K. POWERS, *Chief Clerk.*

Senator Robinson offered the following amendment:

Sec. 3. The provisions of this act shall not take effect until the first day of January, A. D. 1887, excepting so far as it authorizes the election of railroad commissioners during A. D. 1886. The terms of the commissioners holding their office by virtue of the sections repealed by this act shall expire on the first day of January, A. D. 1887.

Adopted.

Senator Wolfe moved to take up Substitute for House Files Nos. 8, 24, 49, 70, 122, 159 and 384, a bill for an act to make railroad commissioners elective.

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Chubb, Dodge, Dooley, Earle, Gault, Henderson, Hendrie, Johnson, Schmidt, Whiting and Wolfe—18.

The nays were:

Senators Caldwell, Carson, Chambers, Donnan, Doud, Duncan, Glass, Hutchison, McCoy, Miles, Parrott, Poyneer, Reiniger, Stephens, Sweny, Underwood, Whaley, Wilkin, Woolson and Young—20.

Absent or not voting:

Senators Barrett, Burdick, Clark, Deal, Gatch, Knight, McDonough, Robinson, Ryder, Scott, Sutton and Weber—12.

So the motion did not prevail.

Senator Weber moved that the Senate do now adjourn until 2 P. M., and that Senate File No. 28 be made special order at that time.

Motion was withheld for a resolution from Senator Sweny, as follows:

Resolved by the Senate, the House concurring, That the majority and minority of the joint investigating committee, together with the testimony taken and returned by the committee with the report, be ordered printed, and that 1,500 copies be distributed equally between the members of the General Assembly.

Adopted.

Senator Bolter moved that the Senate return to the House Senate File No. 198.

Adopted.

The question being on the motion of Senator Weber, it was adopted and the Senate adjourned until 2 P. M.

AFTERNOON SESSION.

2 O'CLOCK.

Senate met pursuant to adjournment at 2 P. M.

President of the Senate in the chair.

Senator Weber moved that the special order, it being Senate File No. 28, be postponed for fifteen minutes.

Adopted.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 399, a bill for an act to legalize certain records in the office of the Secretary of State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 651, a bill for an act to legalize the grand jury drawn in and for the county of Osceola for the year 1886, beg leave to report 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 do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 478, a bill for an act to legalize the official acts of Edmund W. Durston, as justice of the peace in and for Chick-

asaw 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 inserting after the word "officer", in line twenty-one, the words, "and within the legal jurisdiction of said office." And that as thus amended the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 373, a bill for an act in relation to the authentication of signatures of notaries public in other States, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 273, a bill for an act preventing non-resident aliens acquiring title to real estate in Iowa, and for the acquiring of such property now held by them, by the State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred substitute for House File No. 142, a bill for an act to define the jurisdiction of mayors and marshals of incorporated towns and cities, and to provide for the compensation 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.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 88, a bill for an act to legalize the acts, resolutions, orders, and ordinances of the town council of the incorporated town of Seymour, beg leave to report 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 do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Senator Parrott, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations to whom was referred substitute for House File No. 208, a bill for an act to prescribe the terms of the election of mayors, treasurers, assessors, solicitors and members of the council of cities of the second

class, amendatory to sections 390, 518, 521 and 532, of the Code of 1873, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the accompanying amendments, and that when the amendments are adopted that the substitute do pass:

Amend the title by striking out the words, in the second and third lines thereof, "and members of the council."

Also strike out "521" in the fourth line.

Amend section 1, by striking out in the first and second lines the words "and members of the city council."

Amend section 2 by striking out in the second and third lines thereof, the words "and that of the members of the council shall be four years."

Strike out section 3.

MATT PARROTT, *Chairman*.

Ordered passed on file.

HOUSE MESSAGES.

House File No. 685, a bill for an act to amend a legalizing act, namely, chapter 10 of the acts of the Eighteenth General Assembly, legalizing the incorporation of the town of Reinbeck, in Grundy county.

Read a first and second time.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bloom, Bolter, Carr, Carson, Casey, Chesebro, Clark, Dodge, Doud, Duncan, Earle, Gatch, Henderson, Hendrie, Hutchison, Johnson, Miles, Poyneer, Robinson, Schmidt, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Whiting, Wolfe and Young—31.

The nays were, none.

Absent or not voting:

Senators Burdick, Caldwell, Cassatt, Chambers, Chubb, Deal, Donnan, Dooley, Gault, Glass, Knight, McCoy, McDonough, Parrott, Reiniger, Ryder, Sutton, Wilkin and Woolson—19.

So the bill passed and the title was agreed to.

Concurrent resolution relative to Cullom bill on inter State commerce.

On motion the resolution was concurred in.

BILLS ON THIRD READING.

Senate File No. 192, a bill for an act to amend section 797 of the Code of Iowa and to exempt from taxation certain homesteads, with amendments from the House.

On the question, shall the Senate concur in the House amendments.

The yeas were:

Senators Barrett, Bloom, Chambers, Chubb, Clark, Deal, Dodge,

Donnan, Doud, Duncan, Earle, Glass, Henderson, Hutchison, Miles, Parrott, Poyneer, Reiniger, Robinson, Ryder, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Whiting, Wolfe and Young—29.

The nays were:

Senators Bayless and Chesebro—2

Absent or not voting:

Senators Bolter, Burdick, Caldwell, Carr, Carson, Casey, Cassatt, Dooley, Gatch, Gault, Hendrie, Johnson, Knight, McCoy, McDonough, Schmidt, Sutton, Wilkin and Woolson—19.

So the House amendments were concurred in.

Senate File No. 188, a bill for an act making appropriation for the boys' department of the Iowa Industrial School, with amendments by the House, was read a third time.

On the question, shall the Senate concur in the first House amendment, the yeas and nays were called.

The yeas were:

Messrs. Barrett, Bloom, Carson, Chambers, Clark, Dodge, Donnan, Doud, Duncan, Glass, Henderson, Hutchison, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley and Young—24.

The nays were:

Senators Bayless, Chesebro, Earle, Hendrie, Ryder, Whiting and Wolfe—7.

Absent or not voting:

Senators Bolter, Burdick, Caldwell, Carr, Casey, Cassatt, Chubb, Deal, Dooley, Gatch, Gault, Johnson, Knight, McCoy, McDonough, Miles, Reiniger, Wilkin and Woolson—19.

So the Senate refused to concur in the first amendment.

On the question shall the Senate concur in second amendment.

The yeas were:

Senators Barrett, Bayless, Bloom, Carr, Carson, Chesebro, Clark, Dodge, Donnan, Duncan, Earle, Glass, Henderson, Hendrie, Hutchison, Parrott, Poyneer, Reiniger, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting and Young—30.

The nay was:

Senator Wolfe—1.

Absent or not voting:

Senators Bolter, Burdick, Caldwell, Casey, Cassatt, Chambers, Chubb, Deal, Dooley, Doud, Gatch, Gault, Johnson, Knight, McCoy, McDonough, Miles, Wilkin and Woolson—19.

So the Senate concurred in the amendment to the publication clause.

Senate took up Senate File No. 871, a bill for an act to authorize the building of an additional cottage adjacent to the Iowa Hospital for the Insane at Independence, with amendments from the House.

On the question, shall the Senate concur in the House amendment, the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bloom, Carr, Carson, Cassatt, Chambers, Chesebro, Dodge, Donnan, Doud, Duncan, Earle, Gault, Glass, Hen-

derson, Hendrie, Hutchison, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Underwood, Weber, Whaley, Whiting, Wolfe and Young—80.

The nays were, none.

Absent or not voting:

Senators Bolter, Burdick, Caldwell, Casey, Chubb, Clark, Deal, Dooley, Gatch, Johnson, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Sweney, Wilkin and Woolson—20.

So the Senate concurred in House amendment.

Senator Donnan moved to take up House messages.

Adopted.

HOUSE MESSAGE.

House File No. 557, a bill for an act making appropriation for the girls' department of the Iowa Industrial School at Mitchellville.

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

The Senate resumed the consideration of the special order, it being Senate File No. 28, a bill for an act to repeal section 2, chapter 27, acts of the Seventeenth General Assembly, and providing for the election of Railroad Commissioners.

Senator Bolter moved that this bill together with the substitute offered by Senator Wolfe, be referred to the Committee on Railroads.

Senator Sweney moved that the special order, it being Senate Files Nos. 413 and 414, relative to the soldiers' home, be postponed until after the reading of the journal to-morrow, April 8th.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bloom, Carr, Carson, Cassatt, Chambers, Chesebro, Donnan, Earle, Gault, Glass, Henderson, Hendrie, Hutchison, Parrott, Poyneer, Robinson, Scott, Sweney, Underwood and Whiting—22.

The nays were:

Senators Bolter, Chubb, Clark, Deal, Dodge, Dooley, Doud, Johnson, McCoy, Miles, Ryder, Schmidt, Stephens, Sutton, Weber, Whaley, Wolfe and Woolson—18.

Absent or not voting:

Senators Burdick, Caldwell, Casey, Duncan, Gatch, Knight, McDonough, Reiniger, Wilkin and Young—10.

So the motion prevailed, and Senate Files Nos. 413 and 414 were made special order for to-morrow directly after reading the journal.

The question recurring upon the motion of Senator Bolter to refer Senate File No. 28 to Committee on Railroads the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bolter, Carr, Carson, Cassatt, Chesebro, Deal, Dodge, Dooley, Gatch, Gault, Henderson, Hendrie, Hutchison, McCoy, Parrott, Poyneer, Ryder, Schmidt, Scott, Whiting, Wilkin, Wolfe and Woolson—25.

The nays were:

Senators Chambers, Chubb, Clark, Donnan, Doud, Duncan, Earle,

Glass, Miles, Reiniger, Robinson, Stephens, Sweney, Underwood, Weber, Whaley and Young—17.

Absent or not voting:

Senators Bloom, Burdick, Caldwell, Casey, Johnson, Knight, McDonough and Sutton—8.

So the motion prevailed and Senate File No. 28, was referred to Committee on Railroads.

House File No. 307, a bill for an act to amend sections 1169 and 1179 of the Code, with report of committee recommending that it do pass, was taken up and considered.

Senator Wolfe 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 Barrett, Bayless, Bloom, Bolter, Caldwell, Carr, Casey, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gault, Glass, Henderson, Hendrie, Miles, Parrott, Poyneer, Reiniger, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting and Young—37.

The nays was:

Senator Wolfe—1.

Absent or not voting:

Senators Burdick, Carson, Cassatt, Gatch, Johnson, Knight, McCoy, McDonough, Ryder, Wilkin and Woolson—12.

So the bill passed and the title was agreed to.

Senator Wolfe filed the following:

MR. PRESIDENT—I move that the vote by which House File No. 307 was passed be reconsidered, and also that the vote by which it was ordered engrossed be reconsidered.

On motion of Senator Young, Senate File No. 340, a bill for an act to amend section 4780 of the Code, with report of committee recommending amendments and do pass, was taken up, considered, and the report of the committee was adopted.

Senator Young 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, Bloom, Bolter, Carson, Casey, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Henderson, Hutchison, McCoy, Miles, Parrott, Poyneer, Robinson, Scott, Underwood, Whaley, Wolfe and Young—29.

The nays were:

Senator Sweney—1.

Absent or not voting:

Senators Bayless, Burdick, Caldwell, Carr, Cassatt, Chambers, Glass, Hendrie, Johnson, Knight, McDonough, Reiniger, Ryder, Schmidt, Stephens, Sutton, Weber, Whiting, Wilkin and Woolson—20.

So the bill passed and the title was agreed to.

On motion of Senator Gatch House File No. 307, a bill for an act

to amend sections 1169 and 1179, of the Code, with report of committee recommending that it do pass was taken up and considered.

Senator Gatch 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 Barrett, Bayless, Bloom, Bolter, Caldwell, Carr, Carson, Casey, Cheseboro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, Miles, Parrott, Poyneer, Reiniger, Robinson, Schmidt, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Whiting and Young—38.

The nays were, none.

Absent or not voting:

Senators Burdick, Cassatt, Chambers, Johnson, Knight, McCoy, McDonough, Ryder, Sutton, Wilkin, Wolfe and Woolson—12.

So the bill passed and the title was agreed to.

On motion of Senator Carson, House File No. 468, a bill for an act to legalize the incorporation and ordinances of the town of Oakland, Pottawattamie county, with report of committee recommending that it do pass, was taken up and considered.

Senator Carson 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 Barrett, Bayless, Bloom, Bolter, Caldwell, Carr, Carson, Casey, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, Miles, Parrott, Poyneer, Reiniger, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting and Young—38.

The nays were, none.

Absent or not voting:

Senators Burdick, Cassatt, Chambers, Johnson, Knight, McCoy, McDonough, Ryder, Sutton, Wilkin, Wolfe and Woolson—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:

Substitute for House File No. 557, a bill for an act making appropriation for the girls' department of the Iowa Industrial School at Mitchellville.

Also the House has passed:

Senate File No. 188, making appropriation for the boys' department of the Iowa Industrial School at Eldora, with amendment.

Senate File No. 371, to authorize the building of an additional cottage to the Hospital for Insane at Independence, with amendment.

Also the House has concurred in Senate amendment to substitute for House File No. 589.

J. K. POWERS, *Chief Clerk.*

HOUSE MESSAGES.

Substitute for House File No. 95, a bill for an act to amend section 249 of the Code of 1873 in relation to sureties on bonds and authorizing the acceptance of guarantee companies as such sureties.

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

House File No. 625, a bill for an act to amend section 456, chapter 10, title 4 of the Code of 1873, relating to the powers of impeachment.

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

House File No. 670, a bill for an act to legalize the acts and ordinances passed by the council of the town of Nichols, Muscatine county, Iowa.

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

House File No. 680, a bill for an act to amend section 296, of chapter 2, title 4 of the Code, changing the time of holding the September meeting of board of supervisors to October.

Read a first and second time and referred to the 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 you that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 692, a bill for an act to regulate the manner of holding courts in the several judicial districts of the State.

Also, that the House has passed Senate File No. 393, making an appropriation for the Hospital for the Insane at Independence without amendment.

J. K. POWERS, *Chief Clerk.*

REPORTS OF COMMITTEES.

Senator McCoy, 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. 680, a bill for an act to amend section 296 of chapter 2, title 4 of the Code, changing the time of holding the September meeting of boards of supervisors to October, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

BEN MCOY, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on County and Township Organization, to whom was referred House File No. 625, a bill for an act to amend section 456, chapter 10, title 4 of the Code of 1873, relating to the powers of 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.

BEN MCCOY, *Chairman*.

Ordered passed on file.

On motion of Senator Sweney, Senate File No. 396, a bill for an act to provide for the better protection of trainmen and railway employes, by blocking frogs, switches and guard rails, prepared by the Committee on Railways, was taken up and considered.

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 Barrett, Bayless, Bloom, Bolter, Carr, Carson, Cassatt, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donuan, Dooley, Doud, Duncan, Earle, Gault, Hutchison, Miles, Poyneer, Reiniger, Robinson, Schmidt, Scott, Stephens, Sweney, Underwood, Weber, Whiting, Wolfe and Young—33.

The nays were, none.

Absent or not voting:

Senators Burdick, Caldwell, Casey, Gatch, Glass, Henderson, Hendrie, Johnson, Knight, McCoy, McDonough, Parrott, Ryder, Sutton, Whaley, Wilkin and Woolson—17.

Senator Sutton moved to amend the title by adding "and to provide penalties for failure so to do.

Adopted.

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:

Senate File No. 198, relating to coal mine inspectors, with amendments.

J. K. POWERS, *Chief Clerk*.

REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred House File No. 359, a bill for an act to amend chapter 24 of the Acts of the Twentieth General Assembly, relating to maintaining station houses and connections at points of intersections or crossing of two or more railroads, beg leave to report that they have had the same under consideration and have instructed me to report the

same back to the Senate with the recommendation that it be indefinitely postponed.

J. H. SWENEY, *Chairman.*

Ordered passed on file.

On motion of Senator Bayless, Senate File No. 277, a bill for an act to amend section 4738 of the Code, relating to the labor of prisoners under the supervision of sheriff, and placing the same under the direction and regulation of county boards of supervisors, with report of committee recommending that it do pass, was taken up and considered.

Senator Sweney moved to amend as follows: Add to the printed bill, "that such labor shall in no case be used or employed in competition with free labor, nor be leased for that purpose."

On motion the consideration of this bill be postponed for fifteen minutes.

On motion of Senator Chubb, House File No. 349, a bill for an act to amend section 1, chapter 149, laws of 1882, with report of committee recommending that 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 Barrett, Bayless, Bloom, Bolter, Carson, Cassatt, Chambers, Cheseboro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Earle, Gault, Glass, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Underwood, Weber, Whiting and Young—29.

The nays were, none.

Absent or not voting:

Senators Burdick, Caldwell, Carr, Casey, Duncan, Gatch, Henderson, Hendrie, Hutchison, Johnson, Knight, McCoy, McDonough, Ryder, Schmidt, Sutton, Sweney, Whaley, Wilkin, Wolfe and Woolson—21.

So the bill passed and the title was agreed to.

On motion of Senator Barrett, Senate File No. 284, a bill for an act to repeal section 1, of chapter 5, of the acts of the Fifteenth General Assembly, empowering cities and towns to make contracts with railroad and bridge companies for the use of wagon bridges across rivers, and to enact a substitute therefor, with report of committee recommending that 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 Barrett, Bayless, Bloom, Bolter, Carr, Carson, Cassatt, Chambers, Chesebro, Clark, Dodge, Donnan, Dooley, Doud, Earle, Gault, Glass, Hendrie, Hutchison, McCoy, Miles, Poyneer, Reiniger, Robinson, Scott, Stephens, Sweney, Weber, Whaley, Whiting, Wolfe and Young—32.

The nays were, none.

Absent or not voting:

Senators Burdick, Caldwell, Casey, Chubb, Deal, Duncan, Gatch,

Henderson, Johnson, Knight, McDonough, Parrott, Ryder, Schmidt, Sutton, Underwood, Wilkin and Woolson—18.

So the bill passed and the title was agreed to.

On motion of Senator Robinson House File No. 374, a bill for an act to amend chapter 95, of the laws of the Sixteenth General Assembly, as amended by chapter 79, of the laws of the Twentieth General Assembly, in relation to loans by cities and incorporated towns, with report of committee recommending that it do pass, was taken up and considered.

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 Barrett, Bayless, Bloom, Bolter, Carr, Carson, Cassatt, Chambers, Chesebro, Deal, Dodge, Donnan, Dooley, Doud, Earle, Gault, Glass, Hendrie, Hutchison, Miles, Parrott, Poyneer, Robinson, Ryder, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wolfe and Young—34.

The nays were, none.

Absent or not voting:

Messrs. Burdick, Caldwell, Casey, Chubb, Clark, Duncan, Gatch, Henderon, Johnson, Knight, McCoy, McDonough, Reiniger, Schmidt, Wilkin and Woolson—16.

So the bill passed and the title was agreed to.

Senator Cassatt moved to take up bills on third reading.

Adopted.

So the Senate took up Senate File No. 198, a bill for an act to repeal sections 1, 2, 3, 4, 5 and 6, of chapter 21, acts of the Twentieth General Assembly, and to enact a substitute therefor, relative to mines and mining, with House amendments, was taken up and read a third time.

On the question, shall the Senate concur in House amendments, the yeas and nays were called.

The yeas were:

Senators Barrett, Bayless, Bloom, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Dodge, Donnan, Dooley, Doud, Earle, Gatch, Gault, Glass, Hendrie, Hutchison, McCoy, Miles, Parrott, Poyneer, Reiniger, Ryder, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—36.

The nays were, none.

Absent or not voting:

Senators Bolter, Burdick, Caldwell, Chubb, Clark, Deal, Duncan, Henderson, Johnson, Knight, McDonough, Robinson, Schmidt and Scott—14.

So the Senate concurred in the House amendments.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has passed:

Senate File No. 401, appropriating money to defray expenses of the Senate Military and Soldiers' Home Committees, examining locations for soldiers' home, without amendment.

J. K. POWERS, *Chief Clerk.*

On motion of Senator Wolfe, Senate File No. 108, a bill for an act in relation to the labor of convicts and others confined in State institutions, with report of committee recommending that it do pass, was taken up and considered.

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

The President announced the following as a Sifting Committee:

Senators Donnan, Doud, Bolter, Young, Sweney, Gault, Robinson, Miles and Bayless.

Senator Young submitted report of committee to investigate expenditures of the \$5,000 appropriated by the Twentieth General Assembly to assist farmers' protection association.

Passed on file and ordered printed.

Senator Doud moved that the Senate adjourn until 9:30 A. M. tomorrow.

Adopted.

SENATE CHAMBER,
DES MOINES, IOWA, April 8, 1896. }

The Senate met in regular session at 9:30 A. M.

The President of the Senate in the chair.

Prayer by Rev. B. St. John.

Reading of journal of previous day was on motion dispensed with.

RESOLUTION.

Senator Donnan moved the adoption of the following resolution:
Resolved That the Sifting Committee be authorized to sit during the sessions of the Senate.

Adopted.

On motion, Senator Caldwell was excused.

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 Senate File No. 208, making an appropriation for State Normal School at Cedar Falls, without amendment.

Also, the House has concurred in Senate resolution relative to printing 1,500 reports and evidence of Brown-Sherman investigating committee.

Also, the House has passed the accompanying joint resolution in which the concurrence is desired.

Also, the House has concurred in Senate amendments to House File No. 648.

J. K. POWERS, *Chief Clerk.*

The special order being on Senate File No. 413, a bill for an act to repeal section 3, chapter 57, acts of the 21st General Assembly and enact a substitute therefor relating to the locating of the soldiers' home, with report of committee recommending amendments and that it do pass, was taken up and considered, and the committee's first amendment adopted.

Senator Doud offered the following as a substitute for the committee's second amendment, by striking out in the 24th line, printed bill from and including the word "provided," down to and including the word "ballot" in the 25th line and insert in lieu thereof the words "which locality."

On this the yeas and nays were demanded.

The yeas were :

Senators Bayless, Carson, Chesebro, Chubb, Clark, Doud, Earle, Glass, Hendrie, McCoy, McDonough, Parrott, Reiniger, Scott, Weber, Whiting and Wilkin—17.

The nays were:

Senators Barrett, Bloom, Carr, Casey, Donnan, Gatch, Johnson, Miles, Poyneer, Schmidt, Stephens, Sutton, Sweney, Underwood, Whaley, Wolfe and Young—18.

Absent or not voting:

Senators Bolter, Burdick, Caldwell, Cassatt, Chambers, Deal, Dodge, Dooley, Duncan, Gault, Henderson, Knight, Robinson, Ryder and Woolson—15.

So the substitute was not adopted.

The question recurring upon the second amendment offered by the committee Senator Bayless offered the following amendment: Strike out all after the word "home" in 23d line up to and including the word "ballot" in the 25th line and insert as follows:

" Provided, that the names of all localities which have filed bonds and been regularly balloted for as a location for said soldiers' home, shall be placed in a closed box, and after being thoroughly mixed, the names of five shall be drawn. These five names shall constitute the only localities to be balloted for. When a majority is reached the location so selected."

Lost.

Senator Glass moved to amend the committee amendment as follows: Strike out the word "twenty-first" and insert "two hundred and first."

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Carson, Deal, Doud, Duncan, Earle, Glass, McDonough, Parrott, Scott, Stephens, Sweney, Weber and Wilkin—14.

The nays were:

Senators Donnan, Dooley, Gatch, Johnson, McCoy, Miles, Poyneer, Reiniger, Robinson, Ryder, Sutton, Underwood, Whaley, Wolfe, Woolson and Young—16.

Absent or not voting :

Senators Barrett, Bloom, Bolter, Burdick, Caldwell, Carr, Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Dodge, Gault, Henderson, Hendrie, Hutchison, Knight, Schmidt and Whiting—20.

So the amendment was lost.

On the question shall the committee's second amendment be adopted, the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Carson, Clark, Deal, Donnan, Doud, Duncan, Gatch, Hutchison, Johnson, McCoy, Poyneer, Reiniger, Robinson, Schmidt, Sutton, Sweney, Underwood, Whaley, Whiting, Wolfe, Woolson and Young—24.

The nays were:

Senators Chubb, Earle, Glass, McDonough, Miles, Parrott, Scott, Stephens, Weber and Wilkin—10.

Absent or not voting:

Senators Bloom, Bolter, Burdick, Caldwell, Carr, Casey, Cassatt, Chambers, Chesebro, Dodge, Dooley, Gault, Henderson, Hendrie, Knight, and Ryder—16.

So the committee's second amendment was adopted.

MESSAGE 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. 690, a bill for an act to amend chapter 36, title 25, of the Code, in relation to impeachment and the procedure thereunder.

Also, the House has passed Senate File No. 251, relating to Soldiers' Orphans' Home, without amendment.

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

Senate Files Nos. 180, 192, 345, 371, 398, 400 and 410; House Files Nos. 19, 171, 236, 449, 457, 468, 481, 487, 528, 569, 571 and 685.

J. K. POWERS, *Chief Clerk.*

Senator Bayless moved to reconsider the vote by which the committee's second amendment was adopted.

Carried.

RESOLUTION.

Senator Donnan offered the following resolution:

Resolved, That the sifting committee be authorized to employ a clerk.

Adopted.

The question now being upon the adoption of committee's second amendment, Senator Bayless offered the following amendment:

Strike out all after the word "home," in the twenty-third line, up to and including the word "ballot," in the twenty-fifth line, and in-

sert as follows: *Provided*, That the names of all localities which have filed bonds and heretofore been regularly balloted for as a location for said soldiers' home, shall be placed in a closed box, and after being thoroughly mixed the name of one shall be drawn therefrom, which.

On this the yeas and nays were called.

The yeas were:

Senators Barrett, Bayless, Bolter, Carr, Chubb, McDonough and Whiting—7.

The nays were:

Senators Bloom, Carson, Deal, Dodge, Donnan, Dooley, Doud, Earle, Johnson, McCoy, Miles, Poyneer, Robinson, Schmidt, Stephens, Sutton, Sweney, Whaley, Wilkin, Wolfe, Woolson and Young—22.

Absent or not voting:

Senators Burdick, Caldwell, Casey, Cassatt, Chambers, Chesebro, Clark, Duncan, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, Knight, Parrott, Reiniger, Ryder, Scott, Underwood and Weber—21.

So the amendment was lost.

Senator Chubb moved to amend the second amendment offered by the committee as follows: Strike out the words "and an equal" in the third line of printed committee amendment.

Lost.

Senator Glass offered the following amendment to committee's second amendment: Strike out the words "or places receiving the lowest and an equal number".

The hour having arrived for the consideration of special order, it being resolution relative to final adjournment, Senator Donnan moved that it be postponed until 4 o'clock P. M.

Adopted.

The question recurring upon the amendment to committee's second amendment to Senate File No. 413, the yeas and nays were demanded.

The yeas were:

Senators Bayless, Chambers, Chesebro, Chubb, Dodge, Dooley, Doud, Earle, Glass, Henderson, McDonough, Miles, Robinson, Scott and Weber—15.

The nays were:

Senators Carr, Carson, Clark, Donnan, Duncan, Johnson, Poyneer, Reiniger, Ryder, Schmidt, Stephens, Sutton, Underwood, Whaley, Whiting, Wolfe, Woolson and Young—18.

Absent or not voting:

Senators Barrett, Bloom, Bolter, Burdick, Caldwell, Casey, Cassatt, Deal, Gatch, Gault, Hendrie, Hutchison, Knight, McCoy, Parrott, Sweney and Wilkin—17.

So the amendment was not adopted.

Senator Sweney moved that further consideration of the bill be postponed until 5 P. M. to-day.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bolter, Carr, Cassatt, Chambers, Chesebro, Chubb, Earle, Gault, Glass, Henderson, McDonough, Poyneer, Scott and Sweney—16.

The nays were :

Senators Bloom, Carson, Clark, Deal, Dodge, Donnan, Doud, Duncan, Gatch, Hutchison, Johnson, McCoy, Miles, Parrott, Robinson, Ryder, Schmidt, Stephens, Sutton, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—27.

Absent or not voting:

Senators Burdick, Caldwell, Casey, Dooley, Hendrie, Knight and Reiniger—7.

So the motion was lost.

Senator Whaley moved the previous question.

Which was lost.

Senator Chubb offered the following amendment to committee's second amendment:

Provided, If two or more of the places having the lowest number have an equal number of votes the commission shall vote to decide which shall be dropped, and not more than one place shall be dropped until another ballot is taken.

Adopted.

On motion the committee amendment as amended was adopted.

Senator Chubb moved to reconsider the vote by which the committee's second amendment was adopted.

Carried.

Senator Chubb moved to reconsider the vote by which the amendment offered by himself was adopted.

Carried.

On motion the second amendment offered by the committee was adopted.

Senator Chubb moved to insert after the word "ballot" when it occurs a second time in the committee's second amendment the following:

Provided, if two or more of the places having the lowest number of votes then the commission shall vote to decide which shall be dropped, and not more than one place shall be dropped until another ballot is taken.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bloom, Bolter, Carr, Carson, Cassatt, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Henderson, Hutchison, McCoy, McDonough, Miles, Parrott, Poynear, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Weber, Whiting and Wilkin—84.

The nays were:

Senators Johnson, Ryder, Schmidt, Whaley, Wolfe, Woolson and Young—7.

Absent or not voting:

Senators Burdick, Caldwell, Casey, Gatch, Gault, Glass, Hendrie, Knight and Underwood—9.

So the amendment was adopted.

REPORT OF COMMITTEE.

Senator Deal, 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. 393, a bill for an act making an appropriation for the Hospital for the Insane at Independence.

Senate File No. 371, a bill for an act to authorize the building of an additional cottage adjacent to the Iowa Hospital for the Insane at Independence.

Senate File No. 192, a bill for an act to amend section 797 of the Code of Iowa, and to exempt from taxation certain homesteads.

Senate File No. 400, a bill for an act to provide for a settlement with the Board of Capitol Commissioners, and to limit the term of office of the members of said Board.

Senate File No. 410, a bill for an act to legalize the annexation of certain territory to the town of Cleveland, Lucas county, Iowa, and to legalize the election and proceedings had and held in the said annexation.

□ Senate File No. 345, a bill for an act to amend an act passed at the present session of the General Assembly, entitled an act to enable cities to aid in the construction of highway bridges over navigable boundary rivers of the State of Iowa.

Senate File No. 180, a bill for an act to authorize administrators, executors, and guardians appointed in other States or countries to release judgments, mortgages, and deeds of trust.

JNO. K. DEAL, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 393, a bill for an act making an appropriation for the Hospital for the Insane at Independence.

Senate File No. 371, a bill for an act to authorize the building of an additional cottage adjacent to the Iowa Hospital for the Insane at Independence.

Senate File No. 192, a bill for an act to amend section 797 of the Code of Iowa, and to exempt from taxation certain homesteads.

Senate File No. 400, a bill for an act to provide for a settlement with the board of capitol commissioners, and to limit the term of office of the members of said board.

Senate File No. 410, a bill for an act to legalize the annexation of certain territory to the town of Cleveland, Lucas county, Iowa, and to legalize the election and proceedings had and held in the said annexation.

Senate File No. 345, a bill for an act to amend an act passed at the present session of the General Assembly, entitled "an act to enable cities to aid in the construction of highway bridges over navigable boundary rivers of the State of Iowa."

Senate File No. 180, a bill for an act to authorize administrators, executors and guardians appointed in other States or countries to release judgments, mortgages and deeds of trust.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

Senator Weber moved to amend as follows: Add after the word "home," in the seventh line of the printed bill, the following words: "Nor a resident of any county in which is situated any State institution."

Adopted.

Senator Scott moved to amend by striking out the words "no" and "or," in the eighteenth line; also strike out the word "shall," in line nineteen, and insert in lieu thereof the word "may"; also strike out the words "considered or," in the same line, and insert after the word "received" the words "and considered," so that the clause would read "and other additional propositions may be received and considered."

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bolter, Carr, Cassatt, Chesebro, Chubb, Earle, Henderson, Hendrie, McDonough, Robinson, Scott and Whiting—14.

The nays were:

Senators Bloom, Carson, Chambers, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Gatch, Gault, Hutchison, Johnson, McCoy, Miles, Poyneer, Reiniger, Ryder, Schmidt, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Wolfe, Woolson and Young—30.

Absent or not voting:

Senators Burdick, Caldwell, Casey, Glass, Knight and Parrott—6.

So the amendment was not agreed to.

Senator Whaley moved the previous question.

Lost.

Senator Scott moved to amend as follows: Insert after the word "act," in the eighth line of the printed bill, "and the same shall be kept secret"; also, strike out of line nine, section 3, printed bill, the words "the capitol in Des Moines," and insert "some place named by the Governor, which locality shall be known only to the Governor and the members of said commission, and the knowledge of the same shall be kept from the public under such rules as the Governor may prescribe, and if such knowledge should reach the public by any publication thereof in any newspaper while said commission is in session, it shall be the duty of the Governor to dissolve the commission, and its findings shall have no force or effect."

Senator Miles moved the previous question.

Carried.

The question recurring upon the amendments offered Senator Scott, they were not adopted.

On motion the bill was ordered engrossed.

Senator Johnson moved to reconsider the vote by which the bill was ordered engrossed.

Carried.

Senator Whaley 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, Caldwell, Carr, Carson, Casey, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hutchison, Johnson, McCoy, Miles, Parrott, Reiniger, Robinson, Ryder, Schmidt, Stephens, Sutton, Sweney, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—88.

The nays were:

Senators Chesebro, Chubb, McDonough, Poyneer and Scott—5.

Absent or not voting:

Senators Bolter, Burdick, Cassatt, Chambers, Hendrie, Knight and Underwood—7.

So the bill passed and the title was agreed to.

Senator Sweney filed the following:

MR. PRESIDENT—I give notice that I shall file a motion to reconsider the vote by which the rule was suspended and Senate File No. 413 was considered engrossed and read a third time.

J. H. SWENEY.

Senator Woolson moved that the vote by which Senate File No. 413 was ordered engrossed be reconsidered, and that said motion to reconsider be laid upon the table.

Adopted.

REPORTS OF COMMITTEES.

Senator Robinson from the Committee on Judiciary submitted the following report:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 118, a bill for an act to vacate the public square in the village of Fairbank, in Buchanan 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 the accompanying substitute be adopted in lieu thereof, and when so adopted it do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 452, a bill for an act to legalize the sale of certain school lands in Webster county and to provide for the issuance of a patent 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.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 394, a bill for an act to legalize the levy of certain taxes in the county of Woodbury, beg leave to report that

they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman*.

Ordered 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:

Senate File No. 260, making appropriation for feeble minded children at Glenwood; with amendment.

J. K. POWERS, *Chief Clerk*.

The President of the Senate submitted the following telegram, which was read:

SIoux CITY, IOWA, April 7, 1886.

J. A. T. HULL, *President of Senate*:

This encampment received with exceeding pleasure the resolution of Senator Sweney. Such words of sympathy re-animate our patriotism and insure a perpetuity in our hearts of that spirit of valor and devotion which made such a proud record for Iowa on the bloody field of Shiloh.

By order of the encampment:

PHILIP M. CRAPO,
GEO. A. DAY,
ED. C. RUSSELL,
Committee.

RESOLUTION.

Senator Woolson offered the following resolution:

Resolved, That hereafter no member of the Senate shall speak more than five minutes nor more than once on the same question, and no Senator shall speak more than once nor longer than five minutes on each amendment: *Provided*, That the author or Senator in charge of a bill or resolution shall be allowed an additional three minutes to close debate.

Adopted.

On motion the Senate adjourned until 2 P. M.

AFTERNOON SESSION.

2 O'CLOCK.

The Senate was called to order at 2 P. M.
The President of the Senate in the chair.
Senator Miles moved to take up House messages.
Adopted.

HOUSE MESSAGES.

Joint resolution No. 27, in relation to judgments in federal courts.
Read a first and second time and referred to the Committee on Federal Relations.

House File No. 960, a bill for an act to amend chapter 36, title 25, of the Code of 1878, in relation to impeachment and procedure thereunder.

Read a first and second time, and Senator Donnan moved that the bill be referred to a special committee of five, the chairman of the Judiciary Committee be chairman; said committee be requested to report as early as 5 P. M. tomorrow.

Adopted.

The chair announced the special committee on House File No. 690 as follows: Senators Robinson, Donnan, Miles, Wolfe and Johnson.

House File No. 692, a bill for an act to regulate the manner of holding courts in the several judicial districts of the State.

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

REPORTS OF COMMITTEES.

Senator Deal, 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. 208, a bill for an act making appropriation for the State Normal School at Cedar Falls.

Senate File No. 401, a bill for an act to make appropriation to defray expenses incurred by the military committee of the Senate and the soldiers' home committee of the House of Representatives, acting jointly, to investigate the location for the Soldiers' Home for the State of Iowa.

Senate File No. 198, a bill for an act to repeal sections 1, 2, 3, 4, 5 and 6, of chapter 21, acts of the Twentieth General Assembly, and enact substitutes therefor, providing for mine inspectors, their manner of appointment, compensation, and defining their duties and terms of office.

Senate File No. 251, a bill for an act to repeal section two (2), of chapter 94, acts of the Sixteenth General Assembly, relating to Sol-

diers' Orphans' Home, and enacting a substitute therefor in relation to admitting children to the Soldiers' Orphans' Home.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman*.

Senator Hutchison, 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. 185, a bill for an act to amend section 853, in relation to lien of taxes between vendor and vendee; also, House File No. 96, a bill for an act to amend section 843, chapter 1, title 6, of the Code, relating to the delivery of the tax list to the county treasurer, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that they do pass.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Ways and Means, to whom was referred Senate File No. 252, a bill for an act to provide for the establishment of a State board of supervisors of State institutions and officers; also, Senate File No. 220, a bill for an act to enlarge the powers of boards of supervisors under division 10 of section 303, and to repeal section 913 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 they be indefinitely postponed.

J. G. HUTCHISON, *Chairman*.

Ordered passed on file.

BILLS ON THIRD READING.

Senate File No. 260, a bill for an act making an appropriation of money for the Institution for Feeble Minded Children at Glenwood, was taken up and read a third time with amendments by the House. The question being on the Senate concurring in the amendments.

The yeas were:

Senators Chesebro, Chubb, Duncan, Hutchison, Parrott, Reiniger and Scott—7.

The nays were:

Senators Barrett, Bloom, Carson, Clark, Dodge, Earle, Glass, Henderson, Hendrie, Johnson, Poyneer, Schmidt, Stephens, Underwood, Weber, Whaley, Whiting, Wolfe and Young—20.

Absent or not voting:

Senators Bayless, Bolter, Burdick, Caldwell, Carr, Casey, Cassatt, Chambers, Deal, Donnan, Dooley, Doud, Gatch, Gault, Knight, McCoy, Miles, Robinson Ryder, Sutton, Sweney, Woolson and Wilkin—23.

So the amendment by the House was not concurred in.

Senator Barrett from the committee to investigate the management of the Deaf and Dumb Asylum at Council Bluffs submitted report.

Senator Wolfe moved to print the report.
Adopted.

REPORT OF COMMITTEE.

Senator Donnan, from the Sifting Committee, submitted the following report:

MR. PRESIDENT—Your Sifting Committee respectfully report the following bills for consideration in the order named:

Substitute for Senate Files Nos. 306, 325, and 362.

House File No. 424.

House File No. 620.

House File No. 382.

Senate File No. 353.

W. G. DONNAN, *Chairman.*

Adopted.

On motion of Senator Bayless, Senate File No. 277, a bill for an act to amend section 4738 of the Code, relating to the labor of prisoners under the supervision of sheriff, and placing the same under the direction and regulation of county boards of supervisors, with pending amendment, by Senator Sweney, was taken up and considered.

Senator Sweney offered the following:

Amend by striking out all following the word "by" in the first line of printed bill, and insert the following in lieu thereof: "Such labor shall be performed under the direction of the board of supervisors, and in accordance with such regulations as said board shall make not inconsistent with section 4737 of the Code, and such labor shall not be leased."

Adopted.

Senator Weber offered the following amendment to section 2:

When the prisoner is confined in the jail at the order and expense of another county the county putting said prisoner at work as provided by this act, shall not make any charge for board of said prisoner while so employed against the county sending him for confinement in the jail.

Lost.

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 Barrett, Bayless, Bloom, Bolter, Carr, Carson, Casey, Chesebro, Chubb, Clark, Doud, Duncan, Earle, Gault, Glass, Henderson, Hendrie, Hatchison, McDonough, Parrott, Poyneer, Reiniger, Scott, Stephens, Sutton, Underwood, Weber, Whiting and Young—29.

The nays were, none.

Absent or not voting:

Senators Burdick, Caldwell, Cassatt, Chambers, Deal, Dodge, Donnan, Dooley, Gatch, Johnson, Knight, McCoy, Miles, Robinson, Ryder, Schmidt, Sweney, Whaley, Wilkin, Wolfe and Woolson—21.

So the bill passed and the title was agreed to.

Senator Hutchison offered the following message from Sioux City, Iowa, which was reported to the House:

"Encampment just adopted resolution for State Home.

GEO. D. PERKINS."

From sifting committee, subject for Senate Files Nos. 325, 306 and 362, bills for an act to apportion the State into senatorial districts, was taken up and considered.

Senator Young moved to insert "Audubon" before the word "Dallas" at beginning of 17th line and strike it out of the 18th line.

Adopted.

Senator McDonough moved to strike out the word "Clarke" in the 11th line and insert it in the 5th line.

Lost.

Senator Duncan moved to strike out "Muscatine" in 20th line and insert "Washington."

Lost.

Senator Weber moved to strike out the word "Hardin" in the 37th line and insert "Hancock" in lieu thereof, and insert the word "Hardin" in the 43d line in lieu of "Hancock."

Lost.

Senator Sweney moved to insert in the 41st line before the word "Mitchell" the word "Howard" and to strike out the words "and Howard county" in the 42d section.

On this the yeas and nays were demanded.

The yeas were :

Senators Bolter, Chambers, Chubb, Dooley, Glass, Parrott, Scott and Sweney—8.

The nays were :

Senators Barrett, Bayless, Bloom, Carson, Cassatt, Chesebro, Clark, Deal, Dodge, Doud, Duncan, Earle, Gatch, Henderson, Hutchison, Johnson, Poyneer, Schmidt, Stephens, Underwood, Wilkin, Woolson and Young—23.

Absent or not voting:

Senators Burdick, Caldwell, Carr, Casey, Donnan, Gault, Hendrie, Knight, McCoy, McDonough, Miles, Reiniger, Robinson, Ryder, Sutton, Weber, Whaley, Whiting and Wolfe—19.

So the motion was lost.

Senator Dooley moved to strike out the word the "Poweshiek" in the 12th line and insert "Washington" in lieu thereof.

Lost.

Senator Woolson moved to strike out "Washington" in the 10th line and insert the word "Jefferson."

Lost.

REPORT OF COMMITTEE.

Senator Robinson, from the Special Committee on House File No. 690, submitted the following report:

MR. PRESIDENT—Your Special Committee to whom was referred House File No. 690, a bill for an act to amend chapter 36, of title 25 of the Code, in relation to impeachment, and the procedure there-

under, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

On motion of Senator Robinson, House File No. 690, a bill for an act to amend chapter 36 of title 25 of the Code in relation to impeachment and the proceedings thereunder, with report of committee recommending that it do pass, was taken up and considered.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bloom, Bolter, Carr, Carson, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wolfe, Woolson and Young—43.

The nays was:

Senator Wilkin—1.

Absent or not voting:

Senators Burdick, Caldwell, Casey, Cassatt, Knight and Ryder—6.

So the bill passed and the title was agreed to.

The Senate then resumed consideration of substitute for Senate Files Nos. 306, 325 and 362, a bill for an act fixing the number of Senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the State into senatorial districts.

On motion the substitute was adopted.

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 Barrett, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Gatch, Glass, Hutchison, McCoy, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Woolson and Young—24.

The nays were:

Senators Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Duncan, Earle, Gault, Henderson, Hendrie, McDonough, Schmidt, Whiting and Wilkin—17.

Absent or not voting:

Senator Bayless, Burdick, Caldwell, Johnson, Knight, Miles, Ryder, Sutton and Wolfe—9.

So the bill was lost.

SPECIAL ORDER.

The hour having arrived for the consideration of special order, it being concurrent resolution relative to final adjournment of the Senate and House of Representatives.

Senator Donnan moved to postpone the consideration of the resolution until after the reading of the journal on to-morrow morning, and that it be made special order for that time.

Adopted.

RESOLUTION.

Senator Donnan offered the following resolution:

Resolved, That the Secretary be, and he is hereby instructed, in preparing the daily calendar for printing, to include only the bills and resolutions recommended by the Sifting Committee for action, such bills and resolutions to be arranged in the order designated by the committee.

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. 678, a bill for an act to legalize certain records in the office of the Secretary of State.

Also, the House has passed Senate File No. 130, making an appropriation for institution for deaf and dumb, at Council Bluffs, without amendment.

J. K. POWERS, *Chief Clerk*.

Senator Doud move to reconsider the vote by which Senate File No. 132 was lost on yesterday.

Adopted.

On motion of Senator Doud, the vote by which the bill was read a third time was reconsidered.

Senator Doud 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, Carson, Chambers, Chesebro, Chubb, Clark, Deal, Donnan, Doud, Duncan, Earle, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—31.

The nays were:

Senators Bayless, Carr, Casey, Cassatt, Dodge, Dooley, Henderson, Whiting and Wolfe—9.

Absent or not voting:

Senators Bloom, Bolter, Burdick, Caldwell, Gault, Hendrie, Johnson, Knight, Ryder and Schmidt—10.

So the bill passed and the title was agreed to.

Senator Wilkin moved that the vote by which substitute for Senate File No. 325 was lost be reconsidered.

Adopted.

Senator Sweney moved to reconsider the vote by which the bill was ordered to a third reading.

Lost.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bloom, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Gatch, Glass, Hutchison, McCoy, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Wilkin, Wolfe, Woolson and Young—27.

The nays were:

Senators Bayless, Bolter, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Duncan, Earle, Gault, Henderson, Hendrie, Johnson, McDonough and Schmidt—16.

Absent or not voting:

Senators Burdick, Caldwell, Knight, Ryder, Sweney, Whaley and Whiting—7.

So the bill passed and the title was agreed to.

Senator Wilkin moved that the vote by which substitute for Senate File No. 325 was passed be reconsidered and that the motion do lie upon the table.

Adopted.

HOUSE MESSAGES.

Senator Chubb moved to take up House messages:

Adopted.

House File No. 678, a bill for an act to legalize certain records in the office of the Secretary of State.

Read a first and second time.

Senator Chubb moved that the bill be considered now.

Adopted.

Senator Robinson moved that the bill be referred to the Committee on Judiciary.

Adopted.

From Sifting Committee, House File No. 424, a bill for an act to amend sections 3861, 3865 and 3866 of the Code of 1873, in relation to offenses against life and person, with report of committee recommending that it do pass, was taken up and considered.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bloom, Carr, Casey, Chambers, Chesebro, Chubb, Dooley, Gatch, Glass, Henderson, Hutchison, McDonough, Parrott,

Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Weber, Whaley, Whiting, Wolfe and Young—27.

The nay was:

Senator Hendrie—1.

Absent or not voting:

Senators Bayless, Bolter, Burdick, Caldwell, Carson, Cassatt, Clark, Deal, Dodge, Donnan, Doud, Earle, Gault, Johnson, Knight, McCoy, Miles, Ryder, Schmidt, Underwood, Wilkin and Woolson—22.

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. 691, a bill for an act to apportion the State into representative districts and declaring the ratio of representation.

J. K. POWERS, *Chief Clerk.*

Senator Sutton moved to take House messages.

House File No. 691, a bill for an act to apportion the State into representative districts and declaring the ratio of representation.

Read a first and second time.

Senator Wolfe moved to refer the bill to the Committee on Representative Districts.

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Gault, Henderson, Hendrie, Ryder, Schmidt, Whiting and Wolfe—16.

The nays were:

Senators Barrett, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton Sweney, Weber, Whaley, Wilkin, Woolson and Young—28.

Absent or not voting:

Senators Burdick, Caldwell, Earle, Johnson, Knight and Underwood—6.

So the motion to refer was not adopted.

House File No. 691, a bill for an act to apportion the State into representative districts and declaring the ratio of representation, with report of committee recommending that it do pass, was taken up and considered.

Senator Bolter moved to amend the fifty-ninth sub-division, to strike the "one" and insert "two," and to change the word "representation" to plural.

Also to constitute sixtieth district as composed of Ida county and Sac county.

Senator Clark moved the previous question.

Lost.

The question recurring on the amendment by Senator Bolter, the yeas and nays were called.

The yeas were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Dodge, Dooley, Earle, Gault, Henderson, Johnson, Ryder, Schmidt, Stephens, Sutton, Whiting and Wolfe—18.

The nays were:

Senators Barrett, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Sweney, Weber, Whaley, Wilkin, Woolson and Young—26.

Absent or not voting:

Senators Burdick, Caldwell, Chesebro, Hendrie, Knight and Underwood—6.

So the amendment was not agreed to.

Senator Bolter moved that Lee county be given two representatives, and Van Buren and Davis given one and made a district.

Senator Clark moved the previous question.

The yeas and nays were called.

The yeas were:

Senators Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Henderson, Hutchison, Miles, Parrott, Poyneer, Reiniger, Scott, Stephens, Sutton, Weber, Whaley, Woolson and Young—20.

The nays were:

Senators Barrett, Bayless, Bolter, Casey, Cassatt, Dodge, Dooley, Earle, Gault, Johnson, McDonough, Robinson, Ryder, Schmidt, Sweney, Whiting and Wolfe—17.

Absent or not voting:

Senators Bloom, Burdick, Caldwell, Carr, Carson, Chambers, Chesebro, Glass, Hendrie, Knight, McCoy, Underwood and Wilkin—13.

So the main question was ordered.

The question recurring on amendment by Senator Bolter, the yeas and nays were called.

The yeas were

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Earle, Gault, Henderson, Hendrie, Johnson, McDonough, Rider, Schmidt, Stephens, Whiting and Wolfe—20.

The nays were:

Senators Barrett, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Sutton, Sweney, Weber, Whaley, Wilkin, Woolson and Young—26.

Absent or not voting:

Senators Burdick, Caldwell, Knight and Underwood—4.

So the amendment was lost.

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

The question being, shall the rule be suspended.

The yeas were:

Senators Barrett, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Weber, Whaley, Wilkin, Woolson and Young—28.

The nays were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Earle, Gault, Henderson, Hendrie, Johnson, Ryder, Schmidt, Whiting and Wolfe—18.

Absent or not voting:

Senators Burdick, Caldwell, Knight and Underwood—4.

So the rule was not suspended.

The question being shall the bill be engrossed and read a third time to-morrow.

The yeas were:

Senators Barrett, Carson, Chambers, Chubb, Clark, Deal, Dodge, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, Knight, McCoy, McDonough, Miles, Parrott, Poyneer, Robinson, Scott, Stephens, Sutton, Sweney, Whaley, Woolson and Young—27.

The nays were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Dooley, Earle, Gault, Henderson, Hendrie, Johnson, Ryder, Schmidt, Whiting and Wolfe—17.

Absent or not voting:

Senators Burdick, Caldwell, Reiniger, Underwood, Weber and Wilkin—6.

So the bill passed to a third reading.

Senator Deal moved to reconsider vote on engrossment.

Senator Miles moved to lay motion to reconsider on table.

Carried.

House File No. 620, a bill for an act to amend chapter 7, title 14, of the Code, relating to assignments, with report of committee recommending amendments, and that it do pass, was taken up, considered and the report of the committee was adopted.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bloom, Bolter, Carson, Casey, Chambers, Chesebro, Clark, Dodge, Donnan, Doud, Gatch, Gault, Henderson, Hendrie, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Weber, Whaley, Wilkin, Wolfe, Woolson and Young—34.

The nays were:

Senators Carr, Earle and Ryder—3.

Absent or not voting:

Senators Burdick, Caldwell, Cassatt, Chubb, Deal, Dooley, Duncan, Glass, Johnson, Knight, Schmidt, Underwood, and Whiting—13.

So the bill passed and the title was agreed to.

Senate File No. 353, a bill for an act to authorize the deputy clerk of the supreme court to administer oaths and take and certify acknowledgments of instruments in writing, with report of committee recommending that it do pass, was taken up and considered.

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 Barrett, Bloom, Carr, Carson, Clark, Deal, Dodge, Duncan, Earle, Glass, Hendrie, Johnson, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Ryder, Scott, Stephens, Sutton, Weber, Whaley, Whiting and Wolfe—26.

The nays were, none.

Absent or not voting:

Senators Bayless, Bolter, Burdick, Caldwell, Casey, Cassatt, Chambers, Chesebro, Chubb, Donnan, Dooley, Doud, Gatch, Gault, Henderson, Hutchison, Knight, McCoy, Schmidt, Sweney, Underwood, Wilkin, Woolson and Young—24.

So the bill passed and the title was agreed to.

House File No. 882, a bill for an act to amend section 1144 of the Code of 1873, relating to foreign insurance companies, with report of committee recommending amendments and do pass, was taken up, considered, and the report of the committee was adopted.

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

On the question, shall the bill pass.

The yeas were:

Senator Barrett, Bloom, Carson, Chambers, Clark, Dodge, Doud, Duncan, Earle, Glass, Henderson, Hendrie, Hutchison, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Underwood, Weber, Whaley, Whiting, Wolfe and Young—29.

The nays were, none.

Absent or not voting:

Senators Bayless, Bolter, Burdick, Caldwell, Carr, Casey, Cassatt, Chesebro, Chubb, Deal, Donnan, Dooley, Gatch, Gault, Johnson, Knight, McCoy, Reiniger, Sweney, Wilkin and Woolson—21.

So the bill passed and the title was agreed to.

MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor at the hands of his private secretary:

STATE OF IOWA,
EXECUTIVE DEPARTMENT, }
DES MOINES, April 8, 1886. }

MR. PRESIDENT—I am instructed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of State the following bills:

Senate File No. 192, an act to amend section 797 of the Code of Iowa, and to exempt from taxation certain homesteads.

Senate File No. 345, an act to amend an act passed at the present session of the General Assembly entitled: An act to enable cities to aid in the construction of highway bridges over navigable boundary rivers of the State of Iowa.

Senate File No. 393, an act making an appropriation for the Hospital for the Insane at Independence.

Senate File No. 400, an act to provide for a settlement with the Board of Capitol Commissioners, and to limit the term of office of the members of said board.

Senate File No. 410, an act to legalize the annexation of certain territory to the town of Cleveland, Lucas county, Iowa, and to legalize the election and proceedings had and held in said annexation.

Senate File No. 371, an act to authorize the building of an additional cottage adjacent to the Iowa Hospital for the Insane at Independence.

Senate File No. 180, an act to authorize administrators, executors and guardians appointed in other States or countries to release judgments, mortgages and deeds of trust,

FRED'K W. HOSSFELD, *Private Secretary.*

REPORT OF COMMITTEE.

Senator Donnan from the Sifting Committee submitted the following report:

MR. PRESIDENT—Your Sifting Committee respectfully recommends the following bills for consideration in the order set forth:

Senate Files Nos. 329 and 78.

W. G. DONNAN, *Chairman.*

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Senate Files Nos. 198, 208, 251 and 401.

J. K. POWERS, *Chief Clerk.*

REPORT OF COMMITTEE.

Senator Caldwell, from the Committee on Congressional Districts, submitted the following report:

MR. PRESIDENT—Your Committee on Congressional Districts, to whom was referred Senate File No. 329, a bill for an act to reorganize the congressional districts of the State of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it do pass.

CALDWELL, *Chairman.*

Ordered 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:

Substitute for House File No. 549, a bill for an act making appropriation to the Iowa Prisoners' Aid Association.

Also the House has passed:
Senate File No. 47, relating to Soldiers' Orphans' Home, without amendment.

J. K. POWERS, *Chief Clerk.*

Senate File No. 329, a bill for an act to reorganize the congressional districts of the State, with report of committee recommending that it do pass, was taken up and considered.

Senator Clark offered a substitute for the bill.

Senator Weber moved to strike out the words "and Wright," in third district, and insert "and Wright" in the tenth district.

On this the yeas and nays were called.

The yeas were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Chubb, Dodge, Earle, Gault, Hendrie, Johnson, Ryder, Schmidt, Stephens, Sutton, Underwood, Weber, Whiting and Wolfe—21.

The nays were:

Senators Barrett, Chambers, Clark, Deal, Donnan, Doud, Duncan, Gatch, Hutohison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Sweney, Whaley, Wilkin, Woolson and Young—22.

Absent or not voting:

Senators Burdick, Caldwell, Carson, Dooley, Glass, Knight and Henderson—7.

So the amendment did not prevail.

Senator Doud moved the previous question, which was lost.

Senator Bolter moved to strike out the word "Adair" from the 9th district.

Pending which, Senator Robinson moved that all bills referred to the Sifting Committee be accompanied by a report.

Adopted.

REPORTS OF COMMITTEES.

Senator Donnan, from the Sifting Committee, submitted the following report:

MR. PRESIDENT—Your Sifting Committee instructs me to report, respectfully recommending the following bills for consideration, in the order named:

House File No. 100, calender No. 82.

House File No. 390, calender No. 96.

House File No. 431, calender No. 125.

House File No. 643, calender No. 173.

House Joint Resolution No. 11, calender No. 182.

House File No. 602, calender No. 184.

House File No. 613, calender No. 185.

House File No. 243, calender No. 201.

House File No. 354, calender No. 232.

House File No. 428, calender No. 233.

House File No. 372, calender No. 243.

Substitute for House File No. 88, calender No. 254.

House File No. 478, calender No. 258.

House File No. 651, calender No. 259.

W. G. DONNAN, *Chairman.*

Adopted.

Senator Deal, 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. 130, a bill for an act making appropriations for the Institution for the Deaf and Dumb at Council Bluffs.

And find the same correctly enrolled.

JOHN K. DEAL, *Chairman.*

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Senate File No. 130.

House Files Nos. 849, 874, 648, 690.

J. K. POWERS, *Chief Clerk.*

The question recurring upon the motion to amend by Senator Bolter.

Pending which Senator Johnson moved Senate do now adjourn.

Lost.

The question recurring upon the motion of Senator Bolter to amend.

Lost.

The question being shall the substitute be adopted.

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Carson, Chambers, Clark, Donnan, Doud, Duncan, Gatch, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Whaley, Wilkin, Woolson and Young—24.

The nays were:

Senators Bayless, Bloom, Carr, Casey, Cassatt, Chesebro, Dodge, Earle, Gault, Johnson, Ryder, Schmidt, Weber, Whiting and Wolfe—15.

Absent or not voting:

Senators Bolter, Burdick, Caldwell, Chubb, Deal, Dooley, Glass, Henderson, Hendrie, Knight and Underwood—11.

So the substitute was adopted.

The question being shall the bill be engrossed and read a third time to-morrow.

The yeas were:

Senators Barrett, Carson, Chambers, Clark, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Wilkin, Woolson and Young—24.

The nays were:

Senators Bayless, Bloom, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Earle, Gault, Johnson, Schmidt, Weber, Whiting and Wolfe—15.

Absent or not voting:

Senators Bolter, Burdick, Caldwell, Chubb, Deal, Henderson, Hendrie, Knight, Ryder, Underwood and Whaley—11.

So the bill was ordered engrossed.

Senator Dodge moved that the Senate adjourn until 9 A. M. tomorrow.

Senator Woolson moved to strike out 9 A. M. and insert 7:50 P. M. this evening.

Adopted.

The question recurring on the motion to adjourn, it was adopted and the Senate adjourned until 7:50 P. M.

EVENING SESSION.

7:50 OOLCK P. M.

The Senate met at 7:50 pursuant adjournment.

Senator Woolson moved the Senate do take a recess for five minutes.

Carried.

Senator Deal, 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 Governur for his approval:

Senate File No. 130, a bill for an act making appropriations for the Institution for the Deaf and Dumb at Council Bluffs.

JNO. K. DEAL, *Chairman.*

At 7:50 P. M. a committee from the House appeared on the floor of the Senate and announced that the House was ready to go into joint convention.

The Senate proceeded in a body to meet the House in joint convention at 8 P. M.

JOINT CONVENTION.

APRIL 8, 1886.

The joint convention to select trustees and regents of State Institutions met in the hall of the house of representatives at 8 o'clock P. M., and was called to order by the President of the Senate.

Senator Hutchison was appointed teller on the part of the Senate.

Representative Brown was appointed teller on the part of the House.

RESOLUTION.

Representative Riley 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 THE STATE UNIVERSITY.

Third District—Alphonso Mathews.

Fifth District—J. W. Rich.

Eighth District—W. O. Crosby.

Ninth District—J. J. McConnell.

TRUSTEES OF THE IOWA STATE AGRICULTURAL COLLEGE AND FARM.

First District—J. W. Garner.

Second District—C. M. Dunbar.

Fourth District—S. P. Yeomans.

Eighth District—C. M. Paschal.

DIRECTORS OF THE SCHOOL FOR THE INSTRUCTION AND TRAINING OF TEACHERS AT CEDAR FALLS.

J. W. Jarnigan of Poweshiek county.

A. F. Wilson of Appanoose county.

TRUSTEES OF THE IOWA COLLEGE FOR THE BLIND.

S. W. Soesbe of Butler county.

Jacob Springer of Benton county.

W. F. Noftager of Marion county.

TRUSTEES OF THE IOWA INSTITUTION FOR THE DEAF AND DUMB.

A. T. Flickinger of Pottawattamie county.

C. S. Ranck of Johnson county.

TRUSTEES OF THE IOWA SOLDIERS' ORPHANS' HOME.

Clinton Oroutt of Cedar county.

Wm. Welbraham of Howard county.

Charles G. Harpwell of Scott county.

TRUSTEES FOR THE HOSPITAL FOR THE INSANE AT MT. PLEASANT.

Timothy Whiting of Henry county.

P. W. Lewellen of Page county.

G. W. Cullison of Shelby county.

TRUSTEES OF THE IOWA HOSPITAL FOR THE INSANE AT INDEPENDENCE.

L. H. Smith of Kossuth county.

Albert Reynolds of Clinton county.

TRUSTEES OF THE ASYLUM OF FEEBLE-MINDED CHILDREN.

W. H. Hall of Clarke county.

TRUSTEES OF THE IOWA INDUSTRIAL SCHOOL.

W. J. Moir of Hardin county.

E. R. Hastings of Carroll county.

Senator Whiting seconded the resolutions offered by Mr. Riley.

Mr. Riley moved the adoption of the resolutions, and on this the roll was called.

The yeas were:

Messrs. Agnew, Anderson of Warren, Bailey, Baldwin, Ball Barnum, Benson, Boggs, Bradley, Brown, Bruce, Butler of Cherokee, Butler of Page, Carr, Carson, Casey, Chamberlin, Chambers, Chesebro, Chubb, Clark of Scott, Coie, Coleman, Converse, Craig, Culbertson of Carroll, Culbertson of Des Moines, Deal, Densmore, Dodge, Donnan, Dooley, Duncan, Finn, Gates, Gault, Glass, Greenlee, Hamilton, Hart of Clinton, Hayzlett, Head, Hendrie, Holbrook, Hutchison, Johnson, Kent, Kline, LaForce, Larson, Lathrop, Linehan, Lyons of Guthrie, Lyons of Mahaska, McDonough, Miles, Mitchell, Montgomery, Moore, Nahtwey, Nelson, Overholzer, Parrott, Pattee, Peterson, Poyneer, Ramsey, Redhead, Redman, Reiniger, Reynolds, Riley, Roach, Robb, Rustad, Schaller, Schee, Schmidt, Scott, Shaw, Smith, Spencer, Stephens, Storey, Sweet, Tipton, Underwood, Walker, Weber, Welch, Whaley, Whiting, Wilbur, Wiley, Wilson of Butler, Wilson of Cass, Withrow, Wolfe, Woolson, Wyland and Young—101.

The nays were, none.

Absent or not voting:

Messrs. Anderson of Hamilton, Barrett, Bayless, Berryhill, Bloom, Bolter, Burdick, Burgess, Caldwell, Cassatt, Clark of Page, Cousins, Custer, Dabney, Deitz, Dent, Dobson, Doud, Earle, Garrett, Gatch, Hammond, Harris, Hart of Pottawattamie, Henderson, Hotchkiss, Keatley, Killen, Knight, McCarthy, McCoy, Manderscheid, Meservey, Penny, Ranck, Rice, Roberts, Robinson, Russell, Ryder, Stiger, Sutton, Sweney, Teale, Thompson of Clayton, Thompson of Linn, Weaver, Wilkin and Wright—49.

So the resolutions were adopted.

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

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, April 8, 1886. }

This is to certify, that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday the 8th day of April, A. D. 1886, for the purpose of electing Trustees of the Iowa State Agricultural College and Farm, S. P. Yeomans having received a majority of all the votes cast for said office, was declared duly elected a 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 8th day of April, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. H. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, April 8, 1886. }

This is to certify, that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday the 8th day of April, A. D. 1886, for the purpose of electing Trustees of the Iowa State Agricultural College and Farm, J. W. Garner, having received a majority of all the votes cast for said office, was declared duly elected a 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 8th day of April, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, April 8, 1886. }

This is to certify, that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 8th day of April, A. D. 1886, for the purpose of electing Trustees of the Iowa State Agricultural College and Farm, C. M. Dunbar having received a majority of all the votes cast for said office, was declared duly elected a 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 8th day of April, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, April 8, 1886. }

This is to certify that an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday the 8th day of April, A. D. 1886, for the purpose of electing Regents of the State University, J. J. McConnell, having received a majority of all the votes cast for said office, was declared duly elected a Regent of the State University for the term of six years from and after the expiration of the term of the present incumbent and until his successor is elected and qualified.

Signed and in the present of the joint convention, this 8th day of April, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, April 8, 1886. }

This is to certify that an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday the 8th day of April, A. D. 1886, for the purpose of electing Regents of the State University, W. O. Crosby, having received a majority of all the votes cast for said office, was declared duly elected a Regent of the State University for the term of six years from and after the expiration of the term of the present incumbent and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 8th day of April, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, April 8, 1886. }

This is to certify that an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday the 8th day of April, A. D. 1886, for the purpose of electing Trustees of the Iowa State Agricultural College and Farm, C. M. Paschal, having received a majority of the votes cast for said office, was declared duly elected a 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 8th day of April, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, April 8, 1886. }

This is to certify, that an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday the 8th day of April, A. D. 1886, for the purpose of electing Regents of the State University, Alphonse Mathews having received a majority of all the votes cast for said office, was declared duly elected Regent of the State University for the term of four (4) 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 8th day of April, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, April 8, 1886. }

This is to certify, that an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 8th day of April, A. D. 1886, for the purpose of electing Regents of the State University, J. W. Rich having received a majority of all the votes cast for said office, was declared duly elected a Regent of the State University for the term of six years from and after the expiration of the term of the present incumbent and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 8th day of April, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, April 8, 1886. }

This is to certify, that an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 8th day of April, A. D. 1886, 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 a Trustee for the term of two years from and after the expiration of the term of the present incumbent and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 8th day of April, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, April 8, 1886. }

This is to certify that an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday the 8th day of April, A. D. 1886, for the purpose of electing Trustees of the Iowa Institution for the Deaf and Dumb, A. P. Flickinger having received a majority of all the votes cast for said office was declared duly elected a 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 8th day of April, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, April 8, 1886. }

This is to certify that an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 8th day of April, A. D. 1886, for the purpose of electing Trustees of the Iowa Institution for the Deaf and Dumb, C. S. Ranck having received a majority of all the votes cast for said office was declared duly elected a 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 8th day of April, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, April 8, 1886. }

This is to certify that an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 8th day of April, A. D. 1886, for the purpose of electing Trustees for the Iowa College for the Blind, W. F. Noftager having received a majority of all the votes cast for said office was declared duly elected a Trustee for the term of four (4) 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 8th day of April, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, April 8th, 1886. }

This is to certify, that an election by the two Houses of the General Assembly of the State of Iowa, in joint convention on Thursday, the 8th day of April, A. D. 1886, for the purpose of electing Trustees for the Iowa College for the Blind, Jacob Springer having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of four (4) 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 8th day of April, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, April 8, 1886. }

This is to certify, that an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday the 8th day of April, A. D. 1886, for the purpose of electing Trustees of the Iowa College for the Blind, S. W. Soesbe, having received a majority of all the votes cast for said office, was declared duly elected a 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 8th day of April, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES. }
 DES MOINES, IOWA, April 8, 1886. }

This is to certify, that an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday the 8th day of April, A. D. 1886, for the purpose of electing Directors of the School for the Instruction and Training of Teachers at Cedar Falls, A. F. Wilson having received a majority of all the votes cast for said office, was declared duly elected a 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 8th day of April, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, April 8, 1886. }

This is to certify, that an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 8th day of April, A. D. 1886, for the purpose of electing Directors of the School for the Instruction and Training of Teachers at Cedar Falls, J. W. Jarnigan having received a majority of all the votes cast for said office, was declared duly elected a 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 8th day of April, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, April 8, 1886. }

This is to certify, that an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 8th day of April, A. D. 1886, for the purpose of electing Trustees of the Iowa Hospital for the Insane, at Independence, L. H. Smith having received a majority of all the votes cast for said office, was declared duly elected a 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 8th day of April, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, April 8, 1886. }

This is to certify that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 8th day of April, A. D. 1886, for the purpose of electing Trustees for the Iowa Hospital for the Insane at Mt. Pleasant, G. W. Cullison having received a majority of all the votes cast for said office, was declared duly elected a 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 8th day of April, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, April 8, 1886. }

This is to certify, that at an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 8th day of April, A. D. 1886, for the purpose of electing Trustees for the Iowa Hospital for the Insane at Mt. Pleasant, P. W. Lewellen having received a majority of all the votes cast for said office, was declared duly elected a 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 8th day of April, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, April 8, 1886. }

This is to certify, that an election of the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 8th day of April, A. D. 1886, for the purpose of electing Trustees for the Iowa Hospital for the Insane at Mt. Pleasant, Timothy Whiting having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of two years from and after the expiration of the term of the present incumbent and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 8th day of April, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, April 8, 1886. }

This is to certify, that an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 8th day of April, A. D. 1886, for the purpose of electing Trustees of the Iowa Soldiers' Orphans' Home, Charles G. Hipwell having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of two years from and after the expiration of the term of the present incumbent and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 8th day of April, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, April 8, 1886. }

This is to certify, that an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday the 8th day of April A. D. 1886, for the purpose of electing Trustees of the Iowa Industrial Schools, W. J. Moir having received a majority of all the votes cast for said office, was declared duly elected a 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 8th day of April A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, April 8, 1886. }

This is to certify, that an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday the 8th day of April A. D. 1886, for the purpose of electing Trustee of the Asylum for Feeble Minded Children, W. H. Hall having received a majority of all the votes cast for said office, was declared duly elected a 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 8th day of April A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, April 8, 1886. }

This is to certify that an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday the 8th day of April A. D. 1886, for the purpose of electing trustees of the Iowa Industrial Schools, E. R. Hastings having received a majority of all the votes cast for said office, was declared duly elected a 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 8th day of April A. D. 1887.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, April 8, 1886 }

This is to certify that an election by the two houses of the General Assembly of the State of Iowa, in joint convention, on Thursday the 8th day of April A. D. 1886, for the purpose of electing trustees for the Iowa Hospital for the Insane at Independence, Albert Reynolds having received a majority of all the votes cast for said office, was declared duly elected a 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 8th day of April A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES, }
 DES MOINES, IOWA, April 8, 1886. }

This is to certify, that an election by the two Houses of the General Assembly of the State of Iowa, in joint convention, on Thursday, the 8th day of April, A. D. 1886, for the purpose of electing Trustees of the Iowa Soldiers' Orphans' Home, Wm. Wilbraham having received a majority of all the votes cast for said office, was declared duly elected a Trustee for the term of two years from and after the expiration of the term of the present incumbent and until his successor is elected and qualified.

Signed in the presence of the joint convention, this 8th day of April, A. D. 1886.

J. A. T. HULL,
President of the Senate.

ALBERT HEAD,
Speaker of the House of Representatives.

ATTEST:

J. G. HUTCHISON,
Teller of the Senate.

J. G. BROWN,
Teller of the House of Representatives.

Mr. Riley moved that the Clerk be instructed to wait on the Governor and present him with the credentials of the newly elected officers of the State institutions.

Carried.

On motion of Mr. Benson, the joint convention dissolved.

Senate returned from joint convention at 9:05 P. M.

On motion, the Senate went into executive session.

At 9:15 the Senate resumed its sitting after executive session.

Senator Bayless moved that the Senate adjourn to 9 A. M., to-morrow.

Carried.

SENATE CHAMBER,
DES MOINES, IOWA, April 9, 1886. }

Senate met in regular session at 9 A. M.

The President of the Senate in the chair.

Prayer by Rev. S. S. Hunting.

REPORT OF COMMITTEE.

Senator Underwood, from Committee on Engrossed Bills, submitted the following report:

MR. PRESIDENT—Your Committee on Engrossed Bills respectfully report that they have examined substitute for Senate File No. 329, a bill for an act to reorganize the Congressional districts of the State, and find the same correctly engrossed.

MYRON UNDERWOOD, *Chairman pro tem.*

The hour having arrived for the consideration of the special order, it being concurrent resolution relative to final adjournment of the Senate and House, it was taken up.

Senator Miles moved that further consideration of the resolution be postponed until 11 A. M.

Carried.

Senator Whaley, from the Committee on Military, submitted the following report:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate File No. 408, a bill for an act to repeal section 3, chapter 58, of the acts of the Twenty-first General Assembly, 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 recommendation that it be indefinitely postponed.

WHALEY, *Chairman.*

Ordered referred to sifting committee.

Also:

MR. PRESIDENT—Your Committee on Military, to whom was referred Senate File No. 404, a bill for an act to provide for the temporary

relief of the homeless soldiers of Iowa, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

WHALEY, *Chairman.*

Ordered referred to sifting committee.

INTRODUCTION OF BILLS.

By Senator Miles, Senate File No. 415, a bill for an act conferring certain powers upon the Senate when sitting as a court of impeachment.

Read a first and second time.

Senator Miles moved that the bill be referred to a special committee of five, of which Senator Robinson be chairman.

Adopted.

Special committee on Senate File No. 415: Senators Robinson, Sutton, Carson, Casey and Schmidt.

House File No. 100, a bill for an act to provide for the payment of wages to employes of corporations placed in the hands of a receiver, with report of committee recommending amendments and do pass, was taken up, considered, and the report of the committee was adopted.

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

On the question, shall the bill pass.

The yeas were :

Senators Barrett, Bayless, Bolter, Carson, Casey, Chesebro, Chubb, Clark, Dodge, Donnan, Dooley, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Schmidt, Stephens, Sutton, Sweney, Underwood, Weber, Wilkin, Wolfe and Young—34.

The nays were, none.

Absent or not voting :

Senators Bloom, Burdick, Caldwell, Carr, Cassatt, Chambers, Deal, Doud, Hendrie, Johnson, Knight, Ryder, Scott, Whaley, Whiting and Woolson—18.

So the bill passed and the title was agreed to.

House File No. 390, a bill for an act to legalize the organization of the township of Lincoln and the officers chosen in O'Brien county, Iowa, with report of committee recommending that it do pass, was taken up and considered.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Dodge, Dooley, Duncan, Earle, Glass, Henderson, Hendrie,

Hutchison, McDonough, Miles, Parrott, Poyneer, Schmidt, Sutton Sweny, Underwood, Weber, Whiting, Wolfe and Young—27.

The nays were, none.

Absent or not voting:

Senators Bayless, Bloom, Bolter, Burdick, Caldwell, Carr, Cassatt, Deal, Donnan, Doud, Gatch, Gault, Johnson, Knight, McCoy, Reiniger, Robinson, Ryder, Scott, Stephens, Whaley, Wilkin and Woolson—23.

So the bill passed and the title was agreed to.

House File No. 431, a bill for an act to amend section 3125 of the Code of 1873, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bloom, Carr, Carson, Casey, Chesebro, Chubb, Clark, Dodge, Dooley, Duncan, Earle, Glass, Henderson, Hendrie, Hutchison, McDonough, Miles, Parrott, Poyneer, Ryder, Schmidt, Sutton, Sweny, Underwood, Weber, Whaley, Whiting, Wolfe and Young—30.

The nays were, none.

Absent or not voting:

Senators Bayless, Bolter, Burdick, Caldwell, Cassatt, Chambers, Deal, Donnan, Doud, Gatch, Gault, Johnson, Knight, McCoy, Reiniger, Robinson, Scott, Stephens, Wilkin and Woolson—20.

So the bill passed and the title was agreed to.

House File No. 643, a bill for an act to legalize the acts of H. G. Crestler, justice of the peace in and for Union township, Van Buren county, with report of committee recommending that the bill do pass, was taken up and considered.

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

On the question, shall the bill pass.

The yeas were:

Senators Bloom, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Dooley, Duncan, Earle, Glass, Henderson, Hendrie, McDonough, Miles, Parrott, Poyneer, Schmidt, Stephens, Sutton, Sweny, Underwood, Weber, Whaley, Whiting, Wolfe and Young—30.

The nays were, none.

Absent or not voting:

Senators Barrett, Bayless, Bolter, Burdick, Caldwell, Cassatt, Donnan, Doud, Gatch, Gault, Hutchison, Johnson, Knight, McCoy, Reiniger, Robinson, Ryder, Scott, Wilkin and Woolson—20.

So the bill passed and the title was agreed to.

House Joint Resolution No. 11, proposing to amend section 16, article 3, constitution of the State, in reference to the veto of general appropriation bills, with report of committee recommending amend-

ments and do pass, was taken up, considered, and the report of the committee was adopted.

JOINT RESOLUTION NO. 11.

Joint resolution proposing to amend section sixteen (16), of article three (3), of the constitution of the State, in reference to the veto of general appropriation bills.

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

That the following amendment to the constitution of the State be and the same is hereby proposed:

Add to section sixteen (16), article three (3), the following words: "If any bill presented to the Governor contain several distinct items of appropriation of money, he may object to one or more of such items while approving of the other portions of the bill. In such case he shall append to the bill, at the time of signing it, a statement of the item or items to which he objects, and no appropriation so objected to shall take effect unless the same be repassed notwithstanding the Governor's objections. If the General Assembly be in session, the Governor shall transmit a copy of such statement with his objections to the house in which the bill originated, which shall enter the same upon their journal. If one or more of such items again pass both houses by a majority of two-thirds of the members of each house, the same shall become a part of the law, notwithstanding the objections of the Governor.

"Resolved, further; that the foregoing proposed amendment be and the same is hereby referred to the Legislature to be chosen at the next general election for members of the General Assembly."

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

On the question, shall the joint resolution pass.

The yeas were:

Senators Barrett, Bloom, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Dodge, Dooley, Doud, Duncan, Glass, Henderson, Hutchison, McDonough, Miles, Parrott, Poyneer, Ryder, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting and Wolfe—29.

The nays were, none.

Absent or not voting:

Senators Bayless, Bolter, Burdick, Caldwell, Cassatt, Deal, Donnan, Earle, Gatch, Gault, Hendrie, Johnson, Knight, McCoy, Reiniger, Robinson, Schmidt, Scott, Wilkin, Woolson and Young—21.

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

House File No. 602, a bill for an act to legalize the ordinances of the town of Ida Grove, the election of officers and all acts done and ordinances passed by the council of said town, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bloom, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Dodge, Dooley, Doud, Duncan, Earle, Glass, McDonough, Miles, Parrott, Poyneer, Ryder, Schmidt, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting and Wolfe—29.

The nays were, none.

Absent or not voting:

Senators Bayless, Bolter, Burdick, Caldwell, Cassatt, Deal, Donnan, Gatch, Gault, Henderson, Hendrie, Hutchison, Johnson, Knight, McCoy, Reiniger, Robinson, Scott, Wilkin, Woolson and Young—21.

So the bill passed and the title was agreed to.

House File No. 613, a bill for an act to legalize the board of school directors of the district township of Fairfield, Buena Vista county, in redistricting the township, with report of committee recommending amendments and do pass, was taken up, considered, and the report of the committee was adopted.

Senator Whaley 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, Bloom, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Dodge, Dooley, Doud, Duncan, Earle, Glass, Hutchison, McDonough, Miles, Poyneer, Ryder, Schmidt, Stephens, Sutton, Underwood, Whaley, Whiting and Wolfe—27.

The nays were, none.

Absent or not voting:

Senators Bayless, Bolter, Burdick, Caldwell, Cassatt, Deal, Donnan, Gatch, Gault, Henderson, Hendrie, Johnson, Knight, McCoy, Parrott, Reiniger, Robinson, Scott, Sweney, Weber, Wilkin, Woolson and Young—23.

So the bill passed and the title was agreed to.

House File No. 243, a bill for an act to amend section 3299 of the Code, in relation to partition, with report of committee recommending amendments and do pass, was taken up, considered, and the report of the committee was adopted.

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

The question being, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bloom, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Dodge, Dooley, Duncan, Earle, Glass, Hutchison, McDonough, Miles, Poyneer, Ryder, Schmidt, Stephens, Sutton, Underwood, Weber, Whaley, Whiting and Wolfe—28.

The nays were, none.

Absent or not voting:

Senators Bolter, Burdick, Caldwell, Cassatt, Deal, Donnan, Doud, Gatch, Gault, Henderson, Hendrie, Johnson, Knight, McCoy, Parrott, Reiniger, Robinson, Scott, Sweney, Wilkin, Woolson and Young—22.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred House File No. 557, a bill for an act making appropriations for the girls' department of Iowa Industrial 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 referred to Sifting Committee.

Also:

MR. PRESIDENT—Your Committee on Appropriations, to whom was referred Senate File No. 404, a bill for an act to appropriate money to reimburse certain citizens for money advanced to aid in making an exhibit of the resources of Iowa at the World's Exposition at New Orleans, Louisiana, 1884-5, beg leave to report 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 striking out of the first item, the following words: "Thirty-five hundred and fourteen" and inserting in place thereof, the following words: "Twenty-six hundred and fifty-five," and that so amended the bill do pass.

P. M. SUTTON, *Chairman*.

Ordered referred to Sifting Committee.

Senator Dodge, from a Special Committee submitted the following report:

MR. PRESIDENT—Your Committee to whom was referred Senate File No. 18, a bill for an act to amend section 7, chapter 100, relating to mechanics' lien, beg leave to report that they have 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. W. DODGE, *Chairman*.

WOOLSON.

SUTTON.

Order referred to Sifting Committee.

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

MR. PRESIDENT—Your Committee on Schools, to whom was referred House File No. 518, a bill for an act to amend section 1807 of the Code of Iowa, relating to the power of the electors of independent districts at annual meetings, and legalizing acts heretofore done, beg leave to report that they have had the same under consideration, and a majority of committee have instructed me to report the same back to the Senate with the recommendation that it do pass.

JOHN D. GLASS, *Chairman*.

Ordered referred to Sifting Committee.

House File No. 354, a bill for an act to amend section 2313 of the Code of 1873, relating to the hearing of probate matters requiring justice, with report of committee recommending amendments and do

pass, was taken up, considered, and the report of the committee was adopted.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bloom, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Dodge, Dooley, Doud, Duncan, Gault, Glass, Henderson, Hutchison, McDonough, Miles, Parrott, Poyneer, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whiting, Wolfe and Young—32.

The nays were, none.

Absent or not voting:

Senators Bolter, Burdick, Caldwell, Cassatt, Deal, Donnan, Earle, Gatch, Hendrie, Johnson, Knight, McCoy, Reiniger, Ryder, Schmidt, Whaley, Wilkin and Woolson—18.

So the bill passed and the title was agreed to.

House File No 428, a bill for an act to legalize the acts of the officers and the ordinances of the town of West Side, in Crawford county, with report of committee recommending that it do pass, was taken up and considered.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bloom, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Dodge, Dooley, Doud, Duncan, Earle, Glass, Henderson, Hutchison, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber and Wolfe—31.

The nays were, none.

Absent or not voting:

Senators Bolter, Burdick, Caldwell, Cassatt, Deal, Donnan, Gatch, Gault, Hendrie, Johnson, Knight, McCoy, Reiniger, Ryder, Whaley, Whiting, Wilkin, Woolson and Young—19.

So the bill passed and the title was agreed to.

House File No. 372, a bill for an act regulating gas and water and sewer connections, with report of committee recommending that the bill do pass, was taken up.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bloom, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Dodge, Dooley, Doud, Duncan, Earle, Gault, Glass, Henderson, Hutchison, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Stephens, Sweney, Underwood, Weber, Whaley, Whiting and Wolfe—32.

The nays were, none.

Absent or not voting:

Senators Bolter, Burdick, Caldwell, Cassatt, Deal, Donnan, Gatch, Hendrie, Johnson, Knight, McCoy, Reiniger, Ryder, Scott, Sutton, Wilkin, Woolson and Young—18.

Senator Wolfe moved to amend title by adding the words "and to provide penalties."

Adopted.

So the bill passed and the title was agreed to.

Substitute for House File No. 88, a bill for an act to legalize the actions of the town council of the town of Seymour, in issuing bonds for the buying lands for a public park in said town, with report of committee recommending that it do pass, was taken up.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bloom, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Dodge, Dooley, Doud, Earle, Gault, Henderson, Hutchison, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Scott, Sweney, Underwood, Weber, Whaley, Whiting, Wolfe and Young—31.

The nays were, none.

Absent or not voting:

Senators Bolter, Burdick, Caldwell, Cassatt, Deal, Donnan, Duncan, Gatch, Glass, Hendrie, Johnson, Knight, McCoy, Reiniger, Schmidt, Stephens, Sutton, Wilkin and Woolson—19.

So the bill passed and the title was agreed to.

House File No. 478, a bill for an act to legalize the acts of Edwin W. Dunston, justice of the peace in and for Chickasaw county, State of Iowa, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bloom, Carr, Carson, Casey, Chambers, Chesebro, Clark, Deal, Dodge, Dooley, Doud, Duncan, Gault, Glass, Henderson, Hutchison, McDonough, Miles, Parrott, Poyneer, Robinson, Ryder, Scott, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wolfe and Young—32.

The nays were, none.

Absent or not voting:

Senators Bayless, Bolter, Burdick, Caldwell, Cassatt, Chubb, Donnan, Earle, Gatch, Hendrie, Johnson, Knight, McCoy, Reiniger, Schmidt, Stephens, Wilkin and Woolson—18.

So the bill passed and the title was agreed to.

House File No. 651, a bill for an act to legalize the grand jury of Osceola county, with report of committee recommending that the bill do pass, was taken up.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bloom, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Gault, Glass, Henderson, Hutchison, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Ryder, Schmidt, Scott, Sweney, Underwood, Weber, Whaley, Whiting and Wolfe—35.

The nays were, none.

Absent or not voting:

Senators Bolter, Burdick, Caldwell, Cassatt, Earle, Gatch, Hendrie, Johnson, Knight, McCoy, Stephens, Sutton, Wilkin, Woolson and Young—15.

So the bill passed and the title was agreed to.

Senator Donnan, from the Sifting Committee, submitted the following report:

MR. PRESIDENT—Your Special Committee, to which was referred the bills pending before the Senate, respectfully asks leave to report the following, and has instructed me to recommend that they be considered in the order in which they are arranged, immediately following those heretofore reported:

Senate File No. 28, calendar No. 4.
 House File No. 452, calendar No. 269.
 House File No. 328, calendar No. 155.
 House File No. 185, calendar No. 265.
 House File No. 96, calendar No. 265.
 House File No. 692, calendar No. —.
 House File No. 78, calendar No. 102.
 House File No. 95, calendar No. —.
 Senate File No. 118, calendar No. 268.
 Senate File No. 241, calendar No. 14.
 Senate File No. 246, calendar No. 21.

W. G. DONNAN, *Chairman.*

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 refused to recede from the amendment to Senate File No. 188.

Also, the House has passed Senate File No. 413, amending section 3, chapter 58, acts of the Twenty-first General Assembly, without amendment.

Also, Senate File No. 353, relating to deputy clerk of Supreme court, amending section 277 of the Code, without amendment.

Also, Senate File No. 249, amending section 1725 of the Code, without amendment.

Also, the House has concurred in Senate amendments to House Files Nos. 382 and 620.

Also, the House passed Senate File No. 228, amending sections

375 and 376 of the Code, relating to fees in the office of Secretary of State, without amendment.

J. K. POWERS, *Chief Clerk.*

The Senate took up bills reported by Sifting Committee.

Senate File No. 28, a bill for an act to repeal section 2, chapter 27, acts of the Seventeenth General Assembly, and providing for the election of railroad commissioners, with report of committee recommending amendments, and do pass, was taken up, considered, and the report of the committee was adopted.

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

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Carson, Chambers, Chubb, Clark, Donnan, Doud, Duncan, Earle, Glass, McDonough, Miles, Parrott, Reiniger, Robinson, Stephens, Sweney, Weber and Young—19.

The nays were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Chesebro, Dooley, Henderson, Ryder, Schmidt, Scott, Sutton and Whaley—13.

Absent or not voting:

Senators Burdick, Caldwell, Cassatt, Deal, Dodge, Gatch, Gault, Hendrie, Hutchison, Johnson, Knight, McCoy, Poyneer, Underwood, Whiting, Wilkin, Wolfe and Woolson—18.

So the rule was not suspended.

The question being upon ordering the bill engrossed and read a third time to-morrow.

The yeas and nays were demanded.

The yeas were:

Senators Barrett, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Earle, Glass, Hutchison, McCoy, McDonough, Miles, Poyneer, Reiniger, Robinson, Stephens, Sweney, Weber, Whaley, Whiting, Woolson and Young—25.

The nays were:

Senators Bayless, Bolter, Carr, Casey, Chesebro, Dodge, Dooley, Gatch, Henderson, Parrott, Ryder, Schmidt, Scott, Sutton, Wilkin and Wolfe—16.

Absent or not voting:

Senators Bloom, Burdick, Caldwell, Cassatt, Gault, Hendrie, Johnson, Knight and Underwood—9.

So the bill was ordered engrossed.

Senate File No. 452, a bill for an act to legalize the sale of certain lands in Webster county, and to provide for the issuance of a patent therefor, with report of committee recommending the bill do pass, was taken up and considered.

Senator Weber 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, Bloom, Carr, Carson, Casey, Chambers, Chubb, Clark, Deal, Dodge, Dooley, Duncan, Earle, Henderson, Hendrie,

Miles, Parrott, Poyneer, Schmidt, Scott, Stephens, Sutton, Underwood, Weber, Whaley, Whiting and Wolfe—26.

The nay was:

Senator McDonough—1.

Absent or not voting:

Senators Bayless, Bolter, Burdick, Caldwell, Cassatt, Chesebro, Donnan, Doud, Gatch, Gault, Glass, Hutchison, Johnson, Knight, McCoy, Reiniger, Robinson, Ryder, Sweney, Wilkin, Woolson and Young—23.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

Senator Parrott, from the Committee on Municipal Corporations, submitted the following report:

MR. PRESIDENT—Your Committee on Municipal Corporations to whom was referred Senate File No. 15, a bill for an act to provide for the better government 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.

MATT PARROTT, *Chairman.*

Ordered referred to Sifting Committee.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has asked for a conference committee on Senate File No. 188, and has appointed as such committee on part of the House, Messrs. Weaver and Dobson.

Also, the House has passed Senate File No. 187, relating to drains and ditches, without amendment.

Also, Senate File No. 288, fixing compensation of State Librarian, with amendment.

J. K. POWERS, *Chief Clerk.*

The question being on concurring in House amendment to Senate File No. 288, a bill for an act fixing salary of State Librarian and assistants.

The yeas were:

Senators Carson, Chubb and Ryder—3

The nays were:

Senators Barrett, Bloom, Casey, Chambers, Chesebro, Clark, Deal, Dodge, Dooley, Henderson, Hendrie, Hutchison, McDonough, Parrott, Poyneer, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Whaley Whiting and Wolfe—24.

Absent or not voting:

Senators Bayless, Bolter, Burdick, Caldwell, Carr, Cassatt, Donnan, Doud, Duncan, Earle, Gatch, Gault, Glass, Johnson, Knight, McCoy, Miles, Schmidt, Reiniger, Sweney, Wilkin, Woolson and Young—23.

So the House amendment was not concurred in.

Senator Sutton moved the Chair appoint members of a Conference Committee on Senate File No. 188.

Carried.

The Chair announced Senators Underwood, Sutton and Dodge as such members.

Senate File No. 338, a bill for an act to legalize the contracts and acts of the board of supervisors of Marion county, in relation to the preservation of government corners, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Whaley 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, Bloom, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Dooley, Henderson, Hendrie, Hutchison, McDonough, Parrott, Poyneer, Ryder, Schmidt, Scott, Stephens, Sutton, Underwood, Weber, Whaley and Whiting—27.

The nays were, none.

Absent or not voting:

Senators Bayless, Bolter, Burdick, Caldwell, Cassatt, Donnan, Doud, Duncan, Earle, Gatch, Glass, Johnson, Knight, McCoy, Miles, Reiniger, Robinson, Sweney, Wilkin, Wolfe, Woolson and Young—23.

So the bill passed and the title was agreed to.

House File No. 185, a bill for an act to amend section 853, in relation to lien of taxes between vendor and vendee, with report of committee recommending that it do pass, was taken up.

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

On the question, shall the bill pass.

The yeas were:

Senators Bayless, Bloom, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Deal, Duncan, Henderson, Hendrie, Hutchison, McDonough, Miles, Parrott, Poyneer, Reiniger, Schmidt, Scott, Stephens, Sutton, Whaley, Whiting and Young—27.

The nays were, none.

Absent or not voting:

Senators Barrett, Bolter, Burdick, Caldwell, Dodge, Donnan, Dooley, Doud, Earle, Gatch, Gault, Glass, Johnson, Knight, McCoy, Robinson, Ryder, Sweney, Underwood, Weber, Wilkin, Wolfe and Woolson—23.

So the bill passed and the title was agreed to.

House File No. 96, a bill for an act to amend section 843, chapter 1, title 6, of the Code, relating to the delivery of the tax list to the county treasurer, with report of committee recommending it do pass, was taken up.

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

On the question, shall the bill pass.

The yeas were:

Senators Bayless, Bloom, Bolter, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Gault, Henderson, Hendrie, Hutchison, McDonough, Miles, Parrott, Poyneer, Ryder, Scott, Stephens, Sutton, Sweny, Underwood, Weber, Whaley, Whiting, Woolson and Young—34.

The nays were, none.

Absent or not voting:

Senators Barrett, Burdick, Caldwell, Carr, Cassatt, Earle, Gatch, Glass, Johnson, Knight, McCoy, Reiniger, Robinson, Schmidt, Wilkin and Wolfe—16.

So the bill passed and the title was agreed to.

The hour having arrived for special order, it being resolution relative to final adjournment.

Senator Bolter moved to amend to make hour of final adjournment 11 A. M. to-morrow.

Senator Young moved to postpone consideration to 5 P. M. this afternoon, when it be made special order.

The yeas and nays were called.

The yeas were:

Senators Barrett, Carson, Chambers, Deal, Donnan, Doud, Duncan, Gatch, McCoy, McDonough, Poyneer, Reiniger, Robinson, Scott, Sutton, Sweny, Underwood, Weber, Whaley, Wilkin, Woolson and Young—22.

The nays were:

Senators Bayless, Bloom, Bolter, Carr, Cassatt, Chesebro, Clark, Dodge, Dooley, Earle, Gault, Henderson, Hendrie, Hutchison, Miles, Ryder, Schmidt, Stephens, Whiting and Wolfe—20.

Absent or not voting:

Senators Burdick, Caldwell, Casey, Chubb, Glass, Johnson, Knight and Parrott—8.

So the motion prevailed.

House File No. 692, a bill for an act to regulate the manner of holding courts in the several judicial districts of the State, with report of committee recommending the substitute do pass, was taken up, considered, and the substitute adopted.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bloom, Carr, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Earle, Gault, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Ryder, Scott, Stephens, Sweny, Underwood, Whaley, Wolfe and Young—26.

The nays were, none.

Absent or not voting:

Senators Bayless, Bolter, Burdick, Caldwell, Casey, Cassatt, Chesebro, Dodge, Dooley, Duncan, Gatch, Glass, Henderson, Hendrie, Hutchison, Johnson, Knight, McCoy, Schmidt, Sutton, Weber, Whiting, Wilkin and Woolson—24.

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 Senate File No. 379, amending chapter 162, acts Seventeenth General Assembly, relating to sewers in cities and incorporated towns, without amendment.

Also, the House has concurred in Senate amendments to House Files Nos. 372, 354, 431 and 478.

J. K. POWERS, *Chief Clerk.*

House File No. 78, a bill for an act in relation to the sale of intoxicating liquors, with report of committee recommending that it do pass, was taken up and considered.

Senator Weber moved a call of the Senate.

Adopted.

Those absent without excuse were: Senators Cassatt, Chesebro, Dooley, Doud, Glass, Henderson and Hendrie.

Senator Bolter moved that further proceeding on call be dispensed with.

Adopted.

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

On this the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bolter, Carson, Chambers, Chubb, Clark, Donnan, Doud, Duncan, Hutchison, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—26.

The nays were:

Senators Bayless, Bloom, Carr, Casey, Deal, Dodge, Dooley, Earle, Hendrie, Ryder, Schmidt, Whiting and Wolfe—13.

Absent or not voting:

Senators Burdick, Caldwell, Cassatt, Chesebro, Gatch, Gault, Glass, Henderson, Johnson, Knight and McCoy—11.

So the rule was suspended and the bill was read a third time.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Chambers, Chubb, Clark, Donnan, Doud, Duncan, Gatch, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—26.

The nays were:

Senators Bayless, Bloom, Bolter, Carr, Carson, Casey, Cassatt, Chesebro, Dodge, Dooley, Earle, Hendrie, Ryder, Schmidt, Whiting and Wolfe—16.

Absent or not voting:

Senators Burdick, Caldwell, Deal, Gault, Glass, Johnson, Knight and Henderson—8.

So the bill passed and the title was agreed to.

RESOLUTION.

Senator Sweney introduced the following resolution:

Be it resolved by the Senate, the House concurring, That the people of Iowa love liberty and self-government.

That they believe that government by the people under constitutional limitations secures to the governed peace, contentment and prosperity.

That with the efforts of all men to secure these blessings, the people of Iowa sympathize, and that they particularly sympathize with the people of Ireland in their efforts to secure self government at this time.

That they extend to them their congratulations over the prospect of home-rule in Ireland, and too, that a friend so great as Gladstone has arisen in England to espouse their cause.

Adopted.

REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred substitute for House File No. 95, a bill for an act to amend section 249 of the Code, in relation to sureties on bonds, and authorizing the acceptance of guarantee companies as such sureties, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

1st. By striking out section 1 of the bill, and substituting the following in lieu thereof:

SECTION 1. Whenever any person who now or hereafter may be required or permitted by law to make, execute, and give a bond or undertaking with security conditioned for the faithful performance of any duty, or of the doing or not doing of anything in said bond or undertaking specified, any officer who is now or shall hereafter be required to approve the sufficiency of any such bond or undertaking may, in the discretion of such officer, in lieu of the securities now required by law, upon satisfactory evidence, accept such bond or undertaking and approve the same whenever the condition of such bond or undertaking are guaranteed by a company or corporation duly organized or incorporated within this State, under the laws thereof, or authorized by law to do business in this State, and authorized to guarantee the fidelity of persons holding positions of public or private trusts; and which company shall have an unimpaired paid-up capital of not less than one hundred and fifty thousand dollars; *provided*, that nothing herein contained shall apply to bonds in criminal cases.

2d. By striking out section 2 of the bill, and substituting therefor the following:

SEC. 2. Such company may be released from its liability as such surety on any bond on the same terms and conditions, and in the same manner, as is by law prescribed for the release of individual persons as such sureties, it being the true intent and meaning of this act to

enable companies created, incorporated or chartered for the purpose of insuring the fidelity of persons holding places of public or private trust, to become surety on bonds required by law, subject to all the rights and liabilities of private persons.

3d. By making section 4 of the bill section 6, and inserting two new sections, as follows:

"SEC. 4. Any company which shall execute any bonds as surety under the provisions of this act shall be estopped, in any proceedings to enforce the liability which it shall have assumed to incur, to deny its corporate power to execute such instrument or assume such liability.

"SEC. 5. Section 679 of the Code shall not apply to bonds executed by fidelity surety companies, in accordance with the provisions of this act."

4th. By striking out section 5 of the bill, and that the title be amended so as to read:

A bill for an act to facilitate the giving of bonds required by law, and authorize the acceptance of fidelity surety companies as sureties upon any such bonds, and prescribing the rights and liabilities of such companies as such sureties, and that as thus amended the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered referred to Sifting Committee.

House File No. 95, a bill for an act to amend section 249 of the Code of 1873 in relation to sureties on bonds, and authorizing the acceptance of guarantee companies as such sureties, with report of committee recommending amendments and 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 read a third 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, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Dodge, Donnan, Dooley, Duncan, Gatch, Gault, Henderson, Hutchison, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Ryder, Scott, Sweney, Underwood, Weber, Whaley, Wilkin, Wolfe, Woolson and Young—34.

The nays were:

Senators Bolter and Schmidt—2.

Absent or not voting:

Senators Burdick, Caldwell, Cassatt, Deal, Doud, Earle, Glass, Hendrie, Johnson, Knight, McCoy, Stephens, Sutton and Whiting—14.

So the bill passed and the title was agreed to.

Senate File No. 118, a bill for an act to vacate the public square in the village of Fairbank, in Buchanan county, with report of committee recommending a substitute and that it do pass, was taken up, and the substitute 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 Barrett, Bayless, Carr, Carson, Chambers, Chesebro, Chubb, Clark, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gault, Henderson, Hutchison, McDonough, Miles, Poyneer, Ryder, Scott, Stephens, Sweny, Underwood, Weber, Whaley, Whiting, Wolfe and Young—30.

The nays were, none.

Absent or not voting:

Senators Bloom, Bolter, Burdick, Caldwell, Casey, Cassatt, Deal, Gatch, Glass, Hendrie, Johnson, Knight, McCoy, Parrott, Reiniger, Robinson, Schmidt, Sutton, Wilkin and Woolson—20.

So the bill passed and the title was agreed to.

Senate File No. 241, a bill for an act to amend section 2, chapter 59 of the acts of the Seventeenth General Assembly, requiring an additional statement from telegraph companies, with report of committee recommending a substitute, and when adopted that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Weber 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 Barrett, Bayless, Bloom, Bolter, Carr, Carson, Chesebro, Clark, Dodge, Dooley, Doud, Duncan, Earle, Gault, Hendrie, Hutchison, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Ryder, Schmidt, Stephens, Sweny, Underwood, Weber, Whaley, Whiting, Wolfe and Young—32.

The nays were, none.

Absent or not voting:

Senators Burdick, Caldwell, Casey, Cassatt, Chambers, Chubb, Deal, Donnan, Gatch, Glass, Henderson, Johnson, Knight, McCoy, Scott, Sutton, Wilkin and Woolson—18.

So the bill passed and the title was agreed to.

Senate File No. 246, a bill for an act to amend sub-division 3, of section 1606, title 12, chapter 3, of the Code, in relation to the State Agricultural College and Farm, with report of committee recommending that it do pass, was taken up and considered.

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 Barrett, Bayless, Bloom, Bolter, Carr, Carson, Cassatt, Chesebro, Chubb, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gault, Henderson, Hendrie, Hutchison, McDonough, Miles, Parrott, Poyneer, Reiniger, Ryder, Stephens, Sutton, Sweny, Underwood, Weber, Whiting and Wolfe—32.

The nay was:

Senator Scott—1.

Absent or not voting:

Senators Burdick, Caldwell, Casey, Chambers, Clark, Deal, Gatch,

Glass, Johnson, Knight, McCoy, Robinson, Schmidt, Whaley, Wilkin, Woolson and Young—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 am directed to inform you that the House has passed the following bills:

Senate File No. 186, making appropriation for Penitentiary at Ft. Madison, without amendment.

Senate File No. 374, providing for the appointment of custodian of public buildings and prescribing his duties, without amendment.

J. K. POWERS, *Chief Clerk.*

Senator Donnan, from the Sifting Committee, submitted the following report:

MR. PRESIDENT—Your special committee, to which was referred the bills and resolutions pending before the Senate, respectfully asks leave to report the following, and has instructed me to recommend that they be considered in the order in which they are arranged immediately following those heretofore reported.

House File No. 557, calendar No. —.

Senate File No. 46, calendar No. 26.

Senate File No. 96, calendar No. 61.

House File No. 518, calendar No. —.

Senate File No. 211, calendar No. 66.

Senate File No. 291, calendar No. 69.

Senate File No. 35, calendar No. 80.

Senate File No. 269, calendar No. 89.

Senate File No. 346, calendar No. 100.

Senate File No. 146, calendar No. 108.

Senate File No. 373, calendar No. 132.

Senate File No. 363, calendar No. 179.

Senate File No. 242, calendar No. 187.

Senate File No. 386, calendar No. 210.

Concurrent Resolution, calendar No. 250.

House File No. 208, calendar No. 253.

House File No. 54, calendar No. 2.

Senate File No. 404, calendar No. —.

W. G. DONNAN, *Chairman.*

On motion Senate adjourned until 2 P. M.

AFTERNOON SESSION.

2 O'CLOCK.

Senate met pursuant to adjournment at 2 P. M.
President of the Senate in the chair.

COMMUNICATION.

The President submitted the following communication from the Secretary of State:

To the Honorable Senate of the Twenty first General Assembly:

I have the honor to herewith transmit, in accordance with section 509, title 4, of the Code of Iowa, a copy of all statements made and published, of cities of the second-class, entitled to become cities of the first-class, and of all incorporated towns that are entitled to become cities of third proper class, since the adjournment of the Twentieth General Assembly.

FRANK D. JACKSON, *Secretary of State.*

The blanks accompanying this communication make the following showing:

Sioux City entitled to become a city of the first-class.
Perry entitled to become a city of the second-class.
Missouri Valley entitled to become a city of the second-class.
Belle Plaine entitled to become a city of the second-class.
Shenandoah entitled to become a city of the second-class.
Manchester entitled to become a city of the second-class.
Oaceola entitled to become a city of the second-class.

PETITIONS.

Senator Stephens presented petition of two hundred and fifty citizens of Union county asking for the passage of House File No. 273, relating to alien land owners.

Referred to Committee on Public Lands.

Senator Bayless presented a petition on same subject.

Same reference.

Senator Whiting presented a petition on same subject.

Same reference.

Senator Clark presented a petition on same subject.

Same reference.

REPORT OF COMMITTEE.

Senator Underwood, 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. 28, a bill for an act to repeal section 2, chapter 77, acts of the Seventeenth General Assembly, and providing for the election of railroad commissioners.

And find the same correctly engrossed.

MYRON UNDERWOOD, *Chairman pro tem.*

The Senate took up bills reported by Sifting Committee.

Substitute for House File No. 557, a bill for an act making appropriation for the girls' department of the Iowa Industrial School at Mitchellville, with report of committee that it do pass, was taken up.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Dodge, Dooley, Doud, Duncan, Earle, Hendrie, McDonough, Miles, Poyneer, Reiniger, Schmidt, Scott, Stephens, Sweney, Underwood, Weber, Whaley and Wolfe—26.

The nays were, none.

Absent or not voting:

Senators Bloom, Bolter, Burdick, Caldwell, Cassatt, Clark, Deal, Donnan, Gatch, Gault, Glass, Henderon, Hutchison, Johnson, Knight, McCoy, Parrott, Robinson, Ryder, Sutton, Whiting, Wilkin, Woolson and Young—24.

So the bill passed and the title was agreed to.

Senate File No. 46, a bill for an act to amend section 595 of the Code of Iowa of 1873, in relation to the registration of voters, with report of committee recommending that it do pass, was taken up and considered.

Senator Schmidt 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, Bloom, Caldwell, Carr, Carson, Casey, Chesebro, Clark, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Glass, Hendrie, Johnson, McCoy, Miles, Reiniger, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting and Young—31.

The nays were:

Senators Hutchison, Parrott and Poyneer—3.

Absent or not voting:

Senators Bayless, Bolter, Burdick, Cassatt, Chambers, Chubb, Deal, Gatch, Gault, Henderson, Knight, McDonough, Robinson, Wilkin, Wolfe and Woolson—16.

So the bill passed and the title was agreed to.

Senate File No. 96, a bill for an act defining the duties of railroad companies with reference to fencing their lines, maintaining crossings and punishing trespassers upon said land; repealing part of section 1289 of the Code, and amending section 1268, with report of

the committee recommending a substitute and do pass was taken up, considered, and the report of the committee was adopted.

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 Barrett, Bayless, Caldwell, Carr, Carson, Cassatt, Chesebro, Clark, Dodge, Dooley, Doud, Duncan, Earle, Glass, Hendrie, Hutchison, McDonough, Parrott, Poyneer, Reiniger, Scott, Stephens, Sweney, Whiting, Wolfe and Young—26.

The nays were, none.

Absent or not voting :

Senators Bloom, Bolter, Burdick, Casey, Chambers, Chubb, Deal, Donnan, Gatch, Gault, Henderson, Johnson, Knight, McCoy, Miles, Robinson, Ryder, Schmidt, Sutton, Underwood, Weber, Whaley, Wilkin and Woolson—24.

So the bill passed and the title was agreed to.

House File No. 518, a bill for an act to amend section 1887 of the Code of Iowa, relating to the power of the electors of independent districts at annual meetings and legalizing acts heretofore done, with report of majority of committee recommending that it do pass, was taken up.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bolter, Caldwell, Carr, Carson, Casey, Chesebro, Clark, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Glass, Hendrie, Hutchison, Johnson, McDonough, Miles, Parrott, Reiniger, Ryder, Schmidt, Scott, Stephens, Weber, Whaley, Whiting, Wolfe and Young—32.

The nays were, none.

Absent or not voting:

Senators Bloom, Burdick, Cassatt, Chambers, Chubb, Deal, Gatch, Gault, Henderson, Knight, McCoy, Poyneer, Robinson, Sutton, Sweney, Underwood, Wilkin and Woolson—18.

So the bill passed and the title was agreed to.

Senate File No. 211, a bill for an act to amend chapter 188 of the acts of the Twentieth General Assembly, and the title to said chapter, with report of committee recommending that it do pass, was taken up and considered.

Senator Doud 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, Caldwell, Carr, Carson, Casey, Chambers, Clark, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Glass, Hendrie, McDonough, Miles, Parrott, Poyneer, Reiniger, Schmidt, Stephens, Sweney, Underwood, Weber, Whaley, Wolfe and Young

The nays were:

Senators Bolter and Chesebro—2.

Absent or not voting:

Senators Burdick, Cassatt, Chubb, Deal, Gatch, Gault, Henderson, Hutchison, Johnson, Knight, McCoy, Robinson, Ryder, Scott, Sutton, Whiting, Wilkin and Woolson—18.

So the bill passed and the title was agreed to.

MESSAGE FROM THE GOVERNOR

The following message was received from the Governor by his private secretary:

STATE OF IOWA, }
EXECUTIVE OFFICE, }
DES MOINES, April 9, 1886. }

MR. PRESIDENT—I am instructed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of State the following bills:

Senate File No. 130, an act making appropriations for the Institution for the Deaf and Dumb at Council Bluffs.

Senate File No. 208, an act making appropriations for the State Normal School at Cedar Falls.

Senate File No. 251, an act to repeal section two (2) of chapter 94, acts of the Sixteenth General Assembly relating to Soldiers' Orphans' Home and enacting a substitute therefor in relation to admitting children to the Soldiers' Orphans' Home.

Senate File No. 401, an act to make appropriation to defray expenses incurred by the military committee of the Senate and the soldiers' home committee of the House of Representatives acting jointly to investigate the location for the soldiers' home for the State of Iowa.

FRED'K W. HOSSFELD, *Private Secretary.*

On motion of Senator Whaley, Senate File No. 291, a bill for an act to repeal section 520 of the Code of 1873, and enact a substitute therefor providing for the districting of cities into wards with report of committee recommending amendments and do pass, was taken up, considered, and the report of the committee was adopted.

Senator Whaley 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, Caldwell, Carson, Chesebro, Clark, Donnan, Doud, Duncan, Gatch, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Wilkin and Woolson—26.

The nays were:

Senators Bloom, Bolter, Carr, Dodge, Dooley, Earle, Hendrie and Wolfe—8.

Absent or not voting:

Senators Burdick, Casey, Cassatt, Chambers, Chubb, Deal, Gault

Glass, Henderson, Johnson, Knight, Ryder, Schmidt, Sutton, Whiting and Young—16.

So the bill passed and the title was agreed to.

Senate File No. 35, a bill for an act making void all sales of household goods without concurrence of both husband and wife, with report of committee recommending substitute and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Bolter moved to strike out the word "written" in first section.

On this the yeas and nays were demanded.

The yeas were:

Senators Bloom, Bolter, Carr, Casey, Chesebro, Dooley, Poyneer and Ryder—8.

The nays were:

Senators Barrett, Caldwell, Carson, Clark, Dodge, Donnan, Doud, Duncan, Earle, Hendrie, McDonough, Parrott, Schmidt, Scott, Stephens, Sweney, Weber, Wolfe and Young—19.

Absent or not voting:

Senators Bayless, Burdick, Cassatt, Chambers, Chubb, Deal, Gatch, Gault, Glass, Henderson, Hutchison, Johnson, Knight, McCoy, Miles, Reiniger, Robinson, Sutton, Underwood, Whaley, Whiting, Wilkin and Woolson—23.

So the amendment was lost.

On motion the substitute was adopted.

Senator Wolfe 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, Bloom, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Clark, Dodge, Donnan, Doud, Earle, Gault, Hendrie, Hutchison, McDonough, Miles, Poyneer, Reiniger, Schmidt, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wolfe and Young—31.

The nays were:

Senators Bolter, Dooley, Ryder and Scott—4.

Absent or not voting:

Senators Bayless, Burdick, Chubb, Deal, Duncan, Gatch, Glass, Henderson, Johnson, Knight, McCoy, Parrott, Robinson, Wilkin and Woolson—15.

So the bill passed and the title was agreed to.

Senate File No. 269, a bill for an act to repeal section 630 of the Code of 1873, relating to elections, and enacting a substitute therefor, with report of committee recommending that it do pass, was taken up, considered, and the substitute was adopted.

Senator Whaley 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, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Clark, Dodge, Donnan, Dooley, Doud, Duncan, Earle,

Gault, Hendrie, Hutchison, McDonough, Miles, Reiniger, Ryder, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting and Young—31.

The nays were, none.

Absent or not voting:

Senators Bayless, Bloom, Bolter, Burdick, Chubb, Deal, Gatch, Glass, Henderson, Johnson, Knight, McCoy, Parrott, Poyneer, Robinson, Schmidt, Wilkin, Wolfe and Woolson—19.

So the bill passed and the title was agreed to.

Senate File No. 346, a bill for an act to amend section 5, of chapter 168, of the laws of Twentieth General Assembly, relative to admitting attorneys from other States to practice in the courts of this State, with report of committee recommending that it do pass, was taken up and considered.

Senator Wolfe 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, Bloom, Carr, Carson, Casey, Chesebro, Clark, Dodge, Donnan, Dooley, Duncan, Earle, Gatch, Hendrie, Hutchison, McDonough, Miles, Poyneer, Scott, Stephens, Sutton, Underwood, Weber, Whaley, Whiting and Young—26.

The nay was:

Senator Ryder—1. .

Absent or not voting:

Senators Bayless, Bolter, Burdick, Caldwell, Cassatt, Chambers, Chubb, Deal, Doud, Gault, Glass, Henderson, Johnson, Knight, McCoy, Parrott, Reiniger, Robinson, Schmidt, Sweney, Wilkin, Wolfe and Woolson—23.

So the bill passed and the title was agreed to.

Senate File No. 146, a bill for an act to require fire escapes to be attached to buildings in certain cases, with report of committee recommending a substitute and when adopted that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Whaley 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, Bloom, Caldwell, Carr, Carson, Casey, Chesebro, Chubb, Clark, Dodge, Dooley, Earle, Henderson, Hendrie, Hutchison, Johnson, McDonough, Poyneer, Ryder, Scott, Stephens, Sutton, Underwood, Weber, Whaley, Whiting, Wolfe and Young—28.

The nays were, none:

Absent or not voting:

Senators Bayless, Bolter, Burdick, Cassatt, Chambers, Deal, Donnan, Doud, Duncan, Gatch, Gault, Glass, Knight, McCoy, Miles, Parrott, Reiniger, Robinson, Schmidt, Sweney, Wilkin and Woolson—22.

So the bill passed and the title was agreed to.

Senate File No. 373, a bill for an act to amend section 4073 of the

Code, relating to false pretenses, with report of committee recommendation that it do pass, was taken up and considered.

Senator Wolfe 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, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Dodge, Donnan, Dooley, Doud, Henderson, Hutchison, McDonough, Poyneer, Ryder, Scott, Stephens, Underwood, Whaley, Whiting and Wolfe—26.

The nays were:

Senators Earle, Reiniger, Sutton and Young—4.

Absent or not voting:

Senators Bolter, Burdick, Cassatt, Deal, Duncan, Gatch, Gault, Glass, Hendrie, Johnson, Knight, McCoy, Miles, Parrott, Robinson, Schmidt, Sweney, Weber, Wilkin and Woolson—20.

So the bill passed and the title was agreed to.

REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Enrolled Bills respectfully report that they have examined:

Senate File No. 47, a bill for an act to appropriate funds to furnish buildings, buy lands, and make improvements for the Soldiers' Orphans' Home and Home for Indigent Children, at Davenport, Iowa.

Senate File No. 249, a bill for an act to amend section 1725 of the Code, fixing the number of pupils for which a room may be rented, and a teacher employed.

Senate File No. 228, a bill for an act to amend section 3756 of the Code, in relation to fees to be charged for filing and recording articles of incorporation.

Senate File No. 413, a bill for an act to repeal section 3, chapter 58, acts of the Twenty-first General Assembly, and enact a substitute therefor, relating to the location of the soldiers' home.

Senate File No. 353, a bill for an act to authorize the deputy clerk of the supreme court to administer oaths and take and certify acknowledgements of instruments in writing.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman.*

Senator Donnan, from the Sifting Committee, submitted the following report:

MR. PRESIDENT—Your Special Committee, to which was referred the bills pending before the Senate, respectfully ask leave to report the following, and has instructed me to recommend that they be considered, in the order in which they are arranged, immediately following those heretofore reported:

House File No. 38, concurrent resolution concerning indemnity for settlers on Des Moines river lands.

House File No. 86, calendar No. 62.
Senate File No. 152, calendar No. 93.

W. G. DONNAN, *Chairman.*

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:

Senate File No. 268, relating to salaries of Deputy State officers, Governor's Private Secretary, and clerks, without amendment.

Also the House has unanimously, and by a rising vote, concurred in Senate resolution relative to home rule for Ireland.

Also the House concurred in Senate amendments to House joint resolution No. 11, proposing to amend section 16, of article 3, of the constitution of the State of Iowa.

Also to Senate amendments to House Files Nos. 613, 692 and 602.
J. K. POWERS, *Chief Clerk.*

COMMUNICATION.

The following communication was received by the President of the Senate and by his direction read by the Secretary:

HOUSE OF REPRESENTATIVES, }
DES MOINES, IOWA, April 9, 1896. }

Hon. J. A. T. Hull, President of the Senate:

SIR—The undersigned will, in a few minutes, appear at the bar of the Senate, as a committee of the House, to inform the Honorable Senate of the impeachment of Hon. John L. Brown, Auditor of the State of Iowa.

Yours respectfully,

W. H. REDMAN.
W. M. WALKER.
JNO. H. KEATLEY.

Senate File No. 365, a bill for an act to protect employes of railway corporations engaged in transportation of freight in railway cars within the State of Iowa, with report of committee recommending that it do pass, was taken up and considered.

Senator Duncan moved that the bill be recommitted to the Committee on Railroads.

Carried.

Senate File No. 242, a bill for an act to provide another method for taking depositions in civil and criminal cases, with report of committee recommending a substitute, and that when adopted, do pass, was taken up, considered, and the report of the committee was adopted.

Senator Doud 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, Caldwell, Carson, Casey, Chesebro, Clark, Donnan, Dooley, Doud, Earle, Glass, Henderson, Hendrie, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Ryder, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whiting, Wolfe, Woolson and Young—31.

The nays were, none.

Absent or not voting:

Senators Bloom, Bolter, Burdick, Carr, Cassatt, Chambers, Chubb, Deal, Dodge, Duncan, Gatch, Gault, Johnson, Knight, Reiniger, Robinson, Schmidt, Whaley and Wilkin—19.

So the bill passed and the title was agreed to.

Senate File No. 386, a bill for an act to repeal section 1967, of the Code of 1873, and enact a substitute therefor, with report of committee recommending amendments, and do pass, was taken up, considered, and the report of the committee was adopted.

Senator Wolfe 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, Caldwell, Carr, Chambers, Chesebro, Clark, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Hendrie, Hutchison, McDonough, Miles, Parrott, Poyneer, Reiniger, Scott, Stephens, Underwood, Weber, Whiting, Wolfe and Young—27.

The nays were:

Senators Chubb and Ryder—2.

Absent or not voting:

Senators Bloom, Bolter, Burdick, Carson, Casey, Cassatt, Deal, Dodge, Gault, Glass, Henderson, Johnson, Knight, McCoy, Robinson, Schmidt, Sutton, Sweney, Whaley, Wilkin and Woolson—31.

So the bill passed and the title was agreed to.

Concurrent Resolution authorizing the placing in the capitol building of a statue of Hon. Augustus C. Dodge, with report of committee recommending that it be adopted, was taken up and considered.

On the question, shall the resolution be adopted, the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bloom, Bolter, Caldwell, Carr, Carson, Casey, Chesebro, Chubb, Clark, Donnan, Dooley, Duncan, Gatch, Glass, Henderson, Hendrie, McDonough, Miles, Poyneer, Ryder, Schmidt, Scott, Stephens, Weber, Whiting, Wolfe and Woolson—28.

The nays were:

Senators Barrett, Chambers, Doud, Earle, Hutchison, Robinson, Sutton, Sweney, Underwood, Whaley and Young—11.

Absent or not voting:

Senators Burdick, Cassatt, Deal, Dodge, Gault, Johnson, Knight, McCoy, Parrott, Reiniger and Wilkin—11.

So the concurrent resolution was adopted.

Senator Sutton asked to have the following reasons in the journal of the Senate:

I acknowledge the high character and eminent public services of General A. C. Dodge. His memory is worthy the statue proposed. I oppose the resolution because Mrs. Ketchum is not shown to be a competent person to be commissioned with the work proposed, and because the money appropriated is needed in providing for the poor of the State.

P. M. SUTTON.

MYRON UNDERWOOD.

The committee appointed by the House of Representatives appeared at the bar of the Senate at 4:35 P. M. and presented the following resolutions of the House of Representatives, together with their notice of pending action to be reported.

RESOLUTION.

Resolved, That the House of Representatives of the Twenty first General Assembly of the State of Iowa, in regular session assembled on this 9th day of April, A. D. 1886, do impeach J. L. Brown, Auditor of the State of Iowa, of misdemeanors and malfeasance in his said office of Auditor of State.

Resolved, That a committee of three be appointed to proceed to the Senate and at the bar thereof in the name of the House of Representatives and the people of the State of Iowa, impeach John L. Brown, Auditor of State of Iowa, of misdemeanors and malfeasance in office and acquaint the Senate that the House will in due time exhibit particular articles of impeachment against him and make good the same and that the committee do demand that the Senate take orders for the appearance of said John L. Brown, to answer to said impeachment.

We here certify that the foregoing resolutions passed the House of Representatives on the 9th day of April A. D. 1886, by a vote of 72 yeas to 12 nays, there being absent or not voting 12.

Witness our hands this 9th day of April, 1886.

ALBERT HEAD, *Speaker*.

Attest:

J. K. POWERS, *Chief Clerk*.

And we now inform the Honorable Senate that the House of Representatives will in due time exhibit particular articles of impeachment against the said John L. Brown, Auditor of the State of Iowa, and in the name of the House of Representatives of the State of Iowa demand that your Honorable Senate take order for the appearance of the said John L. Brown, Auditor of the State of Iowa, to answer to said impeachment.

Now, Mr. President, we the committee appointed under the resolution just read in the name of the House of Representatives of the State of Iowa, and in the name of all the people of the State of Iowa, do now and here before the bar of the Honorable Senate of the State of Iowa, impeach the said John L. Brown, Auditor of the State of Iowa, of misdemeanors and malfeasance in his office of Auditor of the State of Iowa.

The President of the Senate announced to the committee and the Senate that proper action would be taken in the premises.

House File No. 208, a bill for an act to prescribe the times of the election of mayors, treasurers, assessor and solicitor and members of the council of cities of the second class, amendatory to section 518, 521, 532 and 390, of the Code of 1873, with report of committee recommending amendments and do pass, was taken up, considered, and the report of the committee was adopted.

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

On the question, shall the bill pass.

The yeas were:

Senators Bayless, Caldwell, Carr, Carson, Cassatt, Chesebro, Donnan, Duncan, Earle, Glass, Henderson, Hutchison, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wolfe and Young—28.

The nays was:

Senator Dooley—1.

Absent or not voting:

Senators Barrett, Bloom, Bolter, Burdick, Casey, Chambers, Chubb, Clark, Deal, Dodge, Doud, Gatch, Gault, Hendrie, Johnson, Knight, McCoy, Reiniger, Ryder, Wilkin and Woolson—21.

So the bill passed and the title was agreed to.

Senator Robinson from the special committee on Senate File No. 415 submitted the following report:

MR. PRESIDENT—Your committee to whom was referred Senate File No. 415, a bill for an act conferring certain powers upon the Senate when sitting as a court of impeachment, beg leave to report 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 adopted it do pass.

G. S. ROBINSON, *Chairman.*

Referred to sifting committee.

On motion of Senator Robinson Senate File No. 415, a bill for an act conferring certain powers upon the Senate when sitting as a court of impeachment, with report of committee recommending a substitute and when adopted that it do pass, was taken up and the substitute 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 Barrett, Bayless, Bloom, Bolter, Caldwell, Carr, Carson, Casey, Cassatt, Chambers, Chesebro, Clark, Donnan, Dooley, Doud, Duncan, Gault, Glass, Henderson, Hutchison, McDonough, Miles, Parrott, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley and Whiting—34.

The nays were, none.

Absent or not voting:

Senators Burdick, Chubb, Deal, Dodge, Earle, Gatch, Hendrie,

Johnson, Knight, McCoy, Reiniger, Ryder, Wilkin, Wolfe, Woolson and Young—16.

So the bill passed and the title was agreed to.

Senator Hutchison moved that the Senate do now take up House File No. 691, a bill for an act to apportion the State into representative districts and declaring the ratio of representation, which was ordered engrossed on yesterday.

Carried.

So the bill was read a third time.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Caldwell, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—29.

The nays were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Earle, Gault, Henderson, Hendrie, Johnson, Ryder, Schmidt, Stephens, Whiting and Wolfe—19.

Absent or not voting:

Senators Burdick and Knight—2.

So the bill passed and the title was agreed to.

Senator Young moved that the vote by which House File No. 691 passed the Senate be reconsidered.

Senator Donnan moved to lay the motion on the table.

Carried.

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 this General Assembly, been duly enrolled and signed by the Speaker of the House:

Senate Files Nos. 47, 228, 249, 353 and 413.

House Files Nos. 77, 78, 372, 354, 382, 390, 424, 428, 431, 478, 493 and 620.

J. K. POWERS, *Chief Clerk.*

Senator Donnan moved to take up bills on third reading.

Carried.

Senate File No. 329, a bill for an act to reorganize the congressional districts, was taken up and read a third time.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Caldwell, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Whaley, Wilkin, Woolson and Young—28.

The nays were:

Senators Bayless, Bloom, Bolter, Carr, Casey, Cassatt, Chesebro, Dodge, Dooley, Earle, Gault, Henderson, Hendrie, Johnson, Ryder, Schmidt, Underwood, Weber, Whiting and Wolfe—20.

Absent or not voting:

Senators Burdick and Knight—2.

So the bill passed and the title was agreed to.

Senator Donnan moved to reconsider the vote by which Senate File No. 329 passed the Senate and that the motion to reconsider be laid on the table.

Carried.

Senator Deal, 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. 47, a bill for an act to appropriate funds to furnish buildings, buy lands, and make improvements for the soldiers' orphans' home, and home for indigent children at Davenport, Iowa.

Senate File No. 249, a bill for an act to amend section 1725 of the Code, fixing the number of pupils for which a room may be rented, and a teacher employed.

Senate File No. 228, a bill for an act to amend section 3756 of the Code, in relation to fees to be charged for filing and recording articles of incorporation.

Senate File No. 413, a bill for an act to repeal section three, chapter 58, acts of the Twenty-first General Assembly, and enact a substitute therefor, relating to the location of the soldiers' home.

Senate File No. 353, a bill for an act to authorize the deputy clerk of the supreme court to administer oaths and take and certify acknowledgements of instruments in writing.

J. K. DEAL, *Chairman*.

The hour having arrived for the consideration of the special order, it being concurrent resolution relative to final adjournment of the Senate and House of Representatives of the Twenty-first General Assembly.

It was taken up and considered.

Senator Bolter moved that the resolution be amended by striking out "April 9th" and insert "April 10th," also, strike out "12 o'clock, noon," and insert "11 o'clock A. M."

Adopted.

On the question shall the resolution be adopted, the yeas and nays were demanded.

The yeas were:

Senators Barrett, Bayless, Bloom, Bolter, Carr, Carson, Cassatt, Chesebro, Chubb, Clark, Dodge, Dooley, Doud, Earle, Gatch, Gault, Henderson, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Parrott, Poyneer, Ryder, Schmidt, Stephens, Sutton, Underwood, Whiting, Wilkin and Wolfe—33.

The nays were:

Senators Caldwell, Chambers, Donnan, Duncan, Glass, Reiniger, Robinson, Scott, Sweney, Weber, Whaley, Woolson and Young—13.

Absent or not voting:

Senators Burdick, Casey, Deal and Knight—4.

So the resolution was adopted.

Senator Bolter moved to reconsider the vote by which the resolution was adopted, and to lay the motion on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bloom, Bolter, Carr, Carson, Cassatt, Chesebro, Chubb, Clark, Dodge, Dooley, Earle, Gatch, Gault, Henderson, Hendrie, Hutchison, Johnson, Ryder, Schmidt, Underwood, Whiting and Wolfe—23.

The nays were:

Senators Barrett, Burdick, Caldwell, Chambers, Deal, Donnan, Doud, Duncan, Glass, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Weber, Whaley, Wilkin, Woolson and Young—25.

Absent or not voting:

Senators Casey and Knight—2.

So the motion to lay upon the table was lost.

Senator Donnan moved to postpone the consideration of the motion to reconsider the resolution to adjourn until 10 P. M. this evening.

Pending which Senator Caldwell moved that when the Senate adjourn it adjourn until 8 P. M. this evening.

The question recurring upon the motion of Senator Donnan, it was adopted.

Senator Wolfe asked leave to have following telegram read by the Secretary.

Granted.

DAVENPORT, IOWA, April 9, 1886.

Senator P. B. Wolfe:

Thank the Iowa Legislature for its manly and freedom-loving action. Thank God an ancient nation is bound to be free. In the name of the Iowa National Land League, without regard to politics, acknowledge the gratitude of Irishmen to the Legislature of Iowa.

M. V. GANNON,

President Iowa National League.

REPORT OF COMMITTEE.

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. 549, a bill for an act making appropriations to the Iowa Prisoner's Aid 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 it do pass.

P. M. SUTTON, *Chairman.*

Ordered referred to Sifting Committee.

RESOLUTION.

Senator Donnan offered the following resolution:

WHEREAS, Edwin Preston, Jr., has presented to the Senate an ex-

cellent portrait of Hon. Enoch Eastman, late Lieutenant-Governor of Iowa; therefore,

Resolved, That the thanks of the Senate be extended to the young artist for his gift, and that the same be hung as an adornment of the walls of the Lt.-Governor's room in the Capitol.

Adopted.

BILLS ON THIRD READING.

Senate File No. 28, a bill for an act to repeal section 2, chapter 77, acts of the Seventeenth General Assembly, and providing for the election of Railroad Commissioners, was taken up and read a third time.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Carson, Chambers, Chubb, Clark, Donnan, Doud, Duncan, Earle, Glass, McDonough, Miles, Reiniger, Robinson, Stephens, Sweney, Weber, Whaley, Whiting and Young—20.

The nays were:

Senators Bloom, Bolter, Caldwell, Casey, Cassatt, Dooley, Gatch, Henderson, Hendrie, Hutchison, McCoy, Parrott, Poyneer, Ryder, Underwood, Wilkin and Wolfe—17.

Absent or not voting:

Senators Bayless, Burdick, Carr, Chesebro, Deal, Dodge, Gault, Johnson, Knight, Schmidt, Scott, Sutton and Woolson—13.

So the bill was lost.

House File No. 54, a bill for an act to amend chapter 27, laws of the Nineteenth General Assembly, relating to the printing and distribution of public documents, with report of committee recommending that it do pass, was taken up and considered.

Senator Wolfe moved that the enacting clause be stricken out.

Adopted.

The Sifting Committee reported as follows:

MR. PRESIDENT—Your Special Committee, to whom was referred bills pending before the Senate, respectfully asks leave to submit the following further report, and recommends that the bill named be considered immediately:

House File No. 549.

W. G. DONNAN, *Chairman*.

Adopted.

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

MR. PRESIDENT—Your Committee on Railroads, to whom was referred Senate File No. 365, a bill for an act to protect railroad employes, beg leave to report that they have had the same under consideration, and a minority have instructed me to report the same back to the Senate without recommendation.

J. H. SWENEY, *Chairman*.

Ordered referred to Sifting Committee.

On motion Senate adjourned until 8 P. M. this evening.

EVENING SESSION.

The Senate met pursuant to adjournment at 8 p. m.

The President of the Senate in the chair.

The Senate resumed consideration of bills reported from Sifting Committee.

Substitute House File No. 549, a bill for an act making appropriation to the Iowa Prisoners' Aid Association, with report of committee recommending that it do pass, was taken up and considered.

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

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bloom, Caldwell, Carson, Chambers, Chubb, Clark, Donnan, Doud, Duncan, Earle, Gatch, Glass, McCoy, McDonough, Parrott, Poyneer, Reiniger, Robinson, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—28.

The nays were:

Senators Bolter, Carr, Casey, Cassatt, Chesebro, Dooley, Gault, Hendrie, Miles, Ryder, Whiting and Wolfe—12.

Absent or not voting:

Senators Barrett, Burdick, Deal, Dodge, Henderson, Johnson, Knight, Schmidt, Scott and Hutchison—10.

So the rule was suspended.

On the question shall the bill pass.

The yeas were:

Senators Bloom, Caldwell, Carson, Chambers, Chubb, Clark, Donnan, Doud, Duncan, Gatch, Glass, McCoy, McDonough, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Wolfe, Woolson and Young—28.

The nays were:

Senators Bolter, Carr, Casey, Cassatt, Chesebro, Dooley, Earle, Hendrie, Hutchison, Johnson, Miles and Whiting—12.

Absent or not voting:

Senator Barrett, Bayless, Burdick, Deal, Dodge, Gault, Henderson, Knight, Ryder and Schmidt—10.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Federal Relations to whom was referred House Joint Resolution No. 27, in relation to judgments in Federal Courts, 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 it do pass.

CHUBB, *Chairman.*

Ordered referred to Sifting Committee.

Senator Deal, 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. 379, a bill for an act supplementary to chapter 162 of the acts of the Seventeenth General Assembly, entitled "an act to authorize cities of the first class containing, according to any legally authorized census or enumeration, a population of over thirty thousand, to provide for the construction of sewers additional to Code, chapter 10, title 4, concerning cities and incorporated towns."

Senate File No. 288, a bill for an act to amend sections 3755, 3756, 3757, 3758 and 3760 of the Code, and section two (2) of chapter 117, laws of the Nineteth Assembly, relating to salaries of deputy State officers and Governor' private secretary and clerks in State offices.

Senate File 186, a bill for an act making appropriations for the Penitentiary at Fort Madison.

Senate File No. 374, a bill for an act to provide for the appointment and compensation of a custodian of public buildings and property and prescribing his duties.

Senate File No. 187, a bill for an act to repeal section 1214, chapter 2, title 10, of Code, in relation to drains and ditches and to enact a substitute therefor.

And find the same correctly enrolled.

JNO. K. DEAL, 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:

Senate File No. 216, without amendment, a bill for an act to amend section 1587 of the Code of 1873.

Senate File No. 415, without amendment, a bill for an act to prescribe certain powers and duties of the Governor and Senate sitting as a court of impeachment.

Senate File No. 129, without amendment, a bill for an act provide for ascertaining the citizens who shall be entitled to vote in all incorporated cities.

Also, the House has concurred in Senate amendment to House Files Nos. 95 and 208.

Substitute for Senate File No. 329, a bill for an act to reorganize the Congressional districts of this State.

J. K. POWERS, Chief Clerk.

Senate File No. 404, a bill for an act to appropriate money to reimburse certain citizens for money advanced to aid in making an exhibition of the resources of Iowa at the World's Exposition at New Orleans, Louisiana, 1884-5, with report of committee recommending amendments and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Sutton moved to amend by striking out the words "sufficient money" in third line of section 1, and insert "\$4,137," and in-

sert as the last item of section 1, the words "the total amount of money hereby appropriated being \$4,137."

Adopted.

Senator Gault moved to amend by striking out the items from "C. A. Duston," to and including item for "C. M. Murray."

Senator Johnson moved to except item to "James Dunn," from amendment by Senator Gault.

Adopted.

The question recurring upon the amendment offered by Senator Gault as amended.

On this the yeas and nays were demanded.

The yeas were:

Senators Chesebro, Chubb, Dooley, Duncan, Gault, Ryder and Whiting—7.

The nays were:

Senators Bloom, Carson, Chambers, Clark, Doud, Earle, Gatch, Glass, Johnson, McDonough, Reiniger, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Whaley, Wolfe and Young—21.

Absent or not voting:

Senators Barrett, Bayless, Bolter, Burdick, Caldwell, Carr, Casey, Cassatt, Deal, Dodge, Donnan, Henderson, Hendrie, Hutchison, Knight, McCoy, Miles, Parrott, Poyneer, Wilkin, Woolson and Weber—22.

So the amendment was lost.

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

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bloom, Caldwell, Carson, Chambers, Chubb, Clark, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Glass, Henderson, Hutchison, Johnson, McCoy, Parrott, Poyneer, Reiniger, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Wolfe, Woolson and Young—34.

The nays were:

Senators Chesebro, Dooley, Hendrie and Ryder—4.

Absent or not voting:

Senators Barrett, Bolter, Burdick, Carr, Casey, Cassatt, Deal, Gault, Knight, McDonough, Miles and Whiting—12.

So the rule was suspended.

On the question, shall the bill pass.

The yeas were:

Senators Bayless, Bloom, Caldwell, Carson, Chambers, Chubb, Clark, Dodge, Donnan, Doud, Duncan, Earle, Gatch, Glass, Henderson, Hutchison, Johnson, McCoy, McDonough, Parrott, Reiniger, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Wolfe, Woolson and Young—34.

The nays were:

Senators Carr, Chesebro, Dooley, Gault, Hendrie and Ryder—6.

Absent or not voting:

Senator Barrett, Bolter, Burdick, Casey, Cassatt, Deal, Knight, Miles, Poyneer and Whiting—10.

So the bill passed and the title was agreed to.

Senator Duncan moved that the Sifting Committee be instructed to return Senate File No. 359 to the Senate.

Adopted.

Senator Wolfe moved that the Sifting Committee be requested to return to the Senate Senate File No. 108.

On this the yeas and nays were demanded.

The yeas were:

Senators Bloom, Carson, Dooley, Duncan, Hendrie, Johnson, Miles, Schmidt, Stephens, Sutton and Wolfe—11.

The nays were:

Senators Barrett, Bayless, Bolter, Carr, Chambers, Chesebro, Chubb, Clark, Donnan, Doud, Earle, Gault, Glass, Henderson, Hutchison, McDonough, Robinson, Ryder, Scott, Sweney, Weber and Whaley—23.

Absent or not voting:

Senators Burdick, Caldwell, Casey, Cassatt, Deal, Dodge, Gatch, Knight, McCoy, Parrott, Poyneer, Reiniger, Underwood, Whiting, Wilkin, Woolson and Young—23.

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 has passed substitute for Senate File No. 362, relating to the number of Senators in the General Assembly, apportioning them among the several counties, without amendment.

Also, substitute for Senate File No. 164, relating to the inspection of illuminating oil, without amendment.

J. K. POWERS, *Chief Clerk.*

RESOLUTIONS.

Senator Gatch presented the following concurrent resolution:

WHEREAS, An act has passed both branches of this General Assembly, making an appropriation of four thousand dollars, to be expended in the purchase of eighty acres of land, adjoining the land on which the girls' industrial school at Mitchellville, Iowa, is located; therefore,

Be it resolved by the Senate of Iowa, the House of Representatives concurring, That in the event of said act becoming a law, the Hon. Thomas Mitchell, of said Mitchellville, be and he is hereby authorized and empowered to purchase for, and in the name of the State, said eighty acres of land, at a cost, all expenses included, not exceeding four thousand dollars.

Adopted.

Senator Johnson offered the following resolution:

WHEREAS, On the 5th day of March last a certain resolution was referred to the Committee on Printing, upon which they have not had sufficient time to report; therefore,

Be it resolved, That they have further time.

Senator Young moved that it be referred to sifting committee.

Lost.

The question recurring on the resolution it was adopted.

Senator Carson offered the following resolution:

WHEREAS, George Bennett was committed to the Penitentiary at Fort Madison on the 16th day of April, 1881, and confined until April 22, 1882; and,

WHEREAS, The said George Bennett was innocent of the offense charged and was convicted upon mistaken identity; and,

WHEREAS, The real offender has been apprehended, and a full and unconditional pardon was granted to said George Bennett; and,

WHEREAS, Said George Bennett earned while so confined the full sum of \$158.50, and the State has received said sum for the services of said Bennett; therefore,

Be it resolved by the Senate, the House concurring, That the Warden of the Fort Madison Penitentiary be and he is hereby directed to pay to said George Bennett the sum of one hundred and fifty-eight and 50/100 dollars out of any funds coming into his hands for convict labor, and take his voucher therefor, which disbursement and voucher shall be audited and allowed as other accounts of disbursements and receipts had with said Warden of said Fort Madison Penitentiary.

Adopted.

House File No. 38, a bill for an act to amend chapter 11, title 24 of the Code, relating to contagious diseases in domestic animals, with report of committee recommending that it do pass, was taken up and considered.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bloom, Bolter, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Donnan, Doud, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, Johnson, McDonough, Parrott, Poyneer, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Whaley, Whiting, Wolfe and Young—36.

The nays were, none.

Absent or not voting:

Senators Bayless, Burdick, Cassatt, Deal, Dodge, Dooley, Duncan, Knight, McCoy, Miles, Reiniger, Weber, Wilkin and Woolson—14.

So the bill passed and the title was agreed to.

Senator Donnan, from the Sifting Committee submitted the following report:

MR. PRESIDENT—Your Sifting Committee to whom was referred bills pending in the Senate, have instructed me to report back to the Senate in accordance with its order, Senate File No. 359, calendar No. 204.

W. G. DONNAN, *Chairman*.

Adopted.

Concurrent resolution concerning indemnity for settlers on Des Moines river lands, with report of committee recommending that it do pass, was taken up, considered, and the report of the committee was adopted.

House File No. 86, a bill for an act to amend section 457 of the

Code of 1878, relating to regulations against fires, with report of committee recommending a substitute and when adopted do pass, was taken up, considered, and the report of the committee was adopted.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bloom, Bolter, Caldwell, Casey, Chesebro, Chubb, Clark, Dodge, Donnan, Doud, Gatch, Gault, Glass, Henderson, Hutchison, McCoy, McDonough, Miles, Parrott, Reiniger, Robinson, Scott, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin and Young—30.

The nays were, none.

Absent or not voting:

Senators Bayless, Burdick, Carr, Carson, Cassatt, Chambers, Deal, Dooley, Duncan, Earle, Hendrie, Johnson, Knight, Poyneer, Ryder, Schmidt, Stephens, Sutton, Wolfe and Woolson—20.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Donnan from the Sifting Committee submitted the following report:

MR. PRESIDENT—Your Special Committee, to whom was referred bills pending before the Senate, beg leave to report that they have had the same under consideration, and have instructed me to report the following back to the Senate with the recommendation that they be considered in the order set forth:

Senate File No. 264, calender No. 70.

Senate File No. 196, calender No. 145.

Senate File No. 280, calender No. 154.

W. G. DONNAN, *Chairman.*

Adopted.

Senator Parrott, from the Committee on Printing, submitted the following report:

MR. PRESIDENT—Your Committee on Printing, to whom was referred a resolution relative to State Printer, beg leave to report that they have had the same under consideration, and herewith submit a communication from the State Printer relative to the matter.

MATT PARROTT, *Chairman.*

Ordered referred to Sifting Committee.

On motion of Senator Johnson, substitute for Senate File No. 359, a bill for an act to provide for the assessment of mortgages or mortgaged property, and to prevent double assessment, with report of committee recommending a substitute and that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Duncan 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, Caldwell, Carson, Casey, Cassatt, Chambers, Chesebro, Chubb, Clark, Dodge, Dooley, Duncan, Earle, Gatch, Gault, Hendrie, Johnson, McDonough, Reiniger, Ryder, Scott, Stephens, Sutton, Sweny, Weber, Whiting, Wolfe and Young—30.

The nays were:

Senators Deal, Donnan, Doud, Henderson and Schmidt—5.

Absent or not voting:

Senators Bolter, Burdick, Carr, Glass, Hutchison, Knight, McCoy, Miles, Parrott, Poyneer, Robinson, Underwood, Whaley, Wilkin and Woolson—15.

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:

Senate File No. 277, without amendment, a bill for an act to amend section 4738 of the Code, relating to the labor of prisoners under the supervision of sheriffs and placing the same under the direction and regulation of county board of supervisors.

Also:

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

Senate Files Nos. 379, 268, 186, 374 and 187.

House Files Nos. 452, 557, 185, 96, 518, 613, 692, 243, 643 and 651.

J. K. POWERS, *Chief Clerk.*

The hour having arrived for the consideration of the concurrent resolution relative to the final adjournment of the Senate and House of Representatives.

The question being to reconsider the vote by which the resolution was adopted.

Lost.

Senate File No. 264, a bill for an act limiting the time of making claims and bringing suit against municipal corporations, with report of committee recommending that the bill do pass, was taken up and considered.

Senator Wolfe moved to strike out the words "thirty days," in last part of section 1, and insert "ninety days."

Adopted.

Senator Wolfe 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, Caldwell, Carr, Carson, Casey, Chambers, Chesebro, Chubb, Clark, Donnan, Dooley, Doud, Gatch,

Glass, Henderson, Hendrie, Hutchison, McDonough, Miles, Parrott, Poyneer, Schmidt, Scott, Sweney, Weber, Wolfe and Young—29.

The nays were:

Senators Bolter, Gault, Robinson, Ryder, Stephens, Whaley and Whiting—7.

Absent or not voting:

Senators Burdick, Cassatt, Deal, Dodge, Duncan, Earle, Johnson, Knight, McCoy, Reiniger, Sutton, Underwood, Wilkin and Woolson—14.

So the bill passed and the title was agreed to.

Senate File No. 196, a bill for an act to compel insurance companies to insert in the application for insurance the conditions of the policy, and to deliver to the assured a copy of the application at the time of making the same, with report of committee recommending amendment and when adopted that it do pass, was taken up, considered, and the report of the committee was adopted.

Senator Weber 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, Bolter, Carr, Carson, Casey, Clark, Dodge, Dooley, Doud, Duncan, Gault, Glass, Hendrie, Hutchison, McDonough, Parrott, Poyneer, Reiniger, Ryder, Scott, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wolfe and Young—29.

The nay was:

Senator Henderson—1.

Absent or not voting:

Senators Bloom, Burdick, Caldwell, Cassatt, Chambers, Chesebro, Chubb, Deal, Donnan, Earle, Gatch, Johnson, Knight, McCoy, Miles, Robinson, Schmidt, Stephens, Wilkin and Woolson—20.

So the bill passed and the title was agreed to.

Senator Deal, 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. 379, a bill for an act supplementary to chapter 162 of the acts of the Seventeenth General Assembly, entitled "an act to authorize cities of the first class, containing according to any legally authorized census or enumeration, a population of over thirty thousand, to provide for the construction of sewers, additional to Code, chapter 10, title 4, concerning cities and incorporated towns."

Senate File No. 268, a bill for an act to amend sections 3755, 3756, 3757, 3758, and 3760, of the Code, and section two (2), of chapter 117, laws of the Nineteenth General Assembly, relating to salaries of the Deputy State officers, and Governor's Private Secretary, and clerks in State offices.

Senate File No. 186, a bill for an act making appropriations for the penitentiary at Fort Madison.

Senate File No. 374, a bill for an act to provide for the appoint-

ment and compensation of a custodian of public buildings and property, and prescribing his duties.

Senate File No. 187, 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.

JNO. K. DEAL, *Chairman.*

REPORT OF COMMITTEE.

MR. PRESIDENT—The Committee of Conference, to whom was referred the matter of disagreement between the Senate and House, upon the House amendment to Senate File No. 188, beg leave to report that we have had the same under consideration and unite in the recommendation that the Senate concur in said amendment.

S. M. WEAVER,

G. L. DOBSON,

On the part of the House.

P. M. SUTTON,

M. UNDERWOOD,

On the part of the Senate.

MINORITY REPORT.

MR. PRESIDENT—The minority of your committee report that they do not concur in said amendment.

W. W. DODGE,

Minority Committee.

On the question, shall the Senate concur in the majority report of the Committee of Conference.

The yeas were:

Senators Caldwell, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, Miles, Parrott, Poyneer, Reiniger, Robinson, Scott, Stephens, Sutton, Underwood, Weber, Wilkin, Woolson and Young—26.

The nays were:

Senators Bayless, Bloom, Bolter, Chesebro, Dodge, Dooley, Earle, Henderson, Hendrie, McDonough, Ryder, Sweney, Whiting and Wolfe—14.

Absent or not voting:

Senators Barrett, Burdick, Carr, Casey, Cassatt, Gault, Johnson, Knight, Schmidt and Whaley—10.

So the majority report of the Conference Committee was adopted.

Senator Stephens moved that the House be requested to return to the Senate Senate File No. 359.

Senator Duncan moved to lay the motion on the table.

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Dodge, Duncan, Earle, Glass, Hendrie, McDonough, Sutton, Sweney and Wolfe—10.

The nays were:

Senators Bolter, Caldwell, Chesebro, Chubb, Clark, Deal, Donnan,

Doud, Henderson, Hutchison, Miles, Parrott, Poyneer, Robinson, Stephens, Underwood, Weber, Whaley, Whiting and Young—20.

Absent or not voting:

Senators Barrett, Bloom, Burdick, Carr, Carson, Casey, Cassatt, Chambers, Dooley, Gatch, Gault, Johnson, Knight, McCoy, Reiniger, Ryder, Schmidt, Scott, Wilkin and Woolson—20.

So the motion to lay on the table was lost.

The question recurring upon the motion by Senator Stephens requesting the House to return the bill, the yeas and nays were demanded.

The yeas were:

Senators Bolter, Caldwell, Carson, Chesebro, Chubb, Deal, Donnan, Doud, Henderson, Hutchison, Miles, Parrott, Poyneer, Robinson, Ryder, Scott, Stephens, Underwood, Weber, Whaley and Young—21.

The nays were:

Senators Bayless, Bloom, Dooley, Duncan, Earle, Glass, Hendrie, McDonough and Whiting—9.

Absent or not voting:

Senators Barrett, Burdick, Carr, Casey, Cassatt, Chambers, Clark, Dodge, Gatch, Gault, Johnson, Knight, McCoy, Reiniger, Schmidt, Sutton, Sweney, Wilkin, Wolfe and Woolson—20.

So the motion prevailed and the secretary instructed to request the House to return Senate File No. 359.

REPORT OF COMMITTEE.

Senator Donnan from the Sifting Committee submitted the following report:

MR. PRESIDENT—Your Sifting Committee, to whom was referred House Joint Resolution No. 27, beg leave to report 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 considered next after those heretofore reported.

W. G. DONNAN, *Chairman*.

The Committee on Elections submitted the following report of their proceedings and findings in the Case-Reiniger contested election, also resolutions relative to the incumbent.

REPORT OF COMMITTEE ON ELECTIONS.

In the matter of the contest from the Forty-Fourth Senatorial District of Iowa, consisting of Floyd and Chickasaw counties, in the Twenty-First General Assembly.

A. G. CASE, Contestant,
 vs.
 R. G. REINIGER, Incumbent. }

To the Honorable Senate of the Twenty-First General Assembly of Iowa:

Your Committee on Elections to whom was referred the matter of the contest from the Forty-Fourth Senatorial District beg leave to report that your committee met upon January 15, 1886, and entered upon the duties connected with this contest. The parties and their counsel appeared before the committee. The committee entered its orders, prescribing the times within which the testimony in behalf of either party should be completed. Their orders, on applications subsequently presented to the committee, were modified at different times, and the testimony finally ordered closed by March 16, and abstracts of testimony to be prepared and printed by March 21.

By order of the committee and to facilitate the consideration of the testimony the parties were ordered to prepare briefs, with statement of voters conceded illegal by either side, and with list of illegal voters yet claimed by either party.

Your committee desires here to acknowledge the valuable assistance afforded by the counsel of both parties in their earnest and faithful efforts to abridge the labor of the committee, and to facilitate the determination of the case.

Owing to the large amount of testimony taken, the depositions submitted to the committee covering about six thousand pages of legal cap paper, and to the diversity of circumstances surrounding the cases of the various persons claimed to be illegal voters, your committee finds it impracticable to present a classified report.

But where the committee was unable from the abstracts of testimony submitted to determine the legal status of the persons voting, whether from statements in the abstract inconsistent with those contained in the other or from any other cause, your committee has had recourse to the original depositions, and has arrived at its determination from that source.

This inability to classify the voters to any considerable extent has imposed on your committee a large amount of labor, as the committee has been compelled in almost every instance to examine and separately determine the status of each alleged illegal voter by himself, and very frequently, as above suggested, after recourse was had to the pages of the original testimony.

In addition to the claim of illegal votes cast, the contestant claimed that the local canvass was incorrect, and that there were in fact eighteen more votes cast for contestant than were reported in such canvass. The official canvass declared the incumbent to have been elected by five majority, as both parties conceded to the committee.

If the claim of contestant with reference to his alleged incorrect count was correct, the actual result on the face of the votes cast would give to contestant a majority of thirteen votes over incumbent.

Your committee deemed it proper, before entering upon the question of this alleged incorrect count or local canvass, to determine the question of illegal votes cast. Since the determination of this latter point might make wholly unnecessary for consideration the question of alleged incorrect count. For if the canvass by your committee should determine that there had been illegal votes cast for contestant in excess of the illegal votes cast for incumbent sufficient to overcome this alleged majority for contestant of thirteen, then the result would not be changed, even had this alleged incorrect count actually existed.

The majority of your committee presents the following summary as embodying the result of the examinations made, as being its report on such facts:

Illegal votes conceded by contestant to have been cast for him	29
Illegal votes found by your committee to have been proven as cast for contestant.....	105
	<hr/>
Total illegal votes cast for incumbent.....	134
Illegal votes conceded by incumbent to have been cast for him	58
Illegal votes found to have been proven as cast for incumbent.....	29
	<hr/>
Total illegal votes cast for incumbent.....	87

Leaving an excess of illegal votes cast for contestant over illegal votes cast for incumbent of 47.

As this excess overcomes the alleged incorrect count in local canvass claimed by contestant, your committee has not deemed it necessary to enter upon an investigation of such alleged incorrect canvass.

The majority of your committee therefore recommend the adoption of the following resolution, viz:

Resolved, That Robert G. Reiniger, the sitting member from the Forty-Fourth Senatorial District is hereby declared entitled to the seat now held by him as Senator from said district.

All of which is most respectfully submitted.

JNO. S. WOOLSON,
 BEN. MCCOY,
 C. H. GATCH,
 ELI WILKIN.

Committee.

Senator Woolson moved that the report pass on file, and that Senator Johnson have permission to take possession of the same in order to assist him in drawing a minority report.

Adopted.

Senator Woolson moved that the minority report be submitted by 10 o'clock A. M. to-morrow.

Senator Donnan moved to amend by striking out "10" and inserting "9:15."

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

Senator Caldwell moved that the Senate adjourn until 9 A. M. tomorrow.

Carried.

SENATE CHAMBER,
DES MOINES, IOWA, April 10, 1886. }

The Senate met in regular session at 9 A. M.

The President of the Senate in the chair.

Prayer by Rev. Sam'l B. Barnitz.

The hour having arrived for the consideration of the special order, it being the report of the Committee on Elections concerning the contested election, it was taken up.

Senator Donnan moved that it be postponed for fifteen minutes.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 641, a bill for an act to legalize the action of the board of supervisors of Montgomery county in transferring certain real estate, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

Referred to the Sifting Committee.

G. S. ROBINSON, *Chairman.*

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 657, a bill for an act to legalize acknowledgements by county auditors and deputy county auditors in 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.

G. S. ROBINSON, *Chairman.*

Referred to Sifting Committee.

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:

Substitute Senate File No. 343, (without amendment,) a bill for an act to locate the State Fish Hatching House at Spirit Lake, and to sell the property heretofore used for a fish hatchery in Jones county, Iowa.

Also I herewith return to the Senate, Senate File No. 359, as requested.

J. K. POWERS, *Chief Clerk.*

INTRODUCTION OF BILLS.

By Senator Gatch, Senate File No. 416, a bill for an act to legalize the action of the board of supervisors of Polk county, Iowa.

Read a first and second time.

Senator Gatch 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, Bolter, Caldwell, Carr, Carson, Casey, Chesebro, Chubb, Clark, Donnan, Duncan, Earle, Gatch, Gault, Henderson, Hendrie, McDonough, Parrott, Reiniger, Ryder, Schmidt, Stephens, Sweney, Underwood, Weber, Whaley, Whiting, Wolfe and Young—30.

The nays were, none.

Absent or not voting :

Senators Bloom, Burdick, Cassatt, Chambers, Deal, Dodge, Dooley, Doud, Glass, Hutchison, Johnson, Knight, McCoy, Miles, Poyneer, Robinson, Scott, Sutton, Wilkin and Woolson—20.

So the bill passed and the title was agreed to.

SPECIAL ORDER.

The hour having arrived for the consideration of the special order, it being the report of the Election Committee on the contested election case, it was taken up.

Senator Caldwell moved that the time be postponed for fifteen minutes.

Adopted.

INTRODUCTION OF BILLS.

By Senator Miles, Senate File No. 417, a bill for an act authorizing and providing for fixing the times of holding the terms of the district court in certain cases.

Read a first and second time.

Senator Miles moved that the bill be referred to a special committee of three.

Adopted.

The chair appointed Senators Miles, Hutchison and Carson as such committee.

On motion the Senate took up bills from Sifting Committee.

Substitute for Senate File No. 152, a bill for an act to amend chapter 161, laws of the Eighteenth General Assembly, relating to the election of township officers, with report of committee recommending amendments and that it do pass, was taken up, considered and the report of the committee was adopted.

On motion the consideration of the bill was postponed for a short time.

REPORT OF COMMITTEE.

Senator Donnan from the Sifting Committee submitted the following report:

MR. PRESIDENT—Your special committee to whom was referred bills pending before the Senate, beg leave to report that they have had the same under consideration and have instructed me to report the following bill back to the Senate with the recommendation that it be considered immediately:

House File No. 657.

W. G. DONNAN, *Chairman.*

Adopted.

House File No. 657, a bill for an act to legalize acknowledgments by county auditors and deputy county auditors in Fayette county, with report of committee recommending that it do pass, was taken up and considered.

Senator Donnan 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 Barrett, Bayless, Bloom, Caldwell, Carr, Carson, Casey, Chambers, Chubb, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, McDonough, Miles, Poynner, Reiniger, Robinson, Ryder, Scott, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—35.

The nays were, none.

Absent or not voting:

Senators Bolter, Burdiok, Cassatt, Chesebro, Clark, Deal, Johnson, Knight, McCoy, Parrott, Schmidt, Stephens, Sutton, Sweney and Underwood—15.

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

Relative to final adjournment.

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

House Files Nos. 307, 88, 602, 549.

J. K. POWERS, *Chief Clerk.*

The hour having arrived for the consideration of the special order, it being the report of the Election Committee on the contested election case, it was taken up, and Senator Johnson submitted the following minority report and resolutions:

In the matter of the contest from the forty-fourth senatorial district of Iowa, consisting of Floyd and Chickasaw counties, in the 21st General Assembly. A. G. Case, contestant, *vs.* R. G. Reiniger, incumbent.

REPORT OF MINORITY.

MR. PRESIDENT—The undersigned presents the following as a minority report in the foregoing entitled contest.

First. The minority member signing this report desires to state that he has not attended regularly the meetings of the committee, for the reason that it became apparent to him shortly after the organization of the committee that the majority were disposed to investigate questions arising in the contest from purely a party stand-point, as evidenced by the fact that the committee on the 15th day of January made an order requiring incumbent to close his testimony on the 20th day of February, 1886; that on the 18th day of February incumbent appeared before the committee, asking further time for taking testimony, and the committee, against the remonstrance of contestant and this minority, extended time to incumbent to March 2, 1886.

That on February 27th, incumbent again made application to the committee for further time for taking testimony, which was granted him, extending his time to March 6, 1886, which extension was granted against the remonstrance and protest of your minority and contestant.

At each of said applications contestant asked that in the event of further time being given to incumbent that he, contestant, have additional time to put in testimony, which in each instance was refused.

That on February 28th, after these extensions had been granted to incumbent, contestant appeared before the committee and asked five days additional time to take testimony, which request was refused.

Each of the foregoing questions was decided by a strict party vote since which time your minority has made his investigation of the law and facts involved in the case independent from the committee.

The minority desires here to bring to the attention of the Senate the well known and universally established parliamentary rule, that a committee on contested elections has no power whatever to grant extensions of time for the taking of testimony, that power being one which can be exercised only by the representative body from which the committee is raised, and no precedent can be found in the annals of a legislative body in which a committee has attempted to exercise such power.

Your attention is further called to the fact that there is no case either in State or National bodies in which the body itself has granted an extension to the sitting member.

The unwarranted extensions of time granted to the incumbent and the unnecessary delay practiced by the committee in bringing the case to a hearing has resulted:

1. In a hasty and superficial examination of the evidence by the committee and precluded the Senate from any investigation whatever.

2. In giving the incumbent an undue advantage in the amount of

testimony introduced. Conduct resulting in such consequence, can have but one explanation, viz: the necessity of a Republican vote for United States Senator in the Twenty-second General Assembly.

A brief reference to the facts will show how utterly unfounded the conclusions expressed by the majority are.

First. It is conceded in the report, and if it were not so conceded the evidence conclusively establishes it, that of the votes actually cast in the senatorial district, the contestant had a majority of thirteen, so that in justice he should have received the certificate of election and should have been the sitting member upon the returns themselves.

The majority of the committee finds that forty-seven more illegal votes have been shown to have been cast for contestant than for incumbent, deducting the majority at the polls for contestant as shown and the result is a majority of thirty-four upon the entire canvass for the incumbent.

It is most remarkable that in a disputed list of illegal votes numbering one hundred and nineteen, claimed by the incumbent to have been cast for contestant, the majority of the committee has found one hundred and five in favor of the incumbent.

Substantially each of these alleged illegal votes presented a distinct controversy, and the affirmation of incumbent's position and contention in one hundred and five out of one hundred and nineteen cases affords an instance of success not frequently seen. It rarely occurs that the zeal of counsel so exactly correspond with the calm and impartial opinion of the judge.

The instance is rendered still more striking when it is considered that from a disputed list of illegal votes, plain to have been cast for incumbent, numbering fifty-seven, the majority of the committee have found but twenty-nine. The disparity of judgment shown to exist between incumbent and his counsel and contestant and his counsel is painful to the last degree.

A partial analysis of the methods by which the majority of the committee was able to find one hundred and five illegal votes in the list above mentioned will not be uninteresting.

Fifteen of the voters for contestant found to be illegal, were naturalized by the county court of Iowa, a court which was in existence for more than eighteen years and which during that time naturalized more than ten thousand persons, who for twenty-five years have voted unchallenged in every county in the State.

The National House of Representatives has expressly decided that such court had jurisdiction to induct aliens to citizenship. Similar courts throughout the United States have been repeatedly declared competent to naturalize. No reason has been or can be urged against its jurisdiction for that purpose and yet overriding express adjudications analogous decisions and the highest public policy the majority of the committee has submitted a report which not only defeats the contestant but disfranchises not less than five thousand of our best citizens.

Two of the alleged illegal voters were naturalized by the Probate Court of Ohio, a court which by the tribunal of that State has explicitly been held competent to naturalize aliens.

Thirty of the alleged illegal voters swear positively that they do not know for whom they voted, and there is absolutely no evidence whatever to show that fact, and yet they have all been counted against the contestant.

Six of such alleged illegal voters are affirmatively and conclusively shown to have voted for the incumbent.

Three of such alleged illegal voters had in their possession and exhibited their full and complete naturalization papers, and the only evidence against them was a certificate from a clerk that no record thereof could be found.

Nine of such alleged illegal voters swore positively that they had received full naturalization papers in other States, and the only evidence against them was a certificate from a clerk that he could find no record thereof, but in no single instance were certificates from all the courts of the county competent to naturalize produced, so that such negative certificates were absolutely worthless as evidence.

Twenty-one of such alleged illegal voters show positively that their fathers were naturalized before they attained majority, which made them legal voters, and no evidence to the contrary except the negative certificates from one court in counties and cities where they were from two to five courts competent to naturalize.

Nine of such alleged illegal voters are claimed to have been non-residents of the township in which they voted, and in all instances it is shown beyond controversy that their homes and families remained in such township, and that their absence was only temporary but very limited.

It would be fruitless to pursue the inquiry further. When it is remembered that if thirty-four of the voters referred to were legal voters the assumed majority of the incumbent disappears, the right and justice of the controversy must be evidence to any unprejudiced mind. In conclusion, the minority submits that of the list of one hundred and nineteen illegal voters claimed by incumbent, not more than twenty are shown to be illegal and to have voted for contestant, and therefore he has a fair majority of the legal votes cast in said senatorial district of fifty-one.

The minority of your committee therefore recommend the adoption of the following resolution, viz.:

Resolved, That A. G. Case, the contesting member from the Forty-fourth senatorial district, is hereby declared entitled to the seat as Senator from said district now wrongfully held by R. G. Reiniger, the incumbent.

G. L. JOHNSON,
of Senate Committee on Elections.

Senator Bolter moved that the minority report be adopted.

On this the yeas and nays were demanded.

The yeas were:

Senators Bolter, Carr, Cassatt, Chesebro, Dodge, Dooley, Earle, Gault, Hendrie, Johnson, Ryder, Schmidt, Whiting and Wolfe—14.

The nays were:

Senators Barrett, Caldwell, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDon

ough, Miles, Parrott, Poyneer, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—29.

Absent or not voting:

Senators Bayless, Bloom, Burdick, Casey, Henderson, Reiniger and Knight—7.

So the minority report was not adopted.

Senator Woolson moved the adoption of the majority report of the Committee on Elections in the matter of the contest from the forty-fourth senatorial district.

The yeas were:

Senators Barrett, Caldwell, Carson, Chambers, Chubb, Clark, Deal, Donnan, Doud, Duncan, Gatch, Glass, Hutchison, McCoy, McDonough, Miles, Poyneer, Robinson, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wilkin, Woolson and Young—28.

The nays were:

Senators Bloom, Bolter, Carr, Cassatt, Chesebro, Dodge, Dooley, Earle, Gault, Hendrie, Johnson, Ryder, Schmidt, Whiting and Wolfe—15.

Absent or not voting:

Senators Bayless, Burdick, Casey, Henderson, Knight, Parrott and Reiniger—7.

So the majority report was agreed to.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 678, a bill for an act to legalize certain records in the office of the Secretary of State, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 545, a bill for an act to legalize the acts of the board of supervisors of Sioux county, in the establishment of 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.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 484, a bill for an act to legalize the incorporation of the town of Paullina, its ordinances, and the acts of its officers thereunder, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Senator Donnan, from the Sifting Committee, submitted the following report:

MR. PRESIDENT—Your Special Committee, to whom was referred bills pending before the Senate, beg leave to report that they have had the same under consideration and have instructed me to report the following bills back to the Senate with the recommendation that they be considered:

House File No. 127, calendar No. 180.

House File No. 194, calendar No. 72.

W. G. DONNAN, *Chairman.*

Adopted.

House File No. 127, a bill for an act requiring railroads to fence their roads, with report of committee recommending that it do pass, was taken up and considered.

Senator Sweney moved to strike words "sixty days" and insert "ninety days" in lieu thereof.

Adopted.

Senator Scott moved to amend by striking word "double" from the bill.

Lost.

Senator Robinson moved to amend to add to section 2: "And provided further that nothing in this act contained shall be construed to require the building of the fence within the years after the railroad shall have been operated along the line of the proposed fence."

On the question, shall the motion prevail.

The yeas were:

Senators Bloom, Bolter, Caldwell, Carr, Carson, Clark, Dodge, Doud, Duncan, Henderson, Hendrie, Hutchison, Johnson, McCoy, McDonough, Miles, Reiniger, Robinson, Ryder, Scott, Sutton, Underwood, Weber, Wilkin and Woolson—25.

The nays were:

Senators Bayless, Chesebro, Chubb, Dooley, Stephens and Wolfe—6.

Absent or not voting :

Senators Barrett, Burdick, Casey, Cassatt, Chambers, Deal, Donnan, Earle, Gatch, Gault, Glass, Knight, Parrott, Poyneer, Schmidt, Sweney, Whaley, Whiting and Young—19.

So the motion was agreed to.

Senator Bolter offered the following amendment:

"*Provided* further that the land of such owner be occupied by him or his agent and is enclosed with a lawful fence."

Carried.

On motion of Senator Bayless the rule was suspended and the bill was read a third time.

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Carr, Chambers, Chesebro, Chubb, Dodge, Dooley, Doud, Duncan, Hendrie, Hutchison, McCoy, Poyneer, Reiniger, Robinson, Scott, Stephens, Underwood, Weber, Whiting and Woolson—21.

The nays were:

Senator Bolter, Carson, Deal, Henderson, McDonough, Miles, Sutton and Young—8.

Absent or not voting:

Senators Barrett, Bloom, Burdick, Caldwell, Casey, Cassatt, Clark, Donnan, Earle, Gatch, Gault, Glass, Johnson, Knight, Parrott, Ryder, Schmidt, Whaley, Wilkin Wolfe and Sweney—21.

So the rule was suspended and the bill was read a third time.

On the question, shall the bill pass.

The yeas were:

Senators Bayless, Caldwell, Carr, Chambers, Chesebro, Chubb, Dodge, Dooley, Doud, Duncan, Gatch, Hutchison, McCoy, Miles, Reiniger, Stephens, Sweney, Underwood, Weber, Wilkin, Wolfe, Woolson and Young—23.

The nays were:

Senator Bolter, Carson, Deal, Johnson, McDonough, Parrott, Schmidt and Sutton—8.

Absent or not voting:

Senators Barrett, Bloom, Burdick, Casey, Cassatt, Clark, Donnan, Earle, Gault, Glass, Henderson, Hendrie, Knight, Poyneer, Robinson, Ryder, Scott, Whaley and Whiting—19.

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 Senate File No. 328, to legalize the contracts and acts of the board of supervisors of Marion, Iowa, in relation to preservation of Government corners, without amendment.

Also the House recedes from the amendment to Senate File No. 288, and I herewith return the same.

Also the House has passed without amendment Senate File No. 406, relating to cities of first class.

J. K. POWERS, *Chief Clerk.*

Senator Duncan moved to take up Senate File No. 359, was taken up.

The question being upon the motion of Senator Stephens to reconsider the vote by which the bill passed the Senate.

On this the yeas and nays were demanded.

The yeas were:

Senators Bayless, Bloom, Carr, Cassatt, Chesebro, Chubb, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Gatch, Hutchison, McDonough, Miles, Reiniger, Robinson, Schmidt, Scott, Stephens, Underwood, Weber, Wilkin, Woolson and Young—26.

The nays were:

Senators Bolter, Carson, Henderson and Wolfe—4.

Absent or not voting:

Senators Barrett, Burdick, Caldwell, Casey, Chambers, Clark, Earle, Gault, Glass, Hendrie, Johnson, Knight, McCoy, Parrott, Poyneer, Ryder, Sutton, Sweney, Whaley and Whiting—20.

So the vote by which the bill was passed was reconsidered.

Senator Stephens moved to reconsider the vote by which Senate File No. 359 was ordered engrossed.

On this the yeas and nays were demanded.

The yeas were:

Senators Bolter, Carson, Casey, Chesebro, Chubb, Deal, Dodge, Donnan, Dooley, Doud, Miles, Robinson, Schmidt, Scott, Stephens, Weber and Whaley—17.

The nays were:

Senators Bayless, Bloom, Duncan, Gatch, Henderson, Hendrie, Whiting, Wolfe and Young—9.

Absent or not voting:

Senators Barrett, Burdick, Caldwell, Carr, Cassatt, Chambers, Clark, Earle, Gault, Glass, Hutchison, Johnson, Knight, McCoy, McDonough, Parrott, Poyneer, Reiniger, Ryder, Sutton, Sweney, Underwood, Wilkin and Woolson—24.

So the motion was agreed to.

Senator Bayless moved to postpone further consideration of Senate File No. 359, and take up House messages.

Lost.

Senator Stephens offered the following amendment:

Section 2. Any contract hereafter made by which a debtor is obligated to pay tax or assessment which is to be assessed and taxed as real estate, as in this act contemplated, shall as to any interest specified therein and as to such tax or assessment be null and void.

Senator Doud moved to lay the motion on the table.

Carried.

RESOLUTION.

Senator Bloom offered the following resolution:

Resolved, That for faithful service rendered by the Sergeant-at-Arms, the Door keeper and the Pages of the Senate, they are herewith presented and permitted to keep the badges of their respective offices and appointments.

Adopted.

REPORTS OF COMMITTEES.

Senator Wilkin, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your committee on Claims, to whom was referred House File No. 56, a bill and memorial asking for an appropriation to remunerate E. W. Stier for subsistence furnished troops in 1861, beg leave to report that they have 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*.

Referred to Sifting Committee.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate File No. 290, a bill for an act to appropriate money to pay Samuel D. Brodtbeck for services rendered as aid to the Governor and as military instructor at Camp Franklin, Dubuque, Iowa, beg leave to report that they have had the same under consideration, and

have instructed me to report the same back to the Senate without recommendation.

ELI WILKIN, *Chairman*.

Referred to Sifting Committee.

Also:

MR. PRESIDENT—Your Committee on Claims, to whom was referred Senate File No. 225, a bill for an act for the relief of Abraham Shaw, Jr., beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

ELI WILKIN, *Chairman*.

Referred to Sifting Committee.

Senator Deal, 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. 401, a bill for an act to make appropriation to defray expenses incurred by the Military Committee of the Senate, and the Soldiers' Home Committee of the House of Representatives, acting jointly, to investigate the location for the soldiers' home for the State of Iowa.

Senate File No. 208, a bill for an act making appropriations for the State Normal School at Cedar Falls.

Senate File No. 198, a bill for an act to repeal sections 1, 2, 3, 4, 5 and 6 of chapter 21, acts of the Twentieth General Assembly, and enact substitutes therefor providing for mine inspectors, their manner of appointment, compensation, and defining their duties and terms of office.

Senate File No. 251, a bill for an act to repeal section two (2) of chapter 94, acts of the Sixteenth General Assembly, relating to Soldiers' Orphans' Home, and enacting a substitute therefor in relation to admitting children to the Soldiers' Orphans' Home.

JOHN K. DEAL, *Chairman*.

RESOLUTION.

Senator Chubb filed the following:

Resolved, That the vote by which Substitute for House File No. 127 was lost on its final passage, be reconsidered.

Senator Bolter moved to take up House messages.

Carried.

So the Senate took up resolution relative to final adjournment.

Senator Sweney offered the following substitute.

Resolved by the Senate, the House concurring:

That on Saturday, April 10, 1886, the Senate and House shall temporarily adjourn until Wednesday, April 14, 1886, at 2 o'clock P. M., and that at the time of such temporary adjournment all employes of each House excepting the Secretary and First Assistant Secretary, Sergeant-at-Arms, and one door-keeper of the Senate, and the Chief Clerk and one door-keeper of the House, be discharged.

That at 10 o'clock A. M. on Thursday, April 15, 1886, the President of the Senate and Speaker of the House shall each declare their respective Houses adjourned *sine die*.

Senator Donnan moved to amend date of reconvening of Assembly to "Tuesday, April 13," and change date of final adjournment to "Wednesday, April 14, at 12 o'clock M."

Senator McCoy moved that the Senate adjourn until 1:30 P. M.
Adopted.

AFTERNOON SESSION.

1:30 O'CLOCK.

The Senate convened at 1:30 P. M.

Pending consideration of resolution relative to final adjournment, on motion, Senator Hendrie was excused.

Senator Miles offered following concurrent resolution:

Resolved by the Senate, the House concurring, that the President of the Senate and the Speaker of the House shall each declare their respective Houses adjourned *sine die* on Tuesday, April 13, 1886, at 2 o'clock P. M.

Pending which, following reports received:

Senator Wilkin, from the Committee on Claims, submitted the following report:

MR. PRESIDENT—Your Committee on Claims, to whom was referred accompanying concurrent resolution, beg leave to report that they have 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.*

Referred to Sifting Committee.

Senator Donnan, from the Sifting Committee, submitted the following report:

MR. PRESIDENT—Your Sifting Committee, to whom was referred bills pending before the Senate, and have instructed me to report back to the Senate with the recommendation that it be considered immediately after those heretofore reported have been disposed of:
House File No. 56.

W. G. DONNAN, *Chairman.*

Adopted.

The question being on the substitute by Senator Miles, it was adopted.

Senator Doud moved to reconsider vote by which substitute was adopted, and to lay the motion on the table.

Carried.

On motion of Senator Gault, House File No. 56, a bill for an act asking for an appropriation for the payment of \$250 to E. W. Stier of his claim for subsistence furnished the militia of Iowa under the bor-

der defense act of 1862, with report of committee recommending that it do pass, was taken up.

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

On the question, shall the bill pass.

The nays were:

Senators Bayless, Bloom, Carr, Carson, Casey, Chesebro, Clark, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Gatch, Gault, Glass, Henderson, Hendrie, Hutchison, McDonough, Parrott, Poyneer, Ryder, Schmidt, Stephens, Sutton, Sweny, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Young—34.

The nays were:

Senators Barrett and Earle—2.

Absent or not voting:

Senators Bolter, Burdick, Caldwell, Cassatt, Chambers, Chubb, Johnson, Knight, McCoy, Miles, Reiniger, Robinson, Scott and Woolson—14.

So the bill passed and the title was agreed to.

Senator Underwood moved that Page Underwood be excused from further attendance.

Carried.

On motion Senator Hutchison was excused until Monday at 2 P. M.

INTRODUCTION OF BILLS.

By Senator Sutton Senate File No. 418, a bill for an act making an appropriation for the payment of State and judicial officers and other matters.

Read a first and second time.

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 Barrett, Bloom, Bolter, Burdick, Caldwell, Casey, Chesebro, Clark, Dodge, Donnan, Doud, Duncan, Gatch, Glass, Henderson, Johnson, McCoy, McDonough, Poyneer, Robinson, Schmidt, Scott, Stephens, Sutton, Sweny, Underwood, Weber, Whiting, Wilkin and Wolfe—30.

The nays were:

Senators Carr and Cassatt—2.

Absent or not voting:

Senators Bayless, Carson, Chambers, Chubb, Deal, Dooley, Earle, Gault, Hendrie, Hutchison, Knight, Miles, Parrott, Reiniger, Ryder, Whaley, Woolson and Young—18.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

Senator Deal, 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. 216, a bill for an act to amend section 1587 of the Code of 1873, relating to State University.

Senate File No. 164, a bill for an act to amend chapter 185 of the laws of the Twentieth General Assembly, in relation to the inspection of illuminating oils.

Senate File No. 129, a bill for an act to provide for ascertaining the citizens who shall be entitled to vote in all incorporated cities, repeal section 618 of the Code, and to repeal chapter 2, title 5 of the Code.

Senate File No. 329, a bill for an act to reorganize the congressional districts of the State.

Senate File No. 415, a bill for an act to prescribe certain powers and duties of the Governor and Senate sitting as a court in cases of impeachment.

Senate File No. 277, a bill for an act to amend section 4738 of the Code, relating to the labor of prisoners under the supervision of sheriffs, and placing the same under the direction and regulation of county boards of supervisors.

Substitute for Senate Files Nos. 306, 325 and 362, a bill for an act fixing the number of Senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the State into senatorial districts.

Senate File No. 343, a bill for an act to locate the State fish hatching house at Spirit Lake, and to sell the property heretofore used for a fish hatchery in Jones county, to abolish the office of assistant fish commissioner, and to appropriate money for the purposes of this act.

Senate File No. 328, a bill for an act to legalize the contracts and acts of the board of supervisors of Marion county, Iowa, in relation to the preservation of government corners.

Senate File No. 288, a bill for an act providing for the employment and payment of assistant librarian and messengers.

Senate File No. 406, a bill for an act granting powers to cities of the first class organized as such since January 1, 1886, in relation to sewers and the improvement of streets and alleys, and providing for payment thereof, by inserting bonds and levy of a tax. In addition to, and amendment of chapter 162, laws of the Seventeenth General Assembly of Iowa, and chapter 20, laws of the Twentieth General Assembly of Iowa.

And find the same correctly enrolled.

JNO. K. DEAL, *Chairman*.

Senator Donnan, from the Sifting Committee, submitted the following report:

MR. PRESIDENT—Your Sifting Committee, to whom was referred bills pending before the Senate, have instructed me to report the following back to the Senate with the recommendation that it be considered:

Concurrent resolution relative to George Bennett.

Also House Files Nos. 520 and 278, at the request of the Senators in charge of the same.

W. G. DONNAN, *Chairman*.

Adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Senate Files Nos. 164, 216, 277, 329, 343, 415 and substitute for Senate Files Nos. 306, 325 and 362.

House Files Nos. 38, 95 and 691.

J. K. POWERS, *Chief Clerk.*

Senator Deal, 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. 216, a bill for an act to amend section 1587 of the Code of 1873, relating to the State University.

Senate File No. 164, a bill for an act to amend chapter 185 of the laws of the Twentieth General Assembly, in relation to the inspection of illuminating oils.

Senate File No. 129, a bill for an act to provide for ascertaining the citizens who shall be entitled to vote in all incorporated cities, to repeal section 618 of the Code, and to repeal chapter two (2), title five (5), of the Code.

Senate File No. 329, a bill for an act to reorganize the congressional districts of the State.

Senate File No. 415, a bill for an act to prescribe certain powers and duties of the Governor and Senate sitting as a court in cases of impeachment.

Senate File No. 277, a bill for an act to amend section 4738 of the Code, relating to the labor of prisoners under the supervision of sheriffs, and placing the same under the direction and regulation of county boards of supervisors.

Substitute for Senate Files Nos. 306, 325 and 362, a bill for an act fixing the number of Senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each and dividing the State into Senatorial districts.

Senate File No. 343, a bill for an act to locate the State Fish Hatching House at Spirit Lake, and to sell the property heretofore used for a fish hatchery in Jones county; to abolish the office of Assistant Fish Commissioner, and to appropriate money for the purposes of this act.

Senate File No. 328, a bill for an act to legalize the contracts and acts of the board of supervisors of Marion county, Iowa, in relation to the preservation of government corners.

Senate File No. 288, a bill for an act providing for the employment and payment of assistant librarian and messengers.

Senate File No. 406, a bill for an act granting powers to cities of the first-class organized as such since January 1, 1886, in relation to sewers and the improvement of streets and alleys, and providing for payment therefor by issuing bonds and the levy of a tax. In addi-

tion to and amendment of chapter 182, laws of the Seventeenth General Assembly of Iowa, and chapter 20, laws of the Twentieth General Assembly of Iowa.

JNO. K. DEAL, *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 Senate File No. 404, relative to appropriating money to reimburse citizens for money advanced to aid in making an exhibit of the resources of Iowa, at the World's Exposition at New Orleans, Louisiana, 1884 and 1885, without amendment.

Also, The House recedes from the amendment to Senate File No. 260.

J. K. POWERS, *Chief Clerk.*

On motion of Senator McCoy, House File No. 520, a bill for an act to transfer certain territory by independent school district of Porterville, in Marion county to independent district of Pleasant Grove, in Mahaska county, was taken up and considered.

Senator Carson moved that further consideration of this bill be deferred for fifteen minutes.

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 concurred in Senate resolution relative to final adjournment.

J. K. POWERS, *Chief Clerk.*

RESOLUTION.

Senator Bolter presented the following resolution:

Resolved, That all the employes on the part of the Senate be and the same are hereby discharged, except the Secretary of the Senate, the Enrolling Clerks, Clerk of Enrolled Bills, the Sergeant-at-Arms and Post-mistress and one Door-keeper, and that per diem to each and all of said employes so discharged, shall cease after this date, April 10, 1886.

Pending consideration, on motion, Senate adjourned until 2 P. M., Monday, April 12, 1886.

SENATE CHAMBER,
DES MOINES, IOWA, April 12, 1886. }

The Senate met in regular session at 2 o'clock P. M.

The President of the Senate in the chair.

Prayer by Rev. B. St. John.

Journal of previous day read, corrected and approved.

On motion of Senator Bolter Senators Deal and Chambers were excused for the day.

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 this General Assembly, being duly enrolled and signed by the Speaker of the House:

Senate Files Nos. 328, 288, 129 and 406.

J. K. POWERS, *Chief Clerk.*

INTRODUCTION OF BILLS

By Senator Duncan, by request, Senate File No. 419, a bill for an act making a certificate of a mayor of a city or incorporated town, or justice of the peace who certifies to any judgment entered on books or docket of his office when filed in court of record primary evidence, etc.

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

The President of the Senate had the following telegram read by the Secretary:

LINCOLN, NEBRASKA, April 10, 1886.

To HON. J. A. T. HULL—On behalf of the Irish National League of America, I thank you and through you His Excellency Governor Larrabee and the members of the State Legislature for your kindly and generous message of greeting and encouragement to Messrs Parnell and Gladstone and the hopeful prospect of legislative independence for Ireland.

PATRICK EGAN, *President.*

House File No. 273, a bill for an act preventing non-resident aliens acquiring title to real estate in Iowa, and for the acquiring of such property now held by them by the State, with report of committee recommending indefinite postponement, was taken up and considered.

The question being shall the report of the committee be adopted.

The yeas and nays were called.

Senators Barrett, Burdick, Carson, Clark, Doud, Duncan, Gatch, Glass, Henderson, McCoy, McDonough, Poyneer, Reiniger, Robinson, Scott, Stephens, Wilkin and Woolson—18.

The nays were:

Senators Bayless, Bloom, Carr, Casey, Chesebro, Dodge, Donnan, Earle, Gault, Johnson, Ryder, Schmidt, Weber and Whiting—14.

Absent or not voting:

Senators Bolter, Caldwell, Cassatt, Chambers, Chubb, Deal, Dooley, Hendrie, Hutchison, Knight, Miles, Parrott, Sutton, Sweny, Underwood, Whaley, Wolfe and Young—18.

So the report of the committee was adopted.

On motion of Senator McCoy, substitute for House File No. 520, a bill for an act to transfer certain territory by independent district of Potterville in Marion county, to independent school district of Pleasant Grove in Mahaska county, 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.

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bayless, Bloom, Burdick, Carson, Casey, Chesebro, Clark, Donnan, Doud, Earle, Gault, Henderson, Johnson, McCoy, McDonough, Poyneer, Parrott, Reiniger, Robinson, Ryder, Scott, Stephens, Sutton, Weber and Wilkin—26.

The nays were, none.

Absent or not voting:

Senators Bolter, Caldwell, Carr, Cassatt, Chambers, Chubb, Deal, Dodge, Dooley, Duncan, Gatch, Glass, Hendrie, Hutchison, Knight, Miles, Schmidt, Sweny, Underwood, Whaley, Whiting, Wolfe, Woolson and Young—24.

So the bill passed and the title was agreed to.

On motion Senate adjourned to 5 P. M.

5 O'CLOCK P. M.

At 5 P. M. the Senate resumed its sitting.

Senator Schmidt asked leave to have his vote on indefinite postponement of substitute for House File No. 273 recorded as "nay."

Granted.

Senator Parrott, 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. 288, a bill for an act providing for the employment and payment of assistant librarian and messengers.

Senate File No. 328, a bill for an act to legalize the contracts and acts of the board of supervisors of Marion county, Iowa, in relation to the preservation of Government corners.

Senate File No. 129, a bill for an act to provide for ascertaining the citizens who shall be entitled to vote in all incorporated cities, to repeal section 618 of the Code, and to repeal chapter two (2), title five (5) of the Code.

Senate File No. 406, a bill for an act granting powers to cities of the first class, organized as such since January 1, 1886, in relation to sewers and the improvement of streets and alleys, and providing for payment therefor, by issuing bonds and the levy of a tax; in addition to, and amendment of chapter 162, laws of the Seventeenth General Assembly of Iowa, and chapter 20, laws of the Twentieth General Assembly of Iowa.

MATT PARBOTT, *for Committee.*

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 without amendment:

Senate File No. 64, bill for an act to suppress the circulation, advertising and vending of obscene literature and articles of immoral use, and to confiscate such property.

Senate File No. 288, a bill for an act in relation to canned or preserved food.

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

Senate File No. 260.

House Files Nos. 56 and 657.

Also, the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 629, a bill for an act authorizing the Secretary of State to issue patents for University lands in certain cases.

Also, the House has passed Senate File No. 284, in relation to cities and towns, without amendment.

Also, the House has adopted the majority report of the Conference Committee on Senate File No. 188

Also, the House has concurred in the Senate resolution relative to purchasing 80 acres of land for the Girls' Reform School, at Mitchellville.

Also, Senate File No. 384 (without amendment), a bill for an act authorizing cities under special charters to levy a special tax for the maintenance of a paid fire department.

Also, the House has adopted the following resolution:

Requesting the Governor to appoint an Iowa soldier as Superintendent of the Iowa Soldiers' Home, and ask the concurrence of the Senate.

J. K. POWERS, *Chief Clerk.*

RESOLUTIONS.

Senator Gatch offered following concurrent resolution:

Resolved by the Senate, the House concurring, That the Capitol Commissioners are hereby directed to loan to the directors of the Agricultural Society such machinery belonging to the State as may be no longer needed in the prosecution of the work on the new capitol; provided, this shall only include such machinery as may be

needed by the society; and, *provided further*, that the commissioners shall take a receipt therefor, particularly specifying the articles loaned by said society.

Adopted.

Senator Johnson moved to reconsider vote by which resolution was adopted.

Carried.

Senator Johnson moved to amend by adding as follows:

"And, *provided further*, that all loose material on capitol grounds not needed for the capitol shall be turned over to the society."

Adopted.

On motion the resolution as amended was adopted.

Senator Woolson offered following resolution:

Resolved, That the Secretary of the Senate is hereby directed to deposit with the Secretary of State for safe keeping, the testimony, abstracts, etc., filed in the election contest lately pending in the Senate from the Forty-Fourth Senatorial District.

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 bill, without amendment:

Senate File No. 387, relating to improvement of streets and construction of sewers in cities of the first class.

J. K. POWERS, *Chief Clerk*.

On motion of Senator Gault House File No. 629, a bill for an act to authorize the Secretary of State to issue patents to State University lands in certain cases, was read a first and second time.

Senator Gault moved to refer to Committee on Judiciary, with instruction to report as soon as practicable.

Adopted.

REPORTS OF COMMITTEES.

Senator Parrott, 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. 404, a bill for an act to appropriate money to reimburse certain citizens for money advanced in aid of making an exhibit of the resources of Iowa at the World's Exposition at New Orleans, La., 1884 and 1885.

Senate File No. 260, a bill for an act making an appropriation for the Institution for Feeble-Minded Children at Glenwood.

And find the same correctly enrolled.

MATT PARROTT, *for Committee*.

Senator Parrott, 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. 260, a bill for an act making an appropriation for the Institution for Feeble-Minded Children at Glenwood.

MATT PARBOTT, *for Committee.*

On motion of Senator Bayless the Senate took up and considered House concurrent resolution relative to the appointment of an Iowa soldier for Soldiers' Home superintendent.

On motion of Senator Wilkiu the concurrent resolution was laid on the table.

The following message was received from the Governor at the hands of his private secretary:

STATE OF IOWA,
EXECUTIVE DEPARTMENT,
DES MOINES, April 10th, 1886. }

MR. PRESIDENT—I am instructed by the Governor to report that he has approved, signed and deposited in the office of the Secretary of State the following bills:

Senate File No. 47, an act to appropriate funds to furnish buildings, buy lauds and make improvements for the Soldiers' Orphans' Home for Indigent Children at Davenport, Iowa.

Senate File No. 186, an act making appropriations for the penitentiary at Fort Madison.

Senate File No. 187, 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.

Senate File No. 198, an act to repeal sections 1, 2, 3, 4, 5 and 6 of chapter 21, acts of the Twentieth General Assembly, and enact substitutes therefor, providing for mine inspectors, their manner of appointment, compensation, and defining their duties and term of office.

Senate File No. 228, an act to amend section 3756 of the Code, in relation to fees to be charged for filing and recording articles of incorporation.

Senate File No. 268, an act to amend sections 3755, 3756, 3757, 3758, 3760 of the Code, and section two (2) of chapter 117, laws of the Nineteenth General Assembly, relating to salaries of Deputy State officers and Governor's private secretary and clerks in State offices.

Senate File No. 249, an act to amend section 1725 of the Code, fixing the number of pupils for which a room may be rented and a teacher employed.

Senate File No. 353, an act to authorize the deputy clerk of the Supreme Court to administer oaths and take and certify acknowledgements of instruments in writing.

Senate File No. 374, an act to provide for the appointment and compensation of a custodian of public buildings and property and prescribing his duties.

Senate File No. 413, an act to repeal section 3, chapter 58, acts of the Twenty-first General Assembly, and enacting a substitute therefor, relating to the location of the soldiers' home.

Senate File No. 161, an act to amend chapter 185, of the laws of

the 20th General Assembly, in relation to the inspection of illuminating oils.

Senate File No. 277, an act to amend section 4738 of the Code relating to the labor of prisoners under the supervision of sheriffs and placing the same under the direction and regulation of the county board of supervisors.

Senate File No. 329, an act to reorganize the congressional districts of the State.

Senate File No. 343, an act to locate the State Fish Hatching House at Spirit Lake, and to sell the property heretofore used as a Fish Hatchery in Jones county, to abolish the office of assistant fish commissioner and to appropriate money for the purposes of this act.

Senate File No. 415, an act to prescribe certain powers and duties of the Governor and Senate sitting as a court in cases of impeachment.

Substitute Senate Files Nos. 306, 325, 362, an act fixing the number of Senators in the General Assembly, apportioning them among the several counties according to the number of inhabitants in each, and dividing the State into senatorial districts.

FRED'K. W. HOSSFELD, *Private Secretary.*

On motion of Senator Carson concurrent resolution relative to relief of Geo. Bennett, with report of committee recommending it be adopted, was taken up, and considered, and adopted.

RESOLUTION.

Senator Sutton offered the following resolution:

Resolved, That the President of the Senate be, and he is hereby authorized to appoint such a number of pages as, in his judgment, shall be needed during the sessions of the Senate during any court of impeachment.

Senator Sweney moved that the resolution be temporarily laid on the table.

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 Senate File No. 308 (without amendment), a bill for an act to amend section 3770 of the Code of Iowa.

J. K. POWERS, *Chief Clerk.*

RESOLUTION.

Senator Woolson offered the following resolution:

WHEREAS, The contracts now in existence between the State and the parties employing convict labor at the Fort Madison Penitentiary will not expire prior to the regular session of the next General Assembly; and,

WHEREAS, It is important that said General Assembly be placed in possession of all reliable information obtainable with reference to

the policy of continuing or discontinuing such contract system, and as to what, if any, employment or service of said convicts can be utilized for the benefit of the State, in case said discontinuance is ordered, and for the benefit of the persons imprisoned in said penitentiary; therefore,

Resolved, That the Commissioner of the Bureau of Labor Statistics be and he is hereby requested to investigate the subject-matter of said contract labor, and of such contracts as the same exist in this State and in other States and countries—the effect thereof, if any, upon other manufactured products, and the labor employed therein or thereupon, and other labor—as to the discontinuance of said contract system and the effect thereof, and as to the employment of labor of said convicts in other directions or by the State directly, and as to any other matters relating to said subject-matters, or connected therewith, and that said commissioner report such information with any recommendations relating thereto he may deem proper, in his next biennial report.

Adopted.

REPORT OF COMMITTEE.

Senator Donnan, from the Sifting Committee submitted the following report:

MR. PRESIDENT—Your Special Committee to whom was referred bills pending before the Senate have instructed me to report back to the Senate without recommendation:

House File No. 510, calendar No. 242.

W. G. DONNAN, *Chairman*.

Adopted.

RESOLUTION.

Senator Dodge offered following resolution:

Resolved by the Senate, the House concurring, That the State Printer be required to have printed and ready for delivery the usual number of the Journals of the Senate and House of the Twenty-first General Assembly by the first day of September, A. D. 1886.

Senator Young moved reference to Committee on Printing.

On this question the yeas and nays were demanded.

The yeas were:

Senators Burdick, Carson, Donnan, Doud, Duncan, Gatch, Glass, McDonough, Parrott, Poyneer, Reiniger, Robinson, Sutton, Sweney, Wilkin, Woolson and Young—17.

The nays were:

Senators Bayless, Bloom, Carr, Casey, Chesebro, Dodge, Earle, Gault, Henderson, Schmidt, Weber and Whiting—12.

Absent or not voting:

Senators Barrett, Bolter, Caldwell, Cassatt, Chambers, Chubb, Clark, Deal, Dooley, Hendrie, Hutchison, Johnson, Knight, McCoy, Miles, Ryder, Scott, Stephens, Underwood, Whaley and Wolfe—21.

So the resolution was referred.

On motion of Senator Young, the Senate went into executive session at 6 o'clock.

After the adjournment of which the Senate convened and Senator Glass moved that House File No. 465 be referred to Committee on Judiciary.

Adopted.

On motion of Senator Dodge, Senate adjourned until 9 A. M. tomorrow.

SENATE CHAMBER,
DES MOINES, IOWA, April 13, 1886. }

The Senate met in regular session at 9 o'clock A. M.

The President of the Senate in the chair.

Prayer by Rev. Wm. H. Van Antwerp.

The journal of the previous day was read and found correct.

On motion Senator Caldwell was excused.

Senator Parrott, from the Committee on Printing, submitted the following report:

MR. PRESIDENT--Your Committee on Printing to whom was referred resolution in reference to printing the journals of the Twenty-first 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, for the reason that sections 4, 5 and 6, of chapter 159, of the acts of the Sixteenth General Assembly, prescribe the time in which said work shall be completed.

MATT PARROTT, *Chairman.*

Ordered passed on file.

Senator Duncan moved that the Senate take a recess until 10 A. M.

Adopted.

The Senate was called to order again pursuant to adjournment at 10 A. M.

RESOLUTION.

Senator Scott offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That the Secretary of State is hereby directed to remove the stores and supplies of stationery now in the horticultural rooms to the corresponding room on the floor next below, and that said room is hereby assigned for the use of the secretary as a room for such supplies.

Adopted.

Senator Sutton presented the following:

WHEREAS, Our brother, Colonel John Scott, served his country with distinguished ability and bravery in the Mexican war and in the war for the Union, in which service he was repeatedly confined as a prisoner of war, both in Mexico and the south; and,

WHEREAS, He has served all hardships and is still serving his country as bravely now as ever in the past; therefore,

Resolved, That we congratulate him on this his sixty-second birthday.

Adopted.

On motion of Senator Donnan Senate File No. 280, a bill for an act to regulate the operating of railroads on the Sabbath day, or first day of the week, with report of committee recommending that it do pass, was taken up and considered.

Senator Chubb moved to amend as follows: Insert after the words "passenger trains," in the sixth line, section 2, the following: "Or trains carrying live stock or perishable goods."

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 Bardick, Carr, Carson, Chubb, Dodge, Donnan, Dooley, Doud, Duncan, Gatch, Gault, Glass, McCoy, McDonough, Miles, Parrott, Reiniger, Robinson, Scott, Stephens, Sweney, Underwood, Weber, Whaley, Wolfe, Woolson and Young—27.

The nays were:

Senators Johnson and Schmidt—2.

Absent or not voting:

Senators Barrett, Bayless, Bloom, Bolter, Caldwell, Casey, Cassatt, Chambers, Chesebro, Clark, Deal, Earle, Henderson, Hendrie, Hutchison, Knight, Poyneer, Ryder, Sutton, Wilkin and Whiting—21.

So the bill passed and the title was agreed to.

REPORTS OF COMMITTEES.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 419, a bill for an act making the certificate of the mayor of a city or incorporated town, or justice of the peace who certifies to any judgment entered upon the books, or docket, belonging to his office, when filed in a court of record, *prima facie* evidence of such judgment, 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.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 316, a bill for an act to amend section 853 of the Code, relating to tax liens upon real estate as between vendee and purchaser, beg leave to report that they have had 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 object contemplated has been attained through a bill already passed by both Houses.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred Senate File No. 293, a bill for an act to provide for the registration of bonds issued by counties, school districts, and municipal corporations, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate without recommendation.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also :

MR. PRESIDENT—Your Committee on Judiciary to whom was referred Senate File No. 105, a bill for an act to repeal section 4421 of the Code, relative to notice by district attorneys as to witnesses not before the grand jury, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

G. S. ROBINSON, *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 amend section 2117 of the Code, relating to assignments for the benefit of creditors, beg leave to report that they have had the same under consideration and have instructed me to report the same back to the Senate without recommendation.

G. S. ROBINSON, *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 grant the right of suffrage to women at municipal 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 without recommendation.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 629, a bill for an act to authorize the Secretary of State to issue patents to University lands 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 the bill do pass.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary to whom was referred House File No. 465, a bill for an act limiting the time of making claims and levying suit against municipal corporations, beg leave to report that they have had the same under consideration, and have instructed me to report the same back to the Senate with the recommendation that it be amended as follows:

First—By striking out the word “and” in line 8 of section 1, and inserting insted the word “unless.”

Second—Also, by striking from the last line of said section the words, “or such suit shall not be entertained,” and that as so amended the bill do pass.

G. S. ROBINSON, *Chairman*.

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 413, a bill for an act to legalize the incorporation of the town of Guthrie Center, in Guthrie county, 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 be indefinitely postponed.

G. S. ROBINSON, *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 to repeal sections 760 and 763 of the Code, and enact substitutes therefor relating to the supervision of 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 be indefinitely postponed.

G. S. ROBINSON, *Chairman*.

Ordered 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 bills:

Senate File No. 418, with amendments, a bill for an act making appropriations for the payment of State and judicial officers and other matters.

Also, the House has concurred in Senate amendments to House File No. 680.

Also, the House has passed Senate File No. 28, relating to female prisoners, without amendment.

Also, that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 585, appropriating money to aid the Farmers' Protective Association in litigation relating to patents on barb wire.

J. K. POWERS, *Chief Clerk*.

HOUSE MESSAGES.

Senate File No. 418, a bill for an act making appropriations for the payment of State and judicial officers and other matters, with amendments, was taken up and considered.

The question being shall the Senate concur in House amendments, all excepting item relating to Hayes' impeachment.

The yeas were:

Senators Barrett, Bayless, Bloom, Burdick, Carson, Casey, Cassatt, Chesebro, Clark, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, Hendrie, Johnson, McCoy, McDonough, Parrott, Reiniger, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Whiting, Wilkin, Wolfe and Young—38.

The nays were, none.

Absent or not voting:

Senators Bolter, Caldwell, Carr, Chambers, Chubb, Deal, Hutchison, Knight, Miles, Poyneer, Ryder and Woolson—12.

So the amendments to sections 33 and 35 were concurred in.

The question being, shall the Senate concur in House amendments to section 34, so far as related to pay of one John Mahin.

The yeas were, none.

The nays were:

Senators Barrett, Bayless, Bloom, Carr, Carson, Cassatt, Chesebro, Chubb, Deal, Dodge, Donnan, Dooley, Doud, Duncan, Earle, Gatch, Gault, Henderson, Hutchison, McCoy, McDonough, Miles, Parrott, Poyneer, Ryder, Scott, Stephens, Sutton, Underwood, Weber, Whaley, Whiting, Wolfe and Young—34.

Absent or not voting:

Senators Bolter, Burdick, Caldwell, Casey, Clark, Chambers, Glass, Hendrie, Johnson, Knight, Reiniger, Robinson, Schmidt, Sweney, Wilkin and Woolson—16.

So the Senate refused to concur.

On motion of Senator Gault, House File No. 629, a bill for an act to authorize the Secretary of State to issue patents to State University lands in certain cases, with report of committee recommending the bill do pass, was taken up.

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

On the question, shall the bill pass.

The yeas were:

Senators Barrett, Bloom, Burdick, Carr, Carson, Chesebro, Chubb, Dodge, Donnan, Dooley, Doud, Duncan, Gatch, Gault, Henderson, Johnson, McCoy, McDonough, Miles, Parrott, Reiniger, Robinson, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Whaley, Whiting, Wilkin and Wolfe—32.

The nays were, none.

Absent or not voting:

Senators Bayless, Bolter, Caldwell, Casey, Cassatt, Chambers, Clark, Deal, Earle, Glass, Hendrie, Hutchison, Knight, Poyneer, Ryder, Weber, Woolson and Young—18.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform you that the House has refused to recede from the amendment to Senate File No. 418, relating to John Mahin, and asks the appointment of conference commit-

tee, and the House has appointed Messrs. Berryhill, Riley and Weaver as such committee on part of the House.

J. K. POWERS, *Chief Clerk.*

The Chair announced as members of Conference Committee on part of Senate, to confer a disagreement on certain amendments by the House to Senate File No. 418, Senators Sutton, Donnan and Johnson.

INTRODUCTION OF BILLS.

By Senator Carson, Senate File No. 420, a bill for an act to amend section 8, chapter 134, acts Twenty-first General Assembly, relating to the circuit and district courts.

Read 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 Barrett, Bayless, Bloom, Burdick, Carr, Carson, Chubb, Clark, Deal, Dodge, Doud, Duncan, Earle, Gatch, Henderson, McCoy, McDonough, Miles, Poymeer, Reiniger, Robinson, Ryder, Schmidt, Scott, Underwood, Weber, Whaley, Wilkin, Wolfe and Woolson—30.

The nays were, none.

Absent or not voting:

Senators Bolter, Caldwell, Casey, Cassatt, Chambers, Chesebro, Donnan, Dooley, Gault, Glass, Hendrie, Hutchison, Johnson, Knight, Parrott, Stephens, Sutton, Sweney, Whiting and Young—20.

So the bill passed.

Senator Robinson moved to add, "and clerks."

Adopted.

So the title was agreed to.

House File No. 248, a bill for an act to provide for the formation of independent school districts, with report of committee recommending indefinite postponement, was taken up, considered, and the report of the committee was adopted.

REPORT OF COMMITTEE.

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

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 266, 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.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your Committee on Judiciary, to whom was referred House File No. 652, a bill for an act authorizing the Secretary of State to issue patent for the southwest quarter of the southwest quarter of section 29, township 69, range 24, beg leave to report that

they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that it be indefinitely postponed.

G. S. ROBINSON, *Chairman.*

Ordered passed on file.

Substitute for House File No. 194, a bill for an act to amend chapter 192, acts of the Twentieth General Assembly, with report of committee recommending that it do pass, was taken up.

Senator Schmidt 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, Bloom, Burdick, Carr, Casey, Cassatt, Chesebro, Chubb, Clark, Deal, Dodge, Donnan, Duncan, Gatch, Glass, McDonough, Miles, Parrott, Poyneer, Reiniger, Robinson, Ryder, Schmidt, Scott, Stephens, Sweney, Underwood, Weber and Whaley—29.

The nays were, none.

Absent or not voting:

Senators Bayless, Bolter, Caldwell, Carson, Chambers, Dooley, Dond, Earle, Gault, Henderson, Hendrie, Hutchison, Johnson, Knight, McCoy, Sutton, Whiting, Wilkin, Wolfe, Woolson and Young—21.

So the bill passed and the title was agreed to.

RESOLUTION.

Senator Sweney offered the following resolution:

Resolved by the Senate, the House concurring, That the copies of lists of ex-soldiers and marines authorized by section 2, chapter 185, laws of the Twentieth General Assembly to be "retained by the Adjutant-General for distribution," be when published, equally distributed among the members of this General Assembly, and that the printing and binding required by the aforesaid chapter, shall be done by the State Printer and State Binder as other State printing and binding is done; *Provided,* the Adjutant-General reserve 300 copies for use of such Grand Army Posts as may be hereafter organized.

Adopted.

REPORT OF COMMITTEE.

MR. PRESIDENT—Your Joint Committee on Conference upon the disagreement between the Senate and House upon Senate File No. 418, have considered the same and report with the following recommendations, in which they unanimously concur:

That they have agreed upon the substitution of the sum of \$34 in lieu of the item of \$69 allowed John Mahin for mileage and fees as

witness before the committee appointed to investigate the office and acts of Walter I. Hayes.

JAMES G. BERRYHILL,
S. M. WEAVER,
L. O. RILEY,
Committee on part of the House.

P. M. SUTTON,
W. G. DONNAN,
G. L. JOHNSON,
Committee on part of the Senate.

The Senate took up report of conference committee on Senate File No. 418, and the question being on adoption of report.

The yeas were:

Senators Barrett, Bloom, Carr, Carson, Chubb, Donnan, Duncan, Gatch, Glass, Johnson, McCoy, McDonough, Poyneer, Reiniger, Robinson, Ryder, Schmidt, Scott, Stephens, Sutton, Sweney, Underwood, Weber, Whaley, Wolfe and Woolson—26.

The nays were:

Senators Bayless and Chesebro—2.

Absent or not voting:

Senators Bolter, Burdick, Caldwell, Casey, Cassatt, Chambers, Clark, Deal, Dodge, Dooley, Doud, Earle, Gault, Henderson, Hendrie, Hutchison, Knight, Miles, Parrott, Whiting, Wilkin and Young—22.

So the report was agreed to.

CONCURRENT RESOLUTION.

Senator Bloom offered the following concurrent resolution:

WHEREAS, In pursuance of an act of Congress, providing for the holding of a World's Exposition, in the city of New Orleans, State of Louisiana, in the years 1884-5, the Governor of Iowa was authorized to recommend to the President of the United States a suitable person to be appointed the commissioner for the State of Iowa, at said exposition; and,

WHEREAS, The Hon. Buren R. Sherman, Governor of Iowa, recommended to the President for such commissioner Herbert S. Fairall, of Johnson county, which said recommendation resulted in the appointment by His Excellency, Chester A. Arthur, President, of said Herbert S. Fairall as commissioner for Iowa; and,

WHEREAS, In the midst of many obstacles and discouragements said commissioner made an exhibit at said exposition that reflected great credit upon the State of Iowa and enhanced its material interests, ranking the State ahead of all States in the great competitive displays of education, dairy, fruit, manufactured goods, products of the farm, and in woman's work; and,

WHEREAS, At the North, Central and South American Exposition, upon his reappointment as commissioner, by the Governor of Iowa, said commissioner continued the Iowa exhibit at said exposition more beautiful and more attractive than ever before; therefore,

Be it resolved by the Senate, the House concurring:

1. That the thanks of the General Assembly be and are hereby

extended to Commissioner Fairall for the faithful and successful manner in which he has discharged the duties of his office.

2. That the Secretary of State is hereby instructed to present these resolutions, suitably engrossed, to Commissioner Fairall, and for publication to the Iowa State Register and Des Moines Leader, newspapers published at Des Moines, Iowa.

Adopted.

MESSAGE FROM THE HOUSE.

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

Senate File No. 404.

Also, that the House has adopted the report of the Conference Committee on Senate File No. 418.

J. K. POWERS, *Chief Clerk.*

On motion of Senator Sweney, House File No. 585, a bill for an act to appropriate funds to aid the Farmers' Protective Association of Iowa, in litigation relating to patents on barbed wire, was taken up.

Read first and second time.

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

On the question, shall the bill pass.

The yeas were:

Senators Bayless, Bloom, Burdick, Carr, Casey, Chambers, Chubb, Clark, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, McCoy, Miles, Parrott, Poyneer, Reiniger, Ryder, Scott, Stephens, Sutton, Sweney, Weber, Whaley, Whiting, Wilkin, Wolfe, Woolson and Young—33.

The nays were:

Senators Barrett, Carson, Chesebro, Donnan, Johnson, McDonough, Robinson and Underwood—8.

Absent or not voting:

Senators Bolter, Caldwell, Cassatt, Deal, Dodge, Hendrie, Hutchison, Knight and Schmidt—9.

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

Senator McDonough moved to reconsider vote by which bill was lost.

Carried.

On the question, shall the bill pass.

The yeas were:

Senators Bayless, Bloom, Burdick, Carr, Casey, Chambers, Chubb, Dooley, Doud, Duncan, Earle, Gatch, Gault, Glass, Henderson, McCoy, McDonough, Miles, Parrott, Poyneer, Reiniger, Ryder, Scott, Stephens, Sutton, Sweney, Weber, Whaley, Whiting, Wilkin, Woolson and Young—32.

The nays were:

Senators Barrett, Carson, Chesebro, Clark, Deal, Donnan, Johnson, Robinson, Schmidt, Underwood and Wolfe—11.

Absent or not voting:

Senators Bolter, Caldwell, Cassatt, Dodge, Hendrie, Hutchison and Knight—7.

So the bill not having received a constitutional majority was declared lost.

At 12:30 P. M. the Sergeant-at-Arms announced the Board of Managers of the House of Representatives, selected to present articles of impeachment against John L. Brown, Auditor of State.

The Senate rose to receive the managers, and they proceeded to the bar of the Senate and Representative Keatley presented the following articles of impeachment, which were read in full:

ARTICLES OF IMPEACHMENT.

In the Senate of the State of Iowa, as a Court of Impeachment, in the matter of Impeachment of Hon. John L. Brown, Auditor of State, of the State of Iowa.

THE STATE OF IOWA, }

vs. }

Articles of Impeachment.

JOHN L. BROWN.

The House of Representatives of the State of Iowa, in its own name, and in the name of the State of Iowa, and of all the people of the State of Iowa, hereby impeach John L. Brown, Auditor of State, of the State of Iowa, for misdemeanors and malfeasance in office, and in maintenance and support of their impeachment against him for malfeasance and misdemeanors in office, state the following grounds and exhibit the following articles, to wit:

ARTICLE I.

That the said John L. Brown, as Auditor of State, having been duly elected and qualified to act as such Auditor of State, and while acting as such Auditor of State during the years 1883, 1884 and 1885, the particular time or times being unknown to the House of Representatives, unmindful of his duties in such office, as they were then and are now prescribed by law, and unmindful of his oath of office, and in violation of the constitution of the State of Iowa, and the statutes made in pursuance thereof, did willfully, wrongfully and corruptly fail, and neglect to make, keep and maintain in his said office of Auditor of State, an accurate and particular account of all or any fees received by him as such Auditor of State, for the issuing by him as such Auditor of State, from his said office, any certified copies and copies not certified by him, or his deputy, of records and papers in and on file in his said office, upon the application and request of divers persons interested in such records and papers. That the names of such persons so interested in such records and papers so copied and certified, and the exact date of payment and the exact amount of such payment of such fees to such Auditor of State, are unknown to such House of Representatives of the State of Iowa. That according to the best knowledge and information of such House of Representatives, the amount of such fees so received by said John L. Brown, as such Auditor of State, during the years set forth herein, were about the sum of \$200 for the year 1883; the sum of \$200 for the year 1884; and the sum of \$200 for the year 1885; and that by reason of such

neglect of duty said John L. Brown, as Auditor of State, is hereby guilty of misdemeanor and of malfeasance in office.

ARTICLE II.

That the said John L. Brown as such Auditor of State, in the years 1883, 1884 and 1885, the particular time or times being unknown to such House of Representatives, unmindful of his duties in such office, as they were then and are now prescribed by law and unmindful of his oath of office, and in violation of the constitution of the State of Iowa, and the statutes made in pursuance thereof, did willfully, wrongfully and corruptly fail and neglect to render to the Treasurer of State of the State of Iowa, an accurate and particular monthly report of any or all fees received by him as such Auditor of State, in the issuing by him as such Auditor of State, from his said office any certified copies and copies not certified by him or his deputies, of records and papers in and on file in his said office, upon the application and request of divers persons interested in such records and papers. That the names of such persons so interested in such records and paper so copied and certified, and the exact date of payment, and the exact amount of such payment of such fees to such Auditor of State, are unknown to such House of Representatives; that according to the knowledge and information of such House of Representatives, the amount of such fees so received by said John L. Brown, as such Auditor of State during the years set forth herein, were about the sum of \$200.00 for the year 1883; the sum of \$200.00 for the year 1884, and the sum of \$200.00 for the year 1885; and that by reason of such neglect of duty said John L. Brown, as Auditor of State, is hereby guilty of a misdemeanor and a malfeasance in office.

ARTICLE III.

That the said John L. Brown having been duly and legally elected and qualified as Auditor of State, of the State of Iowa, and while acting as such Auditor of State of the State of Iowa, in his office, in the county of Polk, in the State of Iowa, did during the years of 1883 and 1884, in his official capacity as such Auditor of State, received from various and different insurance companies doing business in the State of Iowa, divers and various sums of money as fees allowed by law; that said fees were so received by said John L. Brown, Auditor of State, in small sums from day to day, during the said years of 1883 and 1884. That the names of said companies, the amounts paid by each company, the dates of such payment, and the aggregate amount of money so received by said Auditor of State, are now unknown to the said House of Representatives; that it was the duty of said John L. Brown, Auditor of State, to keep an accurate and particular account verified by affidavit of all fees so received by him from such insurance companies as aforesaid, and to render the same monthly to the Treasurer of State of the State of Iowa. That the said John L. Brown, Auditor of State, unmindful of his duties as such Auditor of State, and in violation of his oath and duty, and in violation of the constitution and the laws of Iowa, did, during the whole

of said two years of 1883 and 1884, wilfully, wrongfully and corruptly fail and refuse to render monthly to the Treasurer of State, an accurate and particular account, verified by affidavit, of the fees so received by him as such Auditor of State, or of any part thereof, from such insurance companies as aforesaid, and wilfully and wrongfully and corruptly failed and refused to, at any time, render to the Treasurer of State, of the State of Iowa, an accurate and particular account, verified by affidavit, of such fees so received by him as aforesaid, or of any part thereof; and that he was then and there guilty of a misdemeanor and malfeasance in office.

ARTICLE IV.

That said John L. Brown having been duly and legally elected and qualified as Auditor of State of the State of Iowa, and while acting as such Auditor of State of the State of Iowa, in the county of Polk, in the State of Iowa, during the month of November, 1883, in his official capacity as such Auditor of State, received from various insurance companies doing business in the State of Iowa, various and divers sums as fees, the name of such insurance companies, and the particular amounts received from them respectfully, are as follows, to-wit:

DATE.	NAME OF COMPANY.	STATE.	AMOUNT.
1883.			
Nov.	1 Traders, Chicago	Illinois	\$ 20.00
	United States Branch, Royal		2.00
	Council Bluffs	Iowa	1.50
	Security Fire	Iowa50
	Iowa State, Keokuk	Iowa	1.50
Nov.	2 London Assurance, U. S.	New York	4.00
	Phenix	New York	12.00
	Hawkeye	Iowa	1.00
	Des Moines	Iowa	1.50
	Continental Fire	New York	2.00
Nov.	8 Louisville Underwriters	Kentucky	5.00
	Continental Life	Connecticut	4.00
	Northwestern Mutual Life	Wisconsin	2.00
	Washington Fire & Marine	Massachusetts	16.00
	Northwestern National	Wisconsin	4.00
Nov.	5 American Fire	Pennsylvania	2.00
	Northern Assurance, U. S. Branch		16.00
	Washington Fire & Marine	Massachusetts	4.00
	Iowa State, Keokuk	Iowa	1.00
	Hawkeye, Des Moines	Iowa	1.00
	Dubuque Fire & Marine	Iowa	1.00
	Globe, Des Moines	Iowa	2.50
	Connecticut Continental Life	Massachusetts	3.00
Nov.	7 Agricultural	New York	2.00
	Equitable Life, Des Moines	Iowa50
Nov.	8 Oskaloosa	Iowa	1.50
	Shoe & Leather	Massachusetts	2.00
Nov.	9 Iowa State	Iowa50
	State, Des Moines	Iowa50
	Burlington	Iowa	2.00

DATE.	NAME OF COMPANY.	STATE.	AMOUNT.
1883.			
Nov. 9	United States Branch, Queen.....	New York.....	\$ 6.00
	Equitable Life.....	New York.....	2.00
Nov. 10	Commercial Union, U. S. Branch.....		2.00
	Royal, United States Branch.....		4.00
Nov. 12	Hawkeye.....	Iowa.....	2.50
	Rockford.....	Illinois.....	2.00
	Milwaukee Mechanics' Mutual.....	Wisconsin.....	2.00
	Connecticut Fire.....	Connecticut.....	6.00
	Globe, Des Moines.....	Iowa.....	3.50
Nov. 13	Council Bluffs.....	Iowa.....	.50
	Washington Fire & Marine.....	Massachusetts.....	2.00
Nov. 13	Security Fire.....	Iowa.....	1.00
Nov. 15	Iowa and Nebraska.....	Iowa.....	1.00
	Rockford.....	Illinois.....	2.00
	Accident, N. A.....	Canada.....	10.00
	New York Life.....	New York.....	2.00
	American Central.....	Missouri.....	12.00
Nov. 16	Hawkeye.....	Iowa.....	2.00
	Dubuque Fire and Marine.....	Iowa.....	1.00
	State, Des Moines.....	Iowa.....	3.50
	Connecticut Fire.....	New York.....	8.00
	U. S. Branch Royal.....	New York.....	2.00
	London and Lancashire.....	New York.....	4.00
Nov. 17	National Fire.....	Connecticut.....	4.00
	Security Fire.....	Iowa.....	1.50
	Des Moines.....	Iowa.....	2.00
Nov. 19	Globe, Des Moines.....	Iowa.....	2.00
	U. S. Branch North German.....	New York.....	6.00
	U. S. Branch Commercial Union.....	New York.....	2.00
	Northwestern Mutual Life.....	Wisconsin.....	4.00
Nov. 20	Security Fire.....	Iowa.....	1.00
	Hawkeye, Des Moines.....	Iowa.....	1.50
	U. S. Branch Royal.....	Illinois.....	2.00
	U. S. Branch Northern Assurance.....	New York.....	4.00
Nov. 22	State, Des Moines.....	Iowa.....	1.50
	Hawkeye, Des Moines.....	Iowa.....	.50
	Burlington.....	Iowa.....	1.00
	Star Fire.....	New York.....	4.00
	Fire Association.....	Pennsylvania.....	2.00
	American Fire.....	Pennsylvania.....	2.00
	Equitable Life.....	Iowa.....	.50
Nov. 23	Guardian Association.....	England.....	4.00
	Ætna Life.....	Connecticut.....	2.00
	Security Fire.....	Iowa.....	1.50
Nov. 24	Acme.....	Iowa.....	3.00
	Burlington.....	Iowa.....	1.50
	Rockford.....	Illinois.....	2.00
	U. S. Branch City of London.....	Massachusetts.....	2.00
Nov. 26	Acme.....	Iowa.....	6.50
	State, Des Moines.....	Iowa.....	1.00
	Council Bluffs.....	Iowa.....	.50
	Cedar Rapids.....	Iowa.....	.50
	Oskaloosa.....	Iowa.....	3.00
	London and Lancashire.....	England.....	2.00
	Northwestern Mutual Life.....	Wisconsin.....	2.00
	Ætna Life.....	Connecticut.....	2.00
	Dubuque Fire and Marine.....	Iowa.....	1.00
	Globe.....	Iowa.....	3.00

DATE.	NAME OF COMPANY.	STATE.	AMOUNT.
1883.			
Nov. 27	Iowa and Nebraska.....	Iowa.....	\$1.00
	Orient.....	Connecticut...	2.00
	National Life.....	Vermont.....	4.00
	Union.....	California.....	8.00
	Fireman's Fund.....	California.....	12.00
	Accident, N. A.....	Canada.....	2.00
	Total.....		\$ 315.50

And said John L. Brown, Auditor of State, unmindful of his duties as such Auditor of State, and in violation of his official oath and duty, and in violation of the constitution and laws of the State of Iowa, did, then and there, wilfully and wrongfully and corruptly, fail and refuse to render to the Treasurer of State of the State of Iowa an accurate and particular account, verified by affidavit of such fees so received by him as Auditor of State, from such insurance companies during the month of November, 1883, aforesaid, and the said John L. Brown was then and there guilty of a misdemeanor and malfeasance in office.

ARTICLE V.

That said John L. Brown, having been duly and legally elected and qualified as Auditor of State of the State of Iowa, and while acting as such Auditor of State of the State of Iowa, in the county of Polk and State of Iowa, during the month of November, 1884, in his official capacity as such Auditor of State, receive from various insurance companies doing business in the State of Iowa, various and divers sums of money as fees. The names of such insurance companies and the particular amounts received from them respectively, are as follows, to wit:

DATE.	NAME OF COMPANY.	STATE.	AMOUNT.
1884.			
Nov. 1	U. S. Branch, Royal.....	New York.....	\$ 10.00
	German Fire.....	Iowa.....	4.00
	Union.....	Pennsylvania..	10.00
	Niagara.....	New York.....	10.00
	New York Life.....	New York.....	4.00
	Connecticut.....	Connecticut...	2.00
	U. S. Branch Queen.....	New York.....	2.00
	Connecticut Continental.....	Connecticut...	2.00
	Sun.....	New York.....	Cal.
	Home.....	New York.....	4.00
	Continental.....	New York.....	8.00
	German American.....	New York.....	4.00
	U. S. Branch City of London.....	Massachusetts.	2.00
	Rockford.....	Illinois.....	14.00
	Washington.....	Massachusetts.	28.00
Nov. 3	Monarch.....	Iowa.....	4.00
	Globe.....	Iowa.....	1.50
	Acme.....	Iowa.....	2.50
	German Fire.....	Illinois.....	4.00
	U. S. Branch Norwich Union.....	New York.....	4.00
	U. S. Branch Phenix Association.....	New York.....	4.00
	Traders.....	Illinois.....	8.00
	Rockford.....	Illinois.....	10.00
	Continental.....	New York.....	2.00
Nov. 6	Hawkeye.....	Iowa.....	2.50
	Rockford.....	Illinois.....	6.00
	American.....	Pennsylvania..	2.00
	Farmers.....	Pennsylvania..	2.00
	U. S. Branch Sun, F. O.....	New York.....	6.00
	Home Fire.....	New York.....	6.00
	U. S. Branch Phenix Association.....	New York.....	4.00
Nov. 7	German Fire.....	Illinois.....	2.00
	U. S. Branch Continental Union.....	New York.....	6.00
Nov. 8	U. S. Branch N. B. Merc.....	New York.....	16.00
	Acme.....	Iowa.....	1.00
	Home Mutual.....	California.....	12.00
	Hibernia.....	Louisiana.....	2.00
Nov. 10	American.....	New Jersey.....	4.00
	U. S. Branch London Ass'n.....	New York.....	4.00
Nov. 11	Iowa State.....	Iowa.....	.50
	Rockford.....	Illinois.....	4.00
	Hawkeye.....	Iowa.....	1.00
	Sun.....	California.....	2.00
Nov. 12	Hekla.....	Wisconsin.....	6.00
Nov. 13	Connecticut Mutual Life.....	Connecticut...	2.00
	Continental.....	New York.....	4.00
	Germania.....	New York.....	4.00
Nov. 14	Des Moines.....	Iowa.....	1.00
	Hawkeye.....	Iowa.....	1.00
	U. S. Branch Queen.....	New York.....	4.00
Nov. 15	Cedar Rapids.....	Iowa.....	4.00
Nov. 18	Hawkeye.....	Iowa.....	.50
	State.....	Iowa.....	4.00
Nov. 20	Monarch.....	Iowa.....	2.50
Nov. 24	British America.....	Canada.....	2.00

DATE.	NAME OF COMPANY.	STATE.	AMOUNT.
1884.			
Nov. 24	Hartford L. and A.....	Connecticut ..	\$ 2.00
	Hibernia	Louisiana	2.00
Nov. 25	Acme	Iowa	2.50
	Hartford	Connecticut ..	4.00
Nov. 26	Hawkeye	Iowa	1.00
	Ætna	Connecticut ..	2.00
Nov. 28	Continental	New York	2.00
	U. S. Branch Commercial Union	New York	4.00
	Farmers	Pennsylvania ..	2.00
	Fire Association.....	Pennsylvania ..	4.00
	Hawkeye	Iowa	1.00
	Home	New York	8.00
	U. S. Branch North Ass'n.....	New York	4.00
	U. S. Branch Queen	New York	2.00
	Rockford	Illinois	2.00
	Total		\$ 313.00

And said John L. Brown, Auditor of State, unmindful of his duties as such Auditor of State, and in violation of his official oath and duty as such Auditor of State, and in violation of the Constitution and laws of the State of Iowa, did then and there willfully and wrongfully and corruptly fail and refuse to render to the Treasurer of State of the State of Iowa an accurate and particular account, verified by affidavit, of such fees so received by him as Auditor of State, from such insurance companies, during the month of November, 1884, aforesaid; and the said John L. Brown was then and there guilty of misdemeanor and malfeasance in office.

ARTICLE VI.

That said John L. Brown having been duly and legally elected and qualified as Auditor of State of the State of Iowa, and while acting as such Auditor of State of the State of Iowa, in the county of Polk, in the State of Iowa, during the month of January, 1885, in his official capacity as said Auditor of State, received from various insurance companies, doing business in the State of Iowa, various and divers sums of money as fees; the names of such insurance companies, and the particular amounts received from them respectively, are as follows, to-wit:

DATE.	NAME OF COMPANY.	STATE.	AMOUNT.
1885.			
Jan. 2	Farmers' Mutual, of Johnson county.	Iowa	\$ 2.50
	Capital, Des Moines	Iowa	2.00
Jan. 3	Hartford Life and Annuity	Connecticut	2.00
Jan. 5	Farmers' Mutual	Iowa	2.50
Jan. 6	Floyd County Farmers	Iowa	2.50
	Washington Life	New York	2.00
Jan. 8	Ætna Life	Connecticut	4.00
	Farmers' Mutual	Iowa	2.50
	Iowa Valley Mutual	Iowa	2.50
Jan. 9	German Mutual	Iowa	2.50
	Farmers' Mutual	Iowa	2.50
Jan. 10	Patrons' Farmers	Iowa	2.50
	Pottawattamie County Farmers	Iowa	2.50
	Iowa Township Mutual	Iowa	2.50
Jan. 12	Norwegian Mutual	Iowa	2.50
	Lenox Township Mutual	Iowa	2.50
Jan. 13	German Mutual	Iowa	2.50
Jan. 14	Clayton County Farmers	Iowa	2.50
	Fayette County Farmers	Iowa	2.50
	Imperial Fire of London	New York	4.00
Jan. 15	Pennsylvania Fire	Pennsylvania	2.00
Jan. 16	Farmers' Mutual	Iowa	2.50
	Lincoln Mutual	Iowa	2.50
Jan. 19	Farmers' Mutual	Iowa	2.50
	German Mutual Aid	Iowa	2.50
Jan. 20	Patrons' Mutual	Iowa	2.50
	Osceola Farmers	Iowa	2.50
	New York Life	New York	2.00
	Maple Valley Co-operative	Iowa	2.50
	Farmers' Mutual	Iowa	2.50
Jan. 21	Farmers' Mutual	Iowa	2.50
	Farmers' Mutual	Iowa	2.50
	Farmers' Mutual	Iowa	2.50
	Farmers' Mutual	Iowa	2.50
	Prairie Farmers	Iowa	2.50
	Patrons' Mutual	Iowa	2.50
Jan. 22	Farmers' Cedar Rapids	Iowa	59.00
	Farmers' Mutual	Iowa	2.50
	Newark Fire	New Jersey	36.00
Jan. 23	Iowa Mutual	Iowa	2.50
	Madison County Farmers	Iowa	2.50
	Hawkeye	Iowa	133.50
	Imperial Fire, U. S. A	New York	2.00
	Brown Township Mutual	Iowa	2.50
	Chickasaw County Farmers	Iowa	2.50
	Avoca Mutual	Iowa	2.50
Jan. 24	German Mutual	Iowa	2.50
	Kirkville Mutual	Iowa	2.50
Jan. 26	Orient	Connecticut	178.00
	American	New Jersey	104.00
	Jefferson County Farmers	Iowa	2.50
	Farmers' Mutual	Iowa	2.50
	Butler County Farmers	Iowa	2.50
	Noble Township Perfection	Iowa	2.50
	Milliner's Mutual	Iowa	2.50
	West Side Mutual	Iowa	2.50

DATE.	NAME OF COMPANY.	STATE.	AMOUNT.
1885.			
Jan. 27	Pennsylvania Mutual Life.....	Pennsylvania..	2.00
Jan. 28	Phenix of Hartford.....	Connecticut ...	502.00
	Springdale Mutual.....	Iowa	2.50
	German Farmers	Iowa	2.50
	German Mutual	Iowa	2.50
	First German Mutual	Iowa	2.50
	Linn County	Iowa	2.50
	Bremer County Farmers	Iowa	2.50
	Farmers' Mutual Aid	Iowa	2.50
	Farmers' Mutual	Iowa	2.50
	Farmers' Mutual	Iowa	2.50
	Sac County Farmers' Mutual	Iowa	2.50
Jan. 28	Walcott Mutual.....	Iowa	2.50
Jan. 29	Merchants' of Newark.....	New Jersey....	94.00
Jan. 30	Polk County Farmers	Iowa	2.50
Jan. 31	Monarch	Iowa	64.50
	Des Moines.....	Iowa	43.00
	Connecticut Mutual Life.....	Connecticut ...	4.00
	Swedish Mutual.....	Iowa	2.50
	Total, January, 1885.....		\$ 1,426.50

And said John L. Brown, Auditor of State of the State of Iowa, unmindful of his duties as such Auditor of State and in violation of his official oath and duty, and in violation of the Constitution and laws of the State of Iowa, did then and there wilfully, wrongfully, and corruptly, fail and refuse to render to the Treasurer of State of the State of Iowa, an accurate and particular account, verified by affidavit, as required by law, of such fees so received by him as Auditor of State, from such insurance companies during the month of January, 1885, as aforesaid, and the said John L. Brown was then and there guilty of a misdemeanor and malfeasance in office.

ARTICLE VII.

That said John L. Brown, having been duly and legally elected and qualified to act as Auditor of State of the State of Iowa, and while acting as such Auditor of State became and was charged by the statutes of the State of Iowa with duty and authority of making or causing to be made, examinations annually, or oftener if necessary, of associations organized and doing business under the general incorporation laws of the State of Iowa for the purpose of transacting a banking business, buying or selling exchange, receiving deposits, discounting notes, etc., and known as incorporated banks, under the laws of Iowa, and became and was charged with the duty of making and publishing a report of such official examinations as provided by law; that as such Auditor of State, it became and was his duty, when satisfied from such examination or such report that any such institution is insolvent, to direct the Attorney-General of the State of Iowa to commence proper legal proceedings to secure the appointment of a receiver by the proper court and the business of such insti-

tution to be wound up; that about the month of November, 1883, the said John L. Brown, Auditor of State, in pursuance of the power imposed upon him by law as Auditor of State, appointed one A. A. Watts to examine into the affairs and business of the Bremer County Bank, located at Waverly, in the State of Iowa; that the said A. A. Watts, in pursuance of such appointment, made an examination of the affairs and business of such Bremer County Bank, and the said examination of such bank by said A. A. Watts, and the report thereon, to the said John L. Brown, Auditor of State, showed to said John L. Brown, Auditor of State, that the said Bremer County Bank was then and there insolvent; that the said John L. Brown, unmindful of his said duties as Auditor of State, and in violation of his oath of office, and then and there well knowing that said Bremer County Bank was then and there insolvent, and contrary to the statutes of the State of Iowa, wrongfully, willfully and corruptly failed and neglected to direct the Attorney General of the State of Iowa to commence proceedings to place the said Bremer County Bank in the hands of a receiver and to wind up the affairs of the said bank, and thereby the said John L. Brown was guilty of a misdemeanor and malfeasance in office.

ARTICLE VIII.

The said John L. Brown, having been duly elected and qualified as Auditor of State of the State of Iowa, for the years 1883, 1884, 1885 and 1886, was by statute charged with the duty of examining banks organized under the general incorporation laws of the State of Iowa, and of directing the Attorney-General to commence proceedings for the appointment of a receiver for any bank proved to be insolvent; that acting under said authority, said Brown as Auditor of State, did on or about November, 1883, make examination of the Bremer County Bank, organized under the general incorporation laws of the State, and found the same in an insolvent condition; that thereupon the said John L. Brown, Auditor of State, as aforesaid, unmindful of the duties of his office, and in violation of his official oath, and of the Constitution and laws of the State of Iowa, knowing said bank to be unsound and insolvent, did wilfully, corruptly and wrongfully receive and accept from said Bremer County Bank, (or from some person connected therewith whose name is unknown) the sum of \$100 as a bribe and pecuniary reward, to influence and induce him, the said Brown, Auditor as aforesaid, to refrain from directing the Attorney-General to commence proceedings for the appointment of a receiver for the bank; and the said John L. Brown, Auditor of State, did thereupon wilfully, wrongfully and corruptly in consideration of said sum of \$100 so paid to him, as aforesaid, refrain from directing or instituting said proceedings, and did certify said bank to be sound and solvent, and did thereby unlawfully, and willfully, prostitute, violate and betray, for the bribe and pecuniary reward aforesaid, the duties of his office, and the trust and confidence by the people in him reposed, to the scandal and dishonor of the State, and thereby commit, and was guilty of, a misdemeanor and malfeasance in office.

ARTICLE IX.

That the said John L. Brown, as Auditor of State of the State of Iowa, being charged by the statutes of the State of Iowa, with the duty of examining or causing to be examined the affairs or business of all banking institutions organized under the laws of Iowa on or about the month of November, 1883, and in pursuance of his powers, as Auditor of State, appointed one A. A. Watts to examine into the affairs and business of the Bremer County Bank, a corporation organized under the laws of the State of Iowa, and located at Waverly, in the State of Iowa, that in pursuance of such appointment, the said A. A. Watts, then and there made an official examination into the affairs and business of the said Bremer County Bank, and then and there reported to the said John L. Brown, Auditor of State, that the said Bremer County Bank was then and there insolvent, and the said John L. Brown, Auditor of State, then and there, and thereby knowing the said Bremer County Bank to be insolvent, wrongfully, willfully, negligently and corruptly issued and delivered to the said Bremer County Bank a certificate over his own official signature as such Auditor of State, certifying that the said Bremer County Bank was then and there sound and solvent in its business and affairs for the purpose of corruptly deceiving the people of the State of Iowa respecting the true condition and solvency of said Bremer County Bank, thereby being guilty of a misdemeanor and malfeasance in office.

ARTICLE X.

That said John L. Brown, being Auditor of State of the State of Iowa, during the years 1883 and 1884, it was his duty and he was charged by law with the authority to make annual examinations of all banking associations organized under the laws of the State of Iowa, known as *savings banks* and *incorporated banks* and to make, publish or cause to be made and published a report of such examinations; that at various and numerous times during the years 1883 and 1884, the said John L. Brown, being Auditor of State, and S. F. Stewart, being his Deputy Auditor of State, and acting as such deputy, under the authority, and with the knowledge and consent of said John L. Brown, Auditor of State, made examinations of a number of said banks in the State of Iowa as shown in the following schedule hereto attached, marked exhibit "A," and made a part hereof:

EXHIBIT "A."

Schedule of fees received from the banks of the State of Iowa, and sums of money received by Auditor J. L. Brown, from banks examined in the State of Iowa, during the years 1883 and 1884.

BANK.	EXAMINER.	DATE.	Amount.
Iowa State.....	S. F. Stewart.....	Dec. 8, 1883.....	\$ 20
Iowa State.....	S. F. Stewart.....	Oct. 13, 1884.....	20
German American.....	S. F. Stewart.....	Dec. 11, 1883.....	20
German American.....	S. F. Stewart.....	Dec. 29, 1884.....	20
Davenport.....	S. F. Stewart.....	Dec. 24, 1883.....	20
German.....	S. F. Stewart.....	Dec. 26, 1883.....	20
Fayette Co.....	A. A. Watts.....	Nov. 6, 1883.....	20
Fayette Co.....	H. D. Copeland.....	Dec. 27, 1884.....	20
Council Bluffs.....	A. A. Watts.....	Nov. 22, 1883.....	20
Council Bluffs.....	S. F. Stewart.....	Dec. 20, 1884.....	20
Johnson Co.....	S. F. Stewart.....	Dec. 23, 1883.....	20
Farmers & Citizens.....	S. F. Stewart.....	Dec. 1, 1883.....	20
Farmers & Citizens.....	S. F. Stewart.....	Dec. 10, 1884.....	20
Floyd Co.....	A. A. Watts.....	Nov. 9, 1883.....	15
Floyd Co.....	H. D. Copeland.....	Dec. 30, 1884.....	20
Toledo.....	S. F. Stewart.....	Dec. 3, 1883.....	20
Toledo.....	S. F. Stewart.....	Dec. 13, 1884.....	20
Clinton.....	S. F. Stewart.....	Dec. 3, 1883.....	20
Clinton.....	S. F. Stewart.....	Dec. 9, 1884.....	20
Keokuk Savings.....	S. F. Stewart.....	Dec. 20, 1883.....	20
Keokuk Savings.....	S. F. Stewart.....	Dec. 27, 1884.....	20
Savings Bank of Decorah.....	A. A. Watts.....	Nov. 7, 1883.....	20
Savings Bank of Decorah.....	H. D. Copeland.....	Dec. 29, 1884.....	20
Washington Co.....	E. J. Holmes.....	Dec. 14, 1883.....	20
Grinnell.....	S. F. Stewart.....	Nov. 14, 1883.....	20
Marengo.....	S. F. Stewart.....	Dec. 17, 1883.....	20
Muscatine.....	E. J. Holmes.....	Dec. 15, 1883.....	20
Iowa Co. Loan Sav.....	S. F. Stewart.....	Dec. 18, 1883.....	20
Benton Co.....	S. F. Stewart and Watts.....	Oct. 29, 1883.....	15
Benton Co.....	S. F. Stewart.....	Dec. 13, 1884.....	15
Polk Co.....	S. F. Stewart.....	Jan. 3, 1884.....	15
Iowa.....	A. A. Watts.....	Nov. 23, 1883.....	15
Iowa.....	H. D. Copeland.....	Dec. 11, 1884.....	20
Citizens Savings & T. Co.....	S. F. Stewart.....	Dec. 28, 1883.....	20
Des Moines.....	S. F. Stewart.....	Jan. 3, 1884.....	15
Central Iowa Loan & T. Co.....	S. F. Stewart.....	Aug. 8, 1884.....	10
Iowa State.....	E. J. Holmes.....	Mar. 27, 1883.....	20
Iowa State.....	S. F. Stewart.....	Aug. 11, 1884.....	20
Cedar Rapids.....	S. F. Stewart.....	May 14, 1883.....	15
Cedar Rapids.....	S. F. Stewart.....	Aug. 2, 1884.....	20
Plymouth Co. S. B. & T.....	S. F. Stewart.....	Nov. —, 1883.....	20
Plymouth Co. S. B. & T.....	H. D. Copeland.....	Dec. 10, 1884.....	20
American Savings.....	Auditor.....	Nov. 21, 1883.....	10
Scott Co.....	S. F. Stewart.....	Oct. 11, 1884.....	20
Iowa Trust & S. Bank.....	S. F. Stewart.....	Sept. 27, 1884.....	20
Citizens Savings Bank.....	S. F. Stewart.....	Feb. 20, 1884.....	15
Williamsburg.....	S. F. Stewart.....	July 3, 1884.....	20

For which services he received and collected from said banks large sums of money as set forth in said "Exhibit A," aggregating about eight hundred and eighty dollars; that said John L. Brown, unmindful of his official duties and in violation of the laws of Iowa and of his oath of office, did wilfully, wrongfully and corruptly neglect and fail at any and all times, during the years 1883 and 1884, to make, render and publish, or cause to be made, rendered or published, any monthly or other account of said fees or sums of money received and collected from said banks; and he, the said John L. Brown, was and is thereby guilty of a misdemeanor and malfeasance in office.

ARTICLE XI.

That said John L. Brown, being Auditor of State during the part of the year 1885, it was his duty, and he was charged by law with authority to make annual examinations of all banking associations organized under the laws of the State of Iowa, and known as savings banks and incorporated banks, and to make and publish, or cause to be made and published, a report of such examinations; that at various and numerous times during the year 1885, as hereinafter set forth, the said John L. Brown, being Auditor of State, and S. F. Stewart, being Deputy Auditor of State, and acting as such Auditor, and under the authority and with the knowledge and consent of said John L. Brown, made examinations of a number of said banks of the State of Iowa, as set forth in the following schedule hereto attached, marked "Exhibit B," and made a part hereof:

EXHIBIT "B."

Schedule of fees received from the banks of the State of Iowa, and sums of money received by Auditor John L. Brown, from banks examined in the State of Iowa during the year 1885:

BANK.	EXAMINER.	DATE.	Amount.
Davenport.....	H. D. Copeland.....	Jan. 7, 1885.	\$ 20
German.....	H. D. Copeland.....	Jan. 5, 1885.	20
Johnson County.....	S. F. Stewart.....	Jan. 19, 1885.	20
Washington County.....	H. D. Copeland.....	Jan. 14, 1885.	20
Grinnell.....	H. D. Copeland.....	Feb. 25, 1885.	20
Marengo.....	H. D. Copeland.....	Feb. 6, 1885.	20
Muscatine.....	H. D. Copeland.....	Jan. 13, 1885.	20
Iowa Co. Loan & S.....	H. D. Copeland.....	Feb. 7, 1885.	20
Polk County.....	D. D. Copeland.....	Jan. 19, 1885.	15
Citizens' Saving & T. Co.....	S. F. Stewart.....	Jan. 20, 1885.	20
Des Moines.....	S. F. Stewart.....	Feb. 25, 1885.	15
American Savings.....	S. F. Stewart.....	Mar. 2, 1885.	10
Iowa State.....	H. D. Copeland.....	Jan. 29, 1885.	20

For which services he received and collected from said banks large sums of money as set forth in said exhibit "B" and that said John L. Brown, unmindful of his official duties and in violation of

the laws of Iowa and of his oath of office, did willfully and wrongfully and corruptly neglect and fail at any and all times during the year 1885 to make, render or publish or to cause to be made, rendered or published any monthly or other account of said fees, or sums of money received or collected from said banks, and he, the said John L. Brown, was and he is hereby guilty of a misdemeanor and malfeasance in office.

ARTICLE XII.

That by virtue of an act of the 19th General Assembly of the State of Iowa, there was appropriated for the use of the State Auditor's office the sum of seven thousand dollars (\$7,000) to enable the said Auditor to procure sufficient clerical help in his said office, that said act also provides that before any warrant shall be issued on the fund of seven thousand dollars so appropriated, or for any part thereof, the said officer shall furnish and file vouchers in the office of the Auditor of State therefor; that said John L. Brown being then Auditor of State, during the years 1883 and 1884, at various and numerous times to-wit: as hereinafter set forth and at other times did willfully, intentionally and corruptly and unmindful of his official duties, and in violation of the law and his oath of office, draw his warrants upon the Treasurer of State to be paid out of said fund of \$7,000 so appropriated for the payment of clerical force in his said office without filing, furnishing, or without requiring to be furnished or filed, any such vouchers as are required for such warrants by law to-wit:

Warrants issued by John L. Brown without vouchers and contrary to law.

NAME.	NO.	DATE.	AMOUNT.
Laura A. Berry.....	11903	Dec. 16, 1884	\$ 32.00
B. F. Rehkopf.....	11905	Dec. 24, 1884	15.00
Helena J. Bryant.....	11936	Dec. 24, 1884	12.00
L. E. Ayres.....	11943	Dec. 24, 1884	75.00
S. F. Stewart.....	10958	Sept. 30, 1884	75.00
L. E. Ayres.....	5055	Feb. 19, 1883	58.74
B. F. Rehkopf.....	5935	June 30, 1883	30.00
L. E. Ayres.....	4818	Jan. 13, 1883	50.00
B. F. Rehkopf.....	4929	Jan. 31, 1883	25.00
B. F. Rehkopf.....	4928	Jan. 31, 1883	60.00
L. E. Ayres.....	4927	Jan. 31, 1883	25.00

and the said John L. Brown is thereby guilty of a misdemeanor and malfeasance in office.

ARTICLE XIII.

That said John L. Brown being Auditor of State, of the State of Iowa, did willfully, wrongfully and corruptly and contrary to, and in

violation of, an act of the Twentieth General Assembly, issue warrants at various and numerous times during the year 1885, to-wit:

NAME.	NO.	DATE.	AMOUNT.
B. F. Kehkopf.....	12,404	Jan. 31, 1885	\$ 89.40
Laura A. Berry.....	12,408	Jan. 31, 1885	12.00

to be paid out of the clerk's fund, without filing, furnishing or causing to be filed or furnished the vouchers required for such warrants by law. And the said John L. Brown is thereby guilty of a misdemeanor and malfeasance in office.

ARTICLE XIV.

That said John L. Brown being Auditor of State, of the State of Iowa, and while acting as such Auditor, wilfully and wrongfully, and corruptly, and unmindful of his official duties, and in violation of the laws of Iowa and of his oath of office, did on the 22d day of September, 1884, issue to one L. E. Ayers, for clerical work in said Auditor's office in Polk county, in the State of Iowa, a warrant on the State Treasurer, for the sum of one hundred and twenty-five dollars, without filing, furnishing or without requiring to be filed or furnished any voucher therefor, as was expressly required by law; of which said warrant, the following in words and figures, a true copy:

"\$125.00.

OFFICE OF AUDITOR OF STATE, }
DES MOINES, Sept. 22, 1884. }

"The Treasurer of State will pay L. E. Ayres, or order, one hundred and twenty-five dollars, as per chapter 129, section 3, acts of 1884.

JOHN L. BROWN, *Auditor of State.*
S. F. STEWART, *Deputy.*"

No. 10,890. \$125 00.

And said John L. Brown was and is thereby guilty of a misdemeanor and malfeasance in office.

ARTICLE XV.

That said John L. Brown being Auditor of State of the State of Iowa, and while acting as such Auditor, wilfully, wrongfully and corruptly, and unmindful of his official duties, and in violation of the laws of Iowa and of his oath of office, did on the 24th day of January, 1885, issue to one Laura A. Berry, for clerical work performed in said Auditor's office, in Polk county, in the State of Iowa, a warrant on the State Treasurer for the sum of twenty-four dollars without filing or furnishing or causing to be filed or furnished and vouchers therefor, as was expressly required by law, of which said warrant, the following is, in words and figures, a true copy:

“\$24.00.

OFFICE OF AUDITOR OF STATE, }
DES MOINES, JAN. 24, 1885. }

The Treasurer of State will pay Mrs. Laura A. Berry, or order, twenty-four dollars, as per chapter 129, section 3, acts of 1884.

J. L. BROWN, *Auditor of State.*

No. 12,336. \$24.00.

S. F. STEWART, *Deputy.*

And the said John L. Brown was and is thereby guilty of a misdemeanor and malfeasance in office.

ARTICLE XVI.

That on or about the third day of March, 1885, the said John L. Brown, being Auditor of State of the State of Iowa, and Buren R. Sherman, being Governor of said State, the said Buren R. Sherman as such Governor, acting under the power invested in him by the laws of said State suspended said John L. Brown from the exercise of the functions of said office of Auditor, and did duly name and appoint one Jonathan W. Cattell to take charge of such office, and to exercise the duties and functions thereof, during the suspension of said Brown, but the said John L. Brown, though often requested and ordered so to do, by said Governor, willfully, wrongfully and unlawfully, refused to obey, or observe said order of suspension, and willfully and wrongfully and by force of violence resisted and prevented the transfer and delivery of the books, papers, records, property and funds of the State in his hands as such Auditor to the said Jonathan W. Cattell, duly appointed thereto, as aforesaid, whereby the said John L. Brown, Auditor of State, became and was guilty of a misdemeanor and malfeasance in office.

ARTICLE XVII.

That about the 9th day of January, 1885, Buren R. Sherman, Governor of the State of Iowa, duly elected and qualified and acting as such Governor, did appoint a commission of three competent accountants to examine the books, papers, vouchers, moneys, securities, and other documents in the possession and under the control of said John L. Brown, Auditor of State, and to report thereon as provided by law; that on the 7th day of February, 1885, the said commission so appointed by the said Governor of the State of Iowa, made their report and filed the same in the office of the Governor of the State of Iowa, in which report is stated and set forth; that the books and papers of the office of said John L. Brown, Auditor of State, were improperly and unsafely kept, and that the State had already suffered loss, and was yet further liable to suffer loss thereby; that thereupon the said Buren R. Sherman, Governor of the State of Iowa, suspended the said John L. Brown, Auditor of State, and did issue and cause to be issued and caused to be served on the said John L. Brown, Auditor of State, about the 3d day of March, 1885, an order in writing, suspending the said John L. Brown, Auditor of State, from the exercise of his office, of which the following is a copy, to-wit:

To JOHN L. BROWN, *Auditor of State*:

SIR—Having failed and refused to produce, and fully account for the public funds and property heretofore under your control as Auditor of State, and failed and refused to make and report of your official acts as such officer, as required by law, therefore your official bond as a re-elected officer is not approved. Your said office is now hereby terminated.

You are forbidden to exercise, or attempt to exercise any of the powers or duties of said office, after the service of this notice. You are hereby forthwith suspended from the exercise of said office of Auditor of State, and required to deliver all the money, books, papers and other property of the State to Hon. Jonathan W. Cattell, who is authorized hereby to receive the same, and this you will in no wise omit under penalty of the law.

Hon. Jonathan W. Cattell, of Polk county, is hereby appointed temporarily to the said office of the Auditor of State, and he having qualified as required by law, will be obeyed and respected accordingly.

Witness my hand and the great seal of the State of Iowa, this 3d day of March, A. D. 1885.

BUREN R. SHERMAN.

By the Governor.

FRANK D. JACKSON, *Secretary of State*.

That after such suspension of the said John L. Brown, Auditor of State, and the service of said order of suspension upon him on the 3d day of March, 1885, it became and was unlawful for him, the said John L. Brown, Auditor of State, to exercise or attempt to exercise, any of the functions of his said office, of Auditor of State, until such suspension was revoked; that said suspension was not revoked prior to the 19th day of March, 1885, but that the said John L. Brown, Auditor of State, unmindful of his duties as such Auditor of State, and in violation of his official oath and duties, and in violation of the constitution and laws of Iowa, did then and there, in the county of Polk and State of Iowa, from the 3d day of March, 1885, to and including the 19th day of March, 1885, continuously, willfully, wrongfully, intentionally and corruptly exercise and attempt to exercise all of those functions of his said office of Auditor of State, and did attempt to exercise said office of Auditor of State, after such suspension had been made as aforesaid, and before the same had been revoked, and the said John L. Brown, Auditor of State, was thereby then and there guilty of a misdemeanor and malfeasance in office.

ARTICLE XVIII.

That said John L. Brown, Auditor of State of the State of Iowa, was duly qualified and elected as Auditor of State, from the 23d day of January, 1886, to the 5th day of April, 1886, and became and was charged by law with the duties of drawing all warrants on the Treasurer of the State of Iowa, for money directed by law to be paid out of the Treasury of the State of Iowa, as the same became payable; and the said John L. Brown, Auditor of State, in the county of Polk,

and State of Iowa, during said time, and on divers and various days during said time, then and there unmindful of his duties as such Auditor of State, and in violation of his oath and duties, and in violation of the statutes in such cases made and provided, did willfully, wrongfully and corruptly neglect to draw all warrants on the Treasurer of the State of Iowa for money directed by law to be paid out of the Treasury of the State of Iowa, as the same became payable by law and did then and there permit S. F. Stewart wholly without warrant or authority of law to draw and sign numerous and divers warrants during said time from January 23, 1886, to April 5, 1886, on the Treasurer of State of the State of Iowa, for money directed by law to be paid out of the Treasury of the State of Iowa and the said John L. Brown, Auditor of State, of the State of Iowa, was thereby guilty of a misdemeanor and malfeasance in office.

ARTICLE XIX.

The said John L. Brown, being Auditor of State of the State of Iowa, acting as such Auditor of State, and while he had charge of the Auditor's office, and of "State funds and property" belonging to said Auditor's office of the State of Iowa, between the 5th day of March, 1885, and the 19th day of March, 1885, in the county of Polk, and the State of Iowa, did willfully, wrongfully, forcibly and illegally refuse to admit Buren R. Sherman, then Governor of the State of Iowa, to said Auditor's office, and to the inspection of books and papers in and belonging to said office to said Governor, and to allow him to inspect the books, accounts, vouchers and property belonging to said Auditor's office, and by so refusing such admission to said Governor did then and there willfully, wrongfully, violate the laws of the State of Iowa, and unmindful of his duties and in violation of his oath of office was and is thereby guilty of a misdemeanor and malfeasance in office.

ARTICLE XX.

That said John L. Brown having been duly elected and qualified to act as Auditor of State, of the State of Iowa, became and is authorized to appoint a Deputy Auditor, whose appointment and bond are to be approved by the Governor of the State. That on or about — day of February, 1886, the Governor of the State, under and by virtue of the authority vested in him, refused to approve the appointment and bond of S. F. Stewart, as Deputy Auditor. That the said John L. Brown well knows that the appointment of S. F. Stewart as Deputy Auditor had not been approved, has willfully and intentionally, and corruptly refused and neglected, and still refuses and neglects to make any other appointment of Deputy Auditor, and has authorized and permitted the said S. F. Stewart to exercise and perform the functions of deputy without authority of law, and is by reason thereof, guilty of a misdemeanor and malfeasance in office.

ARTICLE XXI.

That said John L. Brown having been duly elected, qualified, and acting as Auditor of State, of the State of Iowa, did on or about January 1, 1883, appoint one S. F. Stewart Deputy Auditor of State, of the State of Iowa, for the term of two years from said 1st day of January, 1883, and said S. F. Stewart was duly qualified and acted as Deputy Auditor of State during said term of two years, and was by law entitled to draw as Deputy Auditor of State, the sum of twelve hundred dollars per year, as the salary of his office and no more. That said John L. Brown, Auditor of State, of the State of Iowa, unmindful of the duties of his office, and in violation of his oath of office and duty, and in violation of the constitution and the laws of the State of Iowa, in the county of Polk, and the State of Iowa, at divers times during the said two years, did then and there wilfully, wrongfully and corruptly draw divers and sundry warrants in various amounts as hereinafter set forth on the treasury of the State, of the State of Iowa payable to said S. F. Stewart, Deputy Auditor of State from the treasury of the State of Iowa, and deliver said warrants to said S. F. Stewart. That said warrants were drawn at the dates and in the amounts as follows :

July 9, 1883, \$150.00.
 Sept. 17, 1883, \$10.00.
 Sept. 27, 1883, \$15.00.
 Oct. 15, 1883, \$30.00.
 Nov. 30, 1883, \$70.00.
 Dec. 31, 1883, \$25.00.
 Jan. 23, 1884, \$25.00.
 Feb. 11, 1884, \$20.00.
 Feb. 28, 1884, \$5.00.
 March 8, 1884, \$25.00.
 March 23, 1884, 41.01.
 May 24, 1884, \$1.00.
 May 25, 1884, \$24.00.
 June 27, 1884, \$50.00.
 Sept. 30, 1884, \$75.00.
 Oct. 18, 1884, \$10.00.
 Oct. —, 1884, \$10.00.
 Nov. 19, 1884, \$15.00.
 Dec. 13, 1884, \$30.00.
 Dec. 31, 1884, \$359.00.

Amounting in the aggregate to \$590.01.

That the amounts of said several warrants and aggregate amount thereof were paid to said Stewart, Deputy Auditor of State, in excess of and in addition to his salary allowed by law as such Deputy Auditor of State, and the said John L. Brown, Auditor, was thereby guilty of a misdemeanor and malfeasance in office.

ARTICLE XXII.

That said John L. Brown, having been duly elected and qualified and acting as Auditor of State of the State of Iowa, did, on or about

the first day of January, 1883, appoint one S. F. Stewart Deputy Auditor of State for the term of two years from said first day of January, 1883, and said S. F. Stewart was duly qualified and acted as such Deputy Auditor of State during said term of two years, and was by law entitled to draw as such Deputy Auditor of State the sum of twelve hundred dollars (\$1,200) per year as the salary of his office, and no more.

That said John L. Brown, as aforesaid, unmindful of the duties of his office, and in violation of his oath of office and the constitution and laws of the State of Iowa, in the county of Polk, in the State of Iowa, on the 31st day of December, 1884, willfully, wrongfully and corruptly drew warrants on the Treasurer of State of the State of Iowa for the sum of three hundred and fifty-nine dollars (\$359), payable to said S. F. Stewart, Deputy Auditor of State, and delivered said warrant to said S. F. Stewart, and said warrant was paid to said S. F. Stewart, and was in excess of his salary allowed by law as such Deputy Auditor of State; and the said John L. Brown, Auditor of State, was thereby guilty of a misdemeanor and malfeasance in office.

ARTICLE XXIII.

That said John L. Brown, having been duly elected and qualified as Auditor of State of the State of Iowa, and acting as such Auditor, during the year 1884, was by law vested and charged with the power and authority to examine into the condition and affairs of banks, organized under the general incorporation laws of the State of Iowa, for which service he was not by law entitled or authorized to demand, extort or receive, any payment or compensation whatever, other than the salary allowed by law; that in pursuance of his authority as aforesaid the said John L. Brown, Auditor of State, did on or about the 4th day of October, 1884, cause the Union Bank of Sheldon, O'Brien county, Iowa, incorporated under the laws of Iowa, to be examined by one S. F. Stewart, who was then and there the duly appointed, qualified and acting Deputy Auditor of State of the State of Iowa, and was drawing and receiving from the State of Iowa, as such Deputy Auditor of State, the salary provided by law; that said John L. Brown, Auditor of State, of the State of Iowa, unmindful of his duties as such Auditor of State, and in violation of his oath of office, and in violation of the constitution and laws of the State of Iowa, did then and there willfully, wrongfully and corruptly require the said Union Bank of Sheldon, Iowa, to pay the said S. F. Stewart, Deputy Auditor as aforesaid, the sum of \$20 for the examination of said Union Bank so made, which said sum was in fact paid by said Union Bank of Sheldon to said S. F. Stewart, Deputy Auditor of State, pursuant to said wrongful, willful and corrupt requirement of said John L. Brown, Auditor of State, and said John L. Brown, Auditor of State, was thereby guilty of a misdemeanor and malfeasance in office.

ARTICLE XXIV.

That said John L. Brown, having been duly elected and qualified as Auditor of State, of the State of Iowa, and acting as such during

the years 1883, 1884, 1885 and 1886, was as such Auditor entitled to receive, and did receive, from the State a salary of two thousand two hundred dollars per year, which salary was and is by law provided, to be in full payment and compensation for all his official services as such Auditor of State, and as such Auditor of State he was not, and is not by law entitled to charge, demand or exact, or receive to his own use from the State or from any person or corporation doing business with him in his said official capacity any other fee, payment or compensation whatever for any services rendered by him in or about the duties of his said office. That said John L. Brown, as Auditor of State, was by law vested and charged with the power of authority to examine into the condition and the affairs of all banks organized under the general incorporation laws of the State, for which service he was not by law entitled or authorized to demand, exact, or receive any payment or compensation whatever other than his salary aforesaid, but the said John L. Brown, Auditor of State, as aforesaid, unmindful of the duties of his office and in violation of his oath of office, and of the constitution and of the laws of the State did while acting as such Auditor of State during the years aforesaid, willfully and unlawfully take, receive and exact other fees for his official services in the examination of such banks than are allowed by the law in this, to-wit:

Specification First—That on or about the month of November, 1883, said John L. Brown, as Auditor of State, pursuant to the authority in him vested as aforesaid, did make examination of the affairs of the Bremer County Bank, a corporation organized under the incorporation laws of the State, and for his official services so rendered in such examination, did then and there willfully, wrongfully exact, demand, take and receive from said Bremer County Bank, the sum of one hundred dollars to and for his own private personal use and benefit.

Specification Second—That on or about the month of January, 1884, said John L. Brown, as Auditor of State, pursuant to the authority in him vested as aforesaid, did make examination of the affairs of the Farmers' and Merchants' Bank of Corydon, a corporation organized under the general incorporation laws of the State, and for his official services so rendered in such examination, did then and there willfully, wrongfully and unmindfully exact, demand, take and receive from said Farmers' and Merchants' Bank the sum of ten dollars to and for his own private use and benefit.

Specification Third—That on or about the month of August, 1884, said John L. Brown, as Auditor of State, pursuant to the authority in him vested as aforesaid, did by his deputy, S. F. Stewart, make examination of the affairs of the Shelby County Bank, a corporation organized under the general incorporation laws of the State, and for his official services, and the services of his deputy, so rendered in such examination, did then and there willfully and unlawfully exact, demand, take and receive from said Shelby County Bank, the sum of twenty dollars to and for his own private use and benefit.

Specification Fourth—That on or about the month of November, 1884, said John L. Brown, as Auditor of State, pursuant to authority in him vested as aforesaid, did by his deputy, S. F. Stewart, make examination of the affairs of the Mahaska County Bank, a corporation

organized under the general incorporation laws of the State, and for his official service and the service of his deputy so rendered in such examination, did then and there wilfully, wrongfully and unlawfully exact, demand, take and receive from said Mahaska County Bank, the sum of fifteen dollars, to and for his own private use and benefit, and the said John L. Brown, Auditor of State, thereby became and was guilty of misdemeanor and malfeasance in office.

ARTICLE XXV.

That said John L. Brown, having been duly elected and qualified as Auditor of State of the State of Iowa, and acting as such Auditor during the year 1883, was by law vested and charged with the power and authority to examine into the affairs and conditions of savings banks, organized under the laws of the State of Iowa, and for any examination so made or cause to be made by him as such Auditor of State, he was authorized to charge and collect from the savings banks so examined the just and reasonable expense thereof and no more. Then, in pursuance of such authority, the said John L. Brown, Auditor of State, did, on or about December 17, 1883, cause the Marengo Savings Bank, of Marengo, Iowa, incorporated under the laws of Iowa, to be examined by one S. F. Stewart, who was then and there the duly appointed, qualified, and acting Deputy Auditor of State of the State of Iowa, and was drawing and receiving from the State of Iowa as such Deputy Auditor of State, the salary provided by law. That the actual, reasonable and just expense of such examination did not exceed the sum of five dollars, but the said John L. Brown, Auditor of State, unmindful of his duties as such Auditor of State, and in violation of his oath of office, and in violation of the constitution and laws of the State, did then and there wilfully, wrongfully, and corruptly require the said Marengo Savings Bank to pay the said S. F. Stewart, Deputy Auditor aforesaid, the sum of twenty dollars for the examination of said Marengo Savings Bank so made, which said sum was in fact paid to the said S. F. Stewart, Deputy Auditor of State, pursuant to the said wrongful, willful and corrupt requirement of the said John L. Brown, Auditor of State, and said John L. Brown was thereby guilty of a misdemeanor and malfeasance in office.

ARTICLE XXVI.

That said John L. Brown, having been duly elected and qualified as Auditor of State, of the State of Iowa, and acting as such during the years 1883, 1884 and 1885, was as such Auditor vested by law with the power and authority to make examination of the affairs of any savings bank organized under the laws of this State, and for any examination so made or caused to be made by him as such Auditor, he was entitled and authorized to charge and collect from such savings bank so examined the just and reasonable expense thereof, and no more; that acting under the power and authority so vested in him, as aforesaid, the said John L. Brown, Auditor of State, did during the years 1883, 1884 and 1885, make and cause to be made examination into the affairs of a large number of savings banks, organized

under the laws of this State, and then and there unmindful of the duties of his office and in violation of his oath of office, and of the constitution and laws of the State, did unlawfully, willfully and corruptly, demand, exact, collect, take and receive from such savings banks, large sums of money in excess of the just and reasonable expense of such examinations, as follows, to-wit:

Specification First—That on or about the month of January, 1885, the said John L. Brown, as Auditor of State, pursuant to the authority in him vested as aforesaid, did cause the Citizens Savings and Trust Company of Iowa City, a corporation organized under the laws of this State, as a Savings Bank, to be examined by one S. F. Stewart, who was at that time Deputy Auditor of State, under said John L. Brown, and was at said date in fact, drawing, receiving from the State the salary provided by law as such Deputy. That the actual, reasonable and just expense of such examination did not exceed the sum of five dollars, but the said John L. Brown, Auditor of State as aforesaid, being then and there unmindful of the duties of his office, and in violation of his oath of office, and of the laws and the constitution of the State, did willfully, wrongfully and unlawfully, demand, exact and require the said Citizens Savings and Trust Company to pay said S. F. Stewart, Deputy Auditor as aforesaid, the sum of twenty dollars for the examination so made, which said sum was in fact paid by the bank to said S. F. Stewart, pursuant to the said wrongfully and unlawful demand and requirement of the said John L. Brown, Auditor of State.

Specification Second—That on or about the month of January, 1884, said John L. Brown as Auditor of State, pursuant to the authority in him vested as aforesaid, did cause examinations to be made of the affairs of the Des Moines Savings Bank of the city of Des Moines, in said State, a corporation organized as a savings bank under the laws of said State, that said examination was made by one S. F. Stewart, who was then and there duly qualified and acting Deputy Auditor of State, and the said John L. Brown drawing and receiving from the State, the salary provided by law for the said office; that the actual, reasonable and just expense of such examination did not exceed the sum of one dollar, but the said John L. Brown, Auditor of State as aforesaid, being unmindful of the duties of his said office, and in violation of his oath of office, and of the laws and constitution of the State, did willfully, wrongfully and unlawfully, demand, exact and require the said Des Moines Savings Bank to pay to said S. F. Stewart, his Deputy aforesaid, for the examinations so made as aforesaid, the sum of fifteen dollars, which said sum of fifteen dollars was in fact then and there paid by the Des Moines Savings Bank to said S. F. Stewart pursuant to the said wrongful and unlawful demand and requirement of the said John L. Brown, Auditor of State.

Specification Third—That on or about the month of February said John L. Brown as Auditor of State, pursuant to the authority in him vested as aforesaid, did cause examination to be made of the Des Moines Savings Bank, a corporation organized as a savings banks under the laws of this State that said examination was made by one S. F. Stewart, who was then and there the duly qualified and acting Deputy Auditor of State, under said John L. Brown, drawing and

receiving from the State the salary provided by law for said office, that the actually reasonable and just expense of such examination did not exceed the sum of one dollar, but the said John L. Brown, Auditor of State, as aforesaid, being unmindful of the duties of his said office, and in violation of his oath of office, and of the constitution and laws of the State, did willfully and wrongfully and unlawfully demand, exact and require the said Des Moines Savings Bank to pay to said S. F. Stewart, his Deputy as aforesaid, for the examination so made as aforesaid the sum of fifteen dollars, which said sum of fifteen dollars was in fact then and there paid by the said Des Moines Savings Bank to said S. F. Stewart, pursuant to the said wrongful and unlawful demand and requirement of the said John L. Brown, Auditor of State.

Specification Fourth—That on or about the month of January, 1884, said John L. Brown, as Auditor of State, pursuant to the authority in him vested as aforesaid, did cause examination to be made of the Polk County Savings Bank, a corporation organized as a savings bank, under the laws of this state; that said examination was made by one S. F. Stewart, who was then and there the duly qualified and acting Deputy Auditor of State, under said John L. Brown, drawing and receiving from the State the salary provided by law for the said office; that the actual, reasonable and just expense of said examination did not exceed one dollar, but the said John L. Brown, Auditor of State aforesaid, being unmindful of the duties of said office, and in violation of his oath of office, and of the constitution and laws of the State, did then and there willfully, wrongfully and unlawfully demand, exact and require said Polk County Savings Bank to pay to said S. F. Stewart, his deputy as aforesaid, for the examination so made as aforesaid, the sum of fifteen dollars, which said sum of fifteen dollars was in fact then and there paid by the said Polk County Savings Bank, to said S. F. Stewart, pursuant to the said wrongful and unlawful demand and requirements of the said John L. Brown, Auditor of State.

ARTICLE XXVII.

That said John L. Brown, having been duly elected and qualified as Auditor of State of the State of Iowa, and acting as such during the years 1883 and 1884, was by law authorized and empowered to appoint a deputy for whose acts he should be responsible; that under and by virtue of said authority said John L. Brown, as Auditor of State, did appoint one S. F. Stewart to be deputy Auditor of State, for said years 1883 and 1884; that under and by virtue of his said appointment, said S. F. Stewart, as said deputy Auditor of State, was entitled to receive and did receive from the State a salary of twelve hundred dollars per year, which salary was in full payment and compensation to said S. F. Stewart for all the services rendered by him as deputy Auditor of State during said years; that during said term of office, said S. F. Stewart, as deputy Auditor of State, and in pursuance of his official duties as deputy Auditor, and under the order and by direction of said John L. Brown, Auditor of State, was employed in the business of examining into the condition and affairs of incor-

porated banks and savings banks organized under the laws of the State; that said examinations were by law made a part of the official duties of said Auditor of State, and the labor performed by said S. F. Stewart, in and about said examinations, was in the direct line of his duties as such Deputy Auditor; that during the time of making said examinations said S. F. Stewart was, and in fact, the acting Deputy Auditor of State, drawing and receiving from the State his full and regular salary of twelve hundred dollars per year; that notwithstanding said fact, said John L. Brown, Auditor of State, unmindful of the duties of his office, and in violation of his oath of office and of the constitution and laws of the State, did wrongfully and unlawfully permit, aid and assist the said S. F. Stewart, his deputy as aforesaid, to demand, receive and extort from said banks and savings banks large sums of money, and to keep and to apply the same to his own use, to the aggregate sum of about twelve hundred dollars; that the money thus received by the said S. F. Stewart was in addition to the salary provided by law, and was so received with the knowledge and consent of said John L. Brown, Auditor of State, and in violation of law, whereby the said John L. Brown, Auditor of State, became and is guilty of a misdemeanor and malfeasance in office.

ARTICLE XVIII.

That John L. Brown, having been duly elected and qualified as Auditor of State, of the State of Iowa, for the years 1883 and 1884, was by a law charged with the power and duty of examining or causing examination to be made into the affairs and conditions of insurance companies, organized or doing business in this State, and for his services in making such examination or causing such examination to be made, he was authorized and empowered by law to charge and receive of said insurance companies the actual and necessary expenditures occasioned or made in such examination and no other or greater sum whatever. That in pursuance of the power and authority so vested in him, said John L. Brown, as Auditor of State, did during the year 1884, cause examination to be made into the conditions and affairs of the following named insurance companies, corporations organized under the laws of this State, to-wit: The Des Moines Insurance Company, the State Insurance Company, the Hawkeye Insurance Company, the Monarch Insurance Company, the Burlington Insurance Company, the Council Bluffs Insurance Company, the Iowa & Nebraska Insurance Company, and the Farmers' Insurance Company, of Cedar Rapids; that said examinations were all made by one H. S. Vail, under the direction, authority and employment of the said John L. Brown, as Auditor of State, that said H. S. Vail in making said examinations was employed not to exceed two hundred and sixty-five days, the reasonable and fair value of which service was not to exceed two thousand six hundred and fifty dollars, but the said John L. Brown, unmindful of the duties of the said office, and in violation of his oath of office, and of the laws and the constitution of the State, did unlawfully and wrongfully permit the said H. S. Vail to charge and receive from said companies for the service so rendered as

aforesaid, the sum of twelve thousand six hundred and eighty-eight dollars and ninety-eight cents, that said money was so collected and received from said companies by said H. S. Vail, with the knowledge and consent of said John L. Brown, Auditor of State, and with full knowledge and notice on his part, that the compensation so charged by Vail, and paid by said companies, was excessive, exorbitant and largely above the actual and reasonable value of the services rendered, whereby the said John L. Brown, Auditor of State, became and was guilty of misdemeanor and malfeasance in office.

ARTICLE XXIX.

That said John L. Brown, having been duly elected and qualified as Auditor of State, and being by law charged with the duty of examining into the affairs and conditions of the insurance companies organized or doing business in this State, without payment, compensation or reward other than the actual, necessary and reasonable expenses incurred in such examinations, did, during the year 1884, as such Auditor, cause examination to be made of divers insurance companies doing business in this State; examinations were made by one H. S. Vail, under the authority and direction of said John L. Brown, Auditor of State, by whom said H. S. Vail was allowed and permitted to exact and receive unusual, exorbitant and excessive fees and compensation from the companies so examined, and thereafter during the year 1884, said John L. Brown, Auditor of State, unmindful of the duties of his office, and in violation of his oath of office, and of the constitution and laws of the State, did unlawfully, wrongfully and corruptly take, accept and receive of said H. S. Vail large sums of money, to wit: about two hundred dollars; that said money was so taken, accepted and received by him from said Vail without any other consideration than the appointment and employment of said Vail in the examination of said insurance companies and with full knowledge and notice on the part of said John L. Brown, Auditor of State; that the money so taken and received by him was a part of the exorbitant, excessive and unreasonable fees and compensation which the said H. S. Vail, with the knowledge and the consent of the said John L. Brown, and acting under his authority as Auditor of State, had theretofore exacted and received from said insurance companies for the examinations so made by him as aforesaid, whereby the said John L. Brown, Auditor of State, became and is guilty of malfeasance in his said office.

ARTICLE XXX.

That said John L. Brown, having been duly elected and qualified as Auditor of State, of the State of Iowa, for the years 1883 and 1884, was by law charged with the power and duty of examining or causing examination to be made into the affairs and conditions of any insurance company organized or doing business in the State of Iowa, and as such Auditor was authorized to demand and receive from any insurance company so examined, the actual and necessary expenses of such examination and no more, that acting under the power

so conferred said John L. Brown, as Auditor of State, did during the year 1884, make or cause to be made examination into the affairs and conditions of divers insurance companies organized under the laws of this State, that having so made or caused to be made the examinations aforesaid, the said John L. Brown, unmindful of the duties of said office, and in violation of his oath of office, and of the laws of said State, did willfully and wrongfully, demand, induce and compel the payment by said companies for said examinations, large sums of moneys in excess of the actual, necessary and reasonable expenditures therefor, as follows, to-wit:

Specification First—That on the 19th day of March, 1884, said John L. Brown, as Auditor of State aforesaid, caused the Des Moines Insurance Company, a corporation organized under the laws of the State, to be examined by one H. S. Vail, the reasonable and actual expenses of which examination did not exceed the sum of two hundred and sixty-five dollars, but the said John L. Brown, Auditor as aforesaid, wrongfully and unlawfully, designing to oppress the said Des Moines Insurance Company and to extort therefrom unreasonable and excessive payment for the examination so made, did order and compel the payment by said company to said H. S. Vail, the sum of nine hundred and sixty-seven dollars, which sum was in fact paid by said company to said H. S. Vail.

Specification Second—That on or about the third day of April, 1884, said John L. Brown as Auditor of State, as aforesaid, caused the State Insurance Company of Des Moines, a corporation organized under the laws of this State to be examined by one H. S. Vail, the reasonable and actual expense of this examination did not exceed the sum of five hundred and ninety dollars, that the said John L. Brown, Auditor, as aforesaid, wrongfully and unlawfully, designing to oppress said insurance company and to extort therefrom unreasonable and excessive payment for said examination so made did order and require said company to pay to said H. S. Vail, for the labor so performed, the sum of two thousand seven hundred and sixty-four dollars and fifty cents, which sum was then and there in pursuance of the unlawful demand of the said John L. Brown, as Auditor of State, paid by said company to said H. S. Vail.

Specification Third—That on or about the tenth day of June, 1884, the said John L. Brown as Auditor of State, caused the Hawkeye Insurance company, a corporation organized under the laws of the State to be examined by said H. S. Vail, that the reasonable and actual expenses of said examination did not exceed the sum of four hundred and seventy-five dollars, but said John L. Brown, designing and intending to oppress the said Hawkeye Insurance Company, and extort therefrom excessive and illegal payment for the examination so made ordered and required said Hawkeye Insurance Company to pay said H. S. Vail for the labor so performed, the sum of two thousand six hundred and thirty-four dollars and twenty-two cents, which said sum was in fact received by said Vail from said insurance company.

Specification Fourth—That on or about July 25, 1884, the said John L. Brown, as Auditor of State, caused the Monarch Insurance Company of Des Moines, a corporation organized under the laws of the

State, to be examined by said H. S. Vail; that the reasonable and actual expense of said examination, was not to exceed two hundred dollars; that the said John L. Brown, designing and intending to oppress said Monarch Insurance Company, and to extort therefrom excessive and illegal payment, for the examination so made, ordered and required said company to pay said H. S. Vail, for the labor so performed, the sum of ten hundred and seventeen dollars and forty cents, which said sum was in fact then and there paid by said company to said H. S. Vail.

Specification Fifth—That on or about August 12, 1884, the said John L. Brown, as Auditor of State, caused the Burlington Insurance Company of Burlington, Iowa, a corporation organized under the laws of the State, to be examined by said H. S. Vail; that the reasonable and actual expenses of said examination was not to exceed five hundred and eighty dollars, but the said John L. Brown, designing and intending to oppress said Burlington Insurance Company, and to extort therefrom excessive and illegal payments for the examination so made, ordered and required said company to pay said H. S. Vail for the labor so performed the sum of two thousand five hundred and eighty-five dollars and thirty-three cents, which said sum was in fact then and there paid by said company to H. S. Vail.

Specification Sixth—That on or about October 2, 1884, the said John L. Brown, as Auditor of State, caused the Council Bluffs Insurance Company of Council Bluffs, a corporation organized under the laws of the State, to be examined by said H. S. Vail; that the reasonable and actual expense of said examination was not to exceed one hundred and sixty-five dollars, but the said John L. Brown, designing and intending to oppress the said Council Bluffs Insurance Company, and to extort therefrom excessive and illegal payments for the examination so made, ordered and required said company to pay H. S. Vail, for the labor so performed, the sum of eight hundred and nine dollars and twenty-six cents, which said sum was in fact then and there paid by said company to said H. S. Vail.

Specification Seventh—That on or about October 9, 1884, the said John L. Brown, as Auditor of State, caused the Iowa and Nebraska Insurance Company, of Council Bluffs, a corporation organized under the laws of this State, to be examined by said H. S. Vail; that the reasonable and actual expense of said examination was not to exceed one hundred and two dollars and fifty cents, but the said John L. Brown, designing and intending to oppress said Iowa and Nebraska Insurance Company, and to extort therefrom excessive and illegal payments for the examination so made, ordered and required said company to pay said H. S. Vail, for the labor so performed, the sum of four hundred and seventy-one dollars and eighty-seven cents, which said sum was in fact then and there paid by said company to H. S. Vail.

Specification Eighth—That on or about December 2, 1884, the said John L. Brown, as Auditor of State, caused the Farmers' Insurance Company, of Cedar Rapids, a corporation organized under the laws of the State, to be examined by said H. S. Vail; that the reasonable and actual expense of said examination was not to exceed two hundred and fifty-two dollars and fifty cents; but the said John L. Brown,

designing and intending to oppress said Farmers' Insurance Company, and to extort therefrom excessive and illegal payment for the examination so made, ordered and required said company to pay said H. S. Vail for the labor performed the sum of one thousand four hundred and fifty-nine dollars and forty cents, which said sum was in fact then and there paid by said company to said H. S. Vail, whereby the said John L. Brown became and is guilty of misdemeanor and malfeasance in office.

And now, the House or Representative of the State of Iowa, in regular session assembled, protesting and saving to themselves the liberty of exhibiting at any time further articles of impeachment against said John L. Brown, and also of replying to his answer which he shall make unto said articles, or any of them, and offering proof to all and every one of the aforesaid articles, and to all and every other article of impeachment which may be hereafter exhibited by them, as the case may be, or require, and demand; that the said John L. Brown may be put to an answer of the said misdemeanors and malfeasance in office herein charged, and that such proceedings, examination, trial and judgment may thereupon be had, and given as is provided and authorized by the constitution and laws of the State of Iowa, and as shall be agreeable to law and justice, and the House of Representatives of the State of Iowa are ready to offer proof of such matters as are above set out, at such time as the honorable Senate as a court of impeachment shall order or appoint.

RESOLUTIONS.

Senator Woolson offered following resolution:

Resolved, That the President of the Senate is hereby directed to cause to be certified to the Governor of Iowa, the fact of the impeachment this day of John L. Brown, Auditor of State.

Adopted.

Senator Robinson offered following resolution:

WHEREAS, The House of Representatives has impeached John L. Brown, Auditor of State, for misdemeanors and malfeasance in office; therefore be it

Resolved, That immediately after the hour for the final adjournment of the present session of the General Assembly, the Senate proceed to organize in its chamber as a Court of Impeachment for the trial of said John L. Brown, Auditor of State.

Resolved, That the secretary is hereby directed to transmit to the House a copy of these resolutions.

Senator Robinson moved reference of resolution, and also of articles of impeachment to Committee on Judiciary.

So ordered.

REPORT OF COMMITTEE.

Senator Donnan, from the Sifting Committee, submitted the following additional report:

MR. PRESIDENT—Your Special Committee to whom was referred bills pending in the Senate, ask leave to make report that the com-

mittee has taken from the calendar all bills which had been by the committees to which they were respectively referred, recommended for indefinite postponement, or reported without recommendation, as well as those which have been anticipated by legislation already had, and have instructed me to report the same back to the Senate without recommendation, as follows:

Senate File No. 65, calendar No. 3.
Senate File No. 297, calendar No. 18.
Senate File No. 217, calendar No. 23.
House File No. 61, calendar No. 33.
Senate File No. 4, calendar No. 34.
Senate File No. 226, calendar No. 37.
Senate File No. 330, calendar No. 38.
Senate File No. 13, calendar No. 39.
Senate File No. 210, calendar No. 40.
Senate File No. 2, calendar No. 44.
Senate File No. 278, calendar No. 45.
Senate File No. 25, calendar No. 46.
Senate File No. 179, calendar No. 48.
Senate File No. 319, calendar No. 49.
Senate File No. 347, calendar No. 51.
Senate File No. 138, calendar No. 56.
Senate File No. 137, calendar No. 60.
Senate File No. 261, calendar No. 64.
Senate File No. 140, calendar No. 71.
House Joint Resolution No. 12, calendar No. 73.
Senate File No. 303, calendar No. 76.
Senate File No. 348, calendar No. 77.
Senate File No. 244, calendar No. 79.
Senate File No. 236, calendar No. 83.
Senate File No. 170, calendar No. 84.
Senate File No. 233, calendar No. 85.
Senate File No. 356, calendar No. 87.
Senate File No. 95, calendar No. 88.
Senate File No. 276, calendar No. 90.
Senate File No. 338, calendar No. 91.
Senate File No. 19, calendar No. 92.
Senate File No. 294, calendar No. 97.
Senate File No. 38, calendar No. 99.
House File No. 30, calendar No. 105.
Substitute for House File No. 335, calendar No. 106.
House File No. 149, calendar No. 107.
Senate File No. 364, calendar No. 113.
Senate File No. 239, calendar No. 115.
Senate File No. 45, calendar No. 117.
House File No. 163, calendar No. 123.
Senate File No. 61, calendar No. 127.
Senate File No. 292, calendar No. 130.
Senate File No. 354, calendar No. 131.
Senate File No. 357, calendar No. 138.
Senate File No. 375, calendar No. 140.
Senate File No. 134, calendar No. 141.

- Senate File No. 207, calendar No. 143.
Senate File No. 281, calendar No. 144.
Senate File No. 295, calendar No. 147.
Senate File No. 89, calendar No. 152.
Senate File No. 299, calendar No. 153.
Senate File No. 338, calendar No. 171.
Senate File No. 378, calendar No. 172.
Senate File No. 367, calendar No. 175.
Substitute for House File No. 8, 24, 49, 60, 122, 159 and 384, calendar No. 181.
Senate File No. 247, calendar No. 188.
Senate File No. 377, calendar No. 189.
Senate File No. 181, calendar No. 193.
Senate File No. 307, calendar No. 195.
Senate File No. 104, calendar No. 196.
House File No. 248, calendar No. 198.
House File No. 595, calendar No. 200.
House File No. 46, calendar No. 202.
Senate File No. 389, calendar No. 209.
Senate File No. 5, calendar No. 220.
House File No. 494, calendar No. 223.
Senate File No. 32, calendar No. 225.
Senate File No. 339, calendar No. 226.
Substitute for Senate File No. 256, calendar No. 229.
Senate File No. 381, calendar No. 230.
Senate File No. 403, calendar No. 231.
House File No. 520, calendar No. 234.
Senate File No. 388, calendar No. 236.
Senate File No. 71, calendar No. 246.
House File No. 91, calendar No. 244.
Senate File No. 369, calendar No. 245.
Senate File No. 402, calendar No. 252.
Substitute for House File No. 142, calendar No. 255.
House File No. 273, calendar No. 256.
House File No. 373, calendar No. 251.
House File No. 397, calendar No. 260.
House File No. 359, calendar No. 261.
House File No. 630, calendar No. 263.
Senate Files Nos. 220 and 252, calendar No. 266.
Senate File No. 394, calendar No. 267.
Senate File No. 15.
Senate File No. 48.
Senate File No. 173.
Senate File No. 305.
Senate File No. 363.
Senate File No. 395.
Senate File No. 408.
House File No. 409.
House File No. 414.
House File No. 66.
House File No. 670.
Senate Joint Resolution No. 4.

Senate Joint Resolution in regard to the Cullom bill.

Concurrent Resolution concerning winter term at the Agricultural College.

House File No. 484.

House File No. 545.

House File No. 678.

House File No. 641.

Senate File No. 255.

Senate File No. 290.

Also, a resolution, calendar No. 90, on which no action is needed.

W. G. DONNAN, *Chairman.*

Ordered passed on file.

Senator Donnan, from the Sifting Committee, submitted the following report:

MR. PRESIDENT—Your Special Committee, to whom was referred bills pending before the Senate, beg leave to report that they have had the same under consideration and have instructed me to report the following back to the Senate with the recommendation that they be considered in the order in which they are arranged, if reached :

House File No. 245, calendar No. 150.

Senate File No. 277, calendar No. 20.

House File No. 136, calendar No. 12.

House File No. 147, calendar No. 29.

House File No. 51, calendar No. 42.

House File No. 126, calendar No. 65.

House joint resolution No. 10, calendar No. 74.

House File No. 104, calendar No. 122.

Concurrent resolution, calendar No. 158.

Substitute for House File No. 298, calendar No. 167.

House File No. 337, calendar No. 168.

House File No. 173, calendar No. 208.

House File No. 40, calendar No. 216.

House File No. 369, calendar No. 217.

House File No. 625, calendar No. 262.

Senate File No. 80, calendar No. 15.

Senate File No. 114, calendar No. 16.

Senate File No. 115, calendar No. 17.

Senate File No. 6, calendar No. 19.

Senate File No. 279, calendar No. 27.

Senate File No. 245, calendar No. 31.

Senate File No. 296, calendar No. 32.

Senate File No. 166, calendar No. 35.

Senate File No. 74, calendar No. 43.

Senate File No. 127, calendar No. 47.

Senate File No. 108, calendar No. 52.

Senate File No. 101, calendar No. 53.

Senate File No. 199, calendar No. 54.

Senate File No. 240, calendar No. 55.

Senate File No. 352, calendar No. 57.

Senate File No. 75, calendar No. 67.

Senate File No. 54, calendar No. 68.

Senate File No. 37, calendar No. 81.

Senate File No. 285, calendar No. 95.
 Senate File No. 361, calendar No. 101.
 Senate File No. 349, calendar No. 103.
 Senate File No. 106, calendar No. 104.
 Senate File No. 382, calendar No. 110.
 Senate File No. 383, calendar No. 111.
 Senate File No. 370, calendar No. 112.
 Senate File No. 131, calendar No. 128.
 Senate File No. 398, calendar No. 192.
 Senate File No. 225, calendar No. 211.
 Senate File No. 322, calendar No. 218.
 Senate File No. 341, calendar No. 219.
 Senate File No. 334, calendar No. 221.
 Senate File No. 390, calendar No. 228.
 Senate File No. 190, calendar No. 246.
 Senate File No. 301, calendar No. 247.
 Senate File No. 151, calendar No. 248.
 Senate File No. 412, calendar No. 249.
 Senate File No. 407, calendar No. 251.
 Senate File No. 18.
 Senate File No. 411.
 Senate File No. 94, calendar No. 13.
 Senate File No. 31, calendar No. 5.
 House File No. 245, calendar No. 150.
 Senate File No. 277, calendar No. 20.
 House File No. 136, calendar No. 12.
 House File No. 147, calendar No. 29.
 House File No. 51, calendar No. 42.
 House File No. 126, calendar No. 65.
 House Joint Resolution No. 10, calendar No. 74.
 House File No. 104, calendar No. 122.
 Concurrent resolution, calendar No. 158.
 Substitute for House File No. 298, calendar No. 167.
 House File No. 377, calendar No. 168.
 House File No. 173, calendar No. 208.
 House File No. 40, calendar No. 216.
 House File No. 369, calendar No. 217.
 House File No. 625, calendar No. 262.
 Senate File No. 80, calendar No. 15.
 Senate File No. 114, calendar No. 16.
 Senate File No. 115, calendar No. 17.
 Senate File No. 6, calendar No. 19.
 Senate File No. 279, calendar No. 27.
 Senate File No. 245, calendar No. 31.
 Senate File No. 296, calendar No. 32.
 Senate File No. 166, calendar No. 35.

W. G. DONNAN, *Chairman.*

Ordered passed on file.

Senator Donnan moved the Senate adjourn to 1:30 P. M.

Carried.

The Senate re-convened at 1:30 P. M.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House Files Nos. 629, 655, 680.

Also, the House has concurred in Senate amendments to House File No. 655.

J. K. POWERS, *Chief Clerk.*

REPORTS OF COMMITTEES.

Senator Carson, from the Committee on Judicial Districts, submitted the following report:

MR. PRESIDENT—Your Committee on Judicial Districts, to whom was referred Senate File No. 259, a bill for an act to repeal sections 161, 162, 163, 164 and 165 of chapter 5, of title 3, of the Code, relating to district and circuit courts, 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 same be indefinitely postponed for the reason that another bill relating to the same subject matter has passed the Senate and House.

GEO. CARSON, *Chairman.*

Ordered passed on file.

Senator Woolson offered the following:

Ordered, That due process issue for the appearance of John L. Brown before the bar of the Senate to answer to the articles of impeachment this day presented to the Senate by the managers appointed on the part of the House.

Adopted.

REPORT OF COMMITTEE.

Senator Deal, 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. 384, a bill for an act authorizing cities under special charter to levy a special tax for the maintenance of a paid fire department.

Senate File No. 283, a bill for an act in relation to canned and pressed food.

Senate File No. 308, a bill for an act to amend section 3770 of the Code of Iowa.

Senate File No. 188, a bill for an act making appropriation for the Iowa Industrial School, boys' department, at Eldora, Iowa.

Senate File No. 88, a bill for an act providing for a separate apartment in jails and prisons for the detention of females, and making their detention otherwise unlawful.

Senate File No. 284, a bill for an act to repeal section 1, of chapter

5, of the acts of the Fifteenth General Assembly, empowering cities and towns to make contracts with railroad and bridge companies for the use of wagon bridges across rivers, and to enact a substitute therefor.

Senate File No. 387, a bill for an act making further provision with respect to contracts by cities of the first-class containing a population of over thirty thousand, for paving and curbing streets and the construction of sewers, and the making and collecting of assessments and issuance of bonds or certificates to pay for same.

Senate File No. 64, a bill for an act to suppress the circulation, advertising and vending of obscene and immoral literature and articles of indecent and immoral use, and to confiscate such property.

Senate File No. 418, a bill for an act making appropriations for the payment of State and judicial officers, and other matters.

And find the some correctly enrolled.

JNO. K. DEAL, *Chairman.*

The Sergeant-at-Arms announced that John L. Brown, Auditor of State, had obeyed the summons of the Senate and appeared at its bar.

The President of the Senate recognized John L. Brown and announced to him his impeachment.

Mr. Brown introduced counsel, Hon. C. C. Nourse, who stated that on behalf of his client he waived a formal reading of the articles of impeachment, and that he be furnished with a copy of the minutes of the legislative investigating committee upon which the charges found in the articles of impeachment were founded, and begged leave to present following affidavit:

In the matter of the impeachment of John L. Brown, before the Senate of the State of Iowa.

STATE OF IOWA, }
Polk county. } ss.

I, John L. Brown, being duly sworn do depose and say that I am the defendant against whom articles of impeachment have been presented by the House of Representatives of the State of Iowa, and that I am not able to bear the expense of employing counsel to prepare and conduct my defense. That I have been already subjected to extraordinary expenses in the various suits and prosecutions that have heretofore been instituted against me in the matter about which this impeachment has its origin, and that I have not the money to pay my counsel for services already rendered. I desire that the Senate shall appoint a proper number of attorneys for me, and ask that I may be permitted to select the same.

JOHN L. BROWN.

Sworn to before me and subscribed in my presence by the said J. L. Brown, this 13th day of April, A. D. 1886.

[SEAL.]

WM. H. FLEMING,
Notary Public in and for Polk county, Iowa.

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 this General Assembly, been duly enrolled and signed by the Speaker of the House:

Senate Files Nos. 418, 88, 64, 188, 283, 308, 384, 284, 387.

Also the House has concurred in Senate resolution relative to allowing State Agricultural Society to use all machinery, etc., around State Capitol.

Also the House has concurred Senate resolution relative to list of ex-soldiers and marines.

J. K. POWERS, *Chief Clerk.*

Senator Robinson moved that Hon. John L. Brown be furnished with a copy of the articles of impeachment.

Carried.

Secretary of the Senate furnished Mr. Brown with a certified copy of the articles of impeachment.

Senator Wilkin moved that there be appointed by the President a committee of two on part of Senate to confer with like committee on the part of the House and wait on the Governor to inform him that the legislature is about to adjourn, and ascertain if there are any further communications to be awaited at his hands.

Chair appointed Senators Wilkin and Casey.

RESOLUTION.

Senator Donnan offered the following resolution:

Resolved, That the thanks of the Senate are hereby most cordially tendered to the old M. C. and Magnetic Rock Spring Company of Colfax, Iowa, for their liberality in furnishing mineral water during the session, free of charge. And also, to Miss Ida Sanders for her kindness and uniform courtesy in dispensing the same.

Adopted.

REPORT OF COMMITTEE.

Senator Deal, 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. 384, a bill for an act authorizing cities under special charter to levy a special tax for the maintenance of a paid fire department.

Senate File No. 283, a bill for an act in relation to canned or preserved food.

Senate File No. 308, a bill for an act to amend section 3770 of the Code of Iowa.

Senate File No. 188, a bill for an act making appropriation for the Iowa Industrial School, boys' department, at Eldora, Iowa.

Senate File No. 88, a bill for an act providing for a separate apart-

ment in jails and prisons for the detention of females and making their detention otherwise unlawful.

Senate File No. 284, a bill for an act to repeal section 1 of chapter 5, of the Acts of the Fifteenth General Assembly, empowering cities and towns to make contracts with railroad and bridge companies for the use of wagon bridges across rivers, and to enact a substitute therefor.

Senate File No. 387, a bill for an act making further provision with respect to contracts by cities of the first-class, containing a population of over 30,000, for paving and curbing streets and the construction of sewers, and the making and collection of assessments and issuance of bonds or certificates to pay for same.

Senate File No. 64, a bill for an act to suppress the circulation, advertising and vending of obscene and immoral literature and articles of indecent and immoral use, and to confiscate such property.

Senate File No. 418, a bill for an act making appropriations for the payment of State and judicial officers and other matters.

Senate File No. 404, a bill for an act to appropriate money to reimburse certain citizens for money advanced to aid in making an exhibit of the resources of Iowa at the World's Exposition, at New Orleans, Louisiana, 1884-5.

JNO. K. DEAL, *Chairman*.

RESOLUTION.

Senator Young offered the following resolution:

Resolved, That as a token of the high regard in which the Senate holds its President, and of the satisfaction experienced by the Senators in the administration by him of the duties of his office, the President of the Senate is hereby presented with the chair he has so ably occupied, and the gavel he has so impartially wielded during the session, and further, that the thanks of the Senate be tendered to President *pro tem*, John S. Woolson, for the able discharge of his duties.

The resolution was adopted by a unanimous rising vote.

Senator Wilkin reported on behalf of the committee to wait on the Governor, that His Excellency had no further communications to make to the Senate, and that he desired the committee to extend to the Senate his thanks for their kindness and aid.

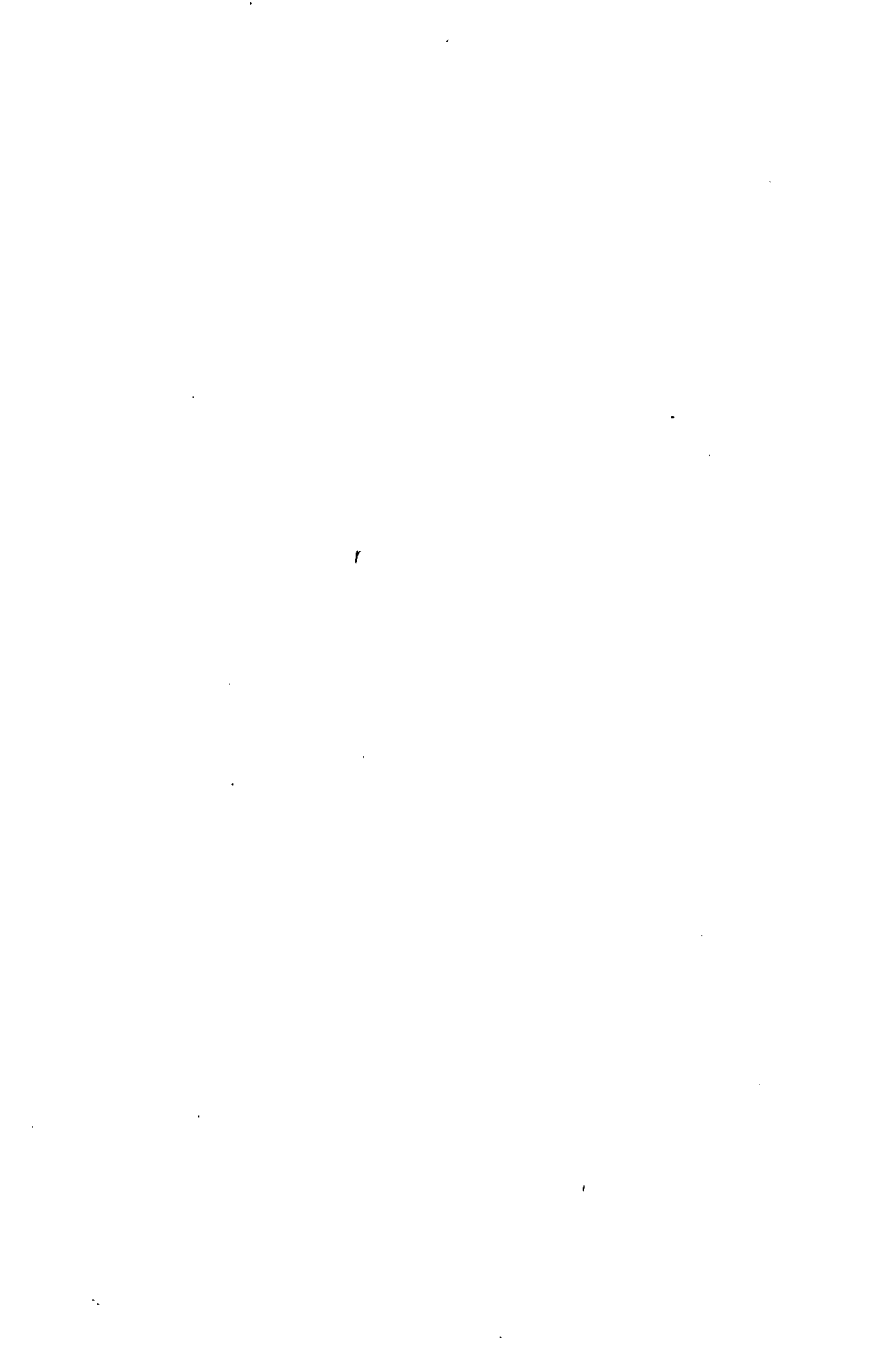
Senator Wilkin moved that the thanks of the Senate be extended to all employes of the Senate for their uniform faithfulness, kindness and courtesy.

Adopted.

At 2 P. M. the Senate rose, and the President of the Senate declared the Senate of the Twenty-first General Assembly adjourned *sine die*.

ATTEST:

DON D. DONNAN, *Secretary of the Senate*



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