JOURNAL

OF THE

SENATE

OF THE

EIGHTH GENERAL ASSEMBLY

OF THE

STATE OF IOWA;

BEGUN AND HELD AT THE CITY OF DES MOINES, ON THE 11TH DAY OF JANUARY, A. D. 1860.

DES MOINES, IOWA.
JOHN TEESDALE, STATE PRINTER.
1860.

JOURNAL OF THE SENATE

OF THE

EIGHTH GENERAL ASSEMBLY OF THE STATE OF IOWA;

BEGUN AND HELD AT THE CITY OF DES MOINES, ON THE NINTH DAY OF JANUARY, A. D. 1860.

SENATE CHAMBER,
CITY OF DES MOINES, January 9th, 1860.

In pursuance of the provisions of the Constitution of the State, the Senate convened and was called to order at 2 o'clock, P. M., by Lieut. Gov. Faville.

Prayer by the Rev. Mr. Bird.

On motion of Mr. Saunders of Henry, J. S. Dimmitt of Jones was chosen Secretary, *pro tem.*

Upon motion of Mr. Rankin of Lee, the President proceeded to appoint a committee on credentials, which committee was composed of Messrs. Rankin, Anderson, Wilson of Dubuque, Mann and Sherradden.

The roll was called and the following named gentlemen presented their credentials.

From 1st *District*, Valentine Buechel,
" 3rd " Cyrus Bussey,
" 4th " Nathan Udell,
" 5th " W. E. Taylor,
" 6th " J. C. Hagans,
" 7th " H. W. English,
" 10th " J. F. Wilson,
" 15th " W. B. Lewis,
" 17th " H. H. Williams,
" 18th " Jarius E. Neal,

From 19th	*District*,	John W. Thompson,	
" 21st	"	J. M. Kent,	
" 22nd	"	Jessee Bowen,	
" 24th	"	George F. Green,	
" 26th	"	H. G. Angle,	
" 27th	"	G. W. Trumbull,	
" 29th	"	P. P. Henderson,	
" 30th	"	M. L. McPherson,	
" 32nd	"	J. F. Duncombe,	
" 33rd	"	J. J. Watson,	
" 34th	"	A. M. Pattison,	
" 35th	"	Thomas Drummond,	
" 36th	"	A. F. Brown,	
" 37th	"	D. C. Hastings,	
" 38th	"	L. L. Ainsworth,	
" 39th	"	G. W. Gray,	
" 40th	"	J. H. Powers,	
" 41st	"	John Scott.	

Which were referred to the committee on credentials, who retired and after some time returned, and through their chairman, Mr. Rankin, made the following report:

The Committee on Credentials beg leave to report the following gentlemen as entitled to seats in the Senate.

1st	*District*,	Valentine Buechel,	Lee county,
3rd	"	Cyrus Bussey,	Davis county,
4th	"	Nathan Udell,	Appanoose county,
5th	"	Wm. E. Taylor,	Wayne county,
6th	"	J. C. Hagans,	Ringgold county,
7th	"	H. W. English,	Fremont county,
10th	"	J. F. Wilson,	Jefferson county,
15th	"	Wm. B. Lewis,	Washington county,
17th	"	H. H. Williams,	Mahaska county,
18th	"	James E. Neal,	Marion county,
19th	"	J. W. Thompson,	Scott county,
21st	"	J. M. Kent,	Cedar county,
22nd	"	Jessee Bowen,	Johnson county,
24th	"	Geo. F. Green,	Jackson county,
26th	"	H. G. Angle,	Linn county,
27th	"	G. W. Trumbull,	Dubuque county,
28th	"	D. Hammer,	Clayton county,

29th	*District*,	P. P. Henderson,	Warren county,
30th	"	M. L. McPherson,	Madison county,
32nd	"	J. F. Duncombe,	Webster county,
33rd	"	J. J. Watson,	Iowa county,
34th	"	A. M. Pattison,	Marshall county,
35th	"	Tho's Drummond,	Benton county,
36th	"	A. F. Brown,	Black Hawk county,
37th	"	D. C. Hastings,	Buchanan county,
38th	"	L. L. Ainsworth,	Fayette county,
39th	"	G. W. Gray,	Alamakee county,
40th	"	J. H. Powers,	Chickasaw county,
41st	"	John Scott,	Story county,

J. W. RANKIN, Chairman.

Which report on motion of Mr. Davis of Clinton, was adopted, when the gentlemen named in the report came forward and took the oath of office, which was administered by the President.

On motion of Mr. Davis of Polk, the Senate adjourned to 10 o'clock, A. M., to-morrow morning.

SENATE CHAMBER,
January 10, 10 o'clock, A. M.

Prayer by the Rev. Mr. Bird.

Journal read and approved.

Mr. Neal offered the following resolution:

Resolved, That the rules of the last Session of the Senate be adopted until further ordered. Carried.

Mr. Davis, of Polk, moved that the Senate proceed to the election of permanent officers.

Mr. Neal moved to amend by striking out the word permanent and inserting the word pro tem, which was lost.

The motion of Mr. Davis was adopted.

Mr. Davis, of Clinton, moved to proceed to the election of permanent Secretary.

Mr. Neal moved to amend by inserting the following after the

word Secretary: "And that the compensation shall not exceed four dollars per day."

Mr. Bailey called for the yeas and nays upon the amendment, which were ordered, and were as follows:

The yeas were—Senators Anderson, Ainsworth, Bailey, Bussey Buechel, Duncombe, English, Gray, Green, Johnson, Lewis, Mann, McPherson, Neal, Pusey, Rankin Reiner, Scott, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—24.

The nays were—Senators Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Pattison of Marshall, Powers, Saunders, Sherradden, Thompson, Watson—16.

So the amendment was adopted.

Mr. Sherradden nominated J. H. Sanders, of Keokuk County, for Secretary.

Mr. Pusey nominated J. Smith Hooten, of Pottawattamie county.

The roll was called with the following result: Those voting for Sanders were—

Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Wilson of Jefferson—23.

Those voting for Hooten, were

Senators Ainsworth, Bailey, Bussey, Buechel, Duncombe, English, Gray, Green, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—17.

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

Mr. Sherradden moved to elect an assistant Secretary.

Mr. Drummond moved to amend by adding the words, "and that his compensation shall not exceed four dollars per day."

Mr. Duncombe moved to amend by striking out "four" and inserting "three."

The ayes and nays were called for and ordered. Result as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Duncombe, English, Gray, Green, Hagans, Henderson, Johnson Kent, Lewis,

Mann, McPherson, Neal, Pusey, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—36.

The nays were—Senators Davis of Polk, Drummond, Hastings, Pattison of Marshall—4.

So the motion to strike out and insert prevailed.

Mr. Powers nominated I. B. Parker for Assistant Secretary.

Mr. Bussey nominated Mr. J. G. Phillips.

The roll was called with the following result: Those voting for Mr. Parker, were

Messrs. Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, and Wilson of Jefferson—23.

Those voting for Mr. Phillips, were

Messrs. Ainsworth, Bailey, Bussey, Buechel, Duncombe, English, Gray, Green, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Udell, Williams, and Wilson of Dubuque—17.

Mr. Parker having received the majority of all the votes cast, was declared duly elected.

Mr. Davis of Clinton, moved to proceed to the election of Engrossing Clerk.

Mr. Neal offered the following as a substitute:

Resolved, That the election of Enrolling and Engrossing Clerks be postponed one week.

The yeas and nays were called for by Mr. Neal, and ordered. Result as follows:

The yeas were—Senators Ainsworth, Bailey, Bussey, Buechel, Duncombe, English, Gray, Green, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—17.

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—23.

So the substitute was lost.

Mr. Bussey moved to amend Mr. Davis' motion to elect an Engrossing Clerk, by adding the words, "and his compensation shall not exceed $2 50 per day."

The yeas and nays were called by Mr. Johnson and ordered. Result as follows:

The yeas were—Senators Anderson, Angle, Aainsworth, Bailey, Brown, Bussey, Buechel, Davis of Clinton, Drummond, Duncombe, English, Gray, Green, Hagans, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—36.

The nays were—Senators Bowen, Davis of Polk, Saunders, Sherradden—4.

So the amendment was agreed to.

Mr. Wilson, of Jefferson, nominated A. M. Scott, of Jefferson, for Engrossing Clerk.

The roll was called with the following result: Those voting for Mr. Scott were

Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—23.

Those voting for John Smith were

Senator Gray—1.

Mr. Bowen moved to proceed to the election of Enrolling Clerk.

Mr. Johnson moved to amend the motion of Mr. Bowen, so that it should read,

"*Resolved*, That we proceed to the election of an Enrolling Clerk, and that he receive no compensation for his services until he enters upon the actual discharge of the duties of that office."

Mr. Bowen offered the following as a substitute for the amendment offered by Mr. Johnson:

Resolved, That we proceed to the election of Enrolling Clerk, and that the same compensation be allowed him from the time of his election, as is provided for the Engrossing Clerk.

Mr. Johnson offered the following amendment to Mr. Bowen's substitute: "Strike out the words, from the time of his election, and insert, from the time he enters upon the actual discharge of the duties of that office."

Mr. Johnson called for the yeas and nays, which were ordered. Result as follows:

The yeas were—Senators Ainsworth, Bailey, Bussey, Buechel, Duncombe, English, Gray, Green, Hagans, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—18.

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—22.

So the amendment was lost.

The yeas and nays were then taken on the substitute of Mr. Bowen.

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—23.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, Duncombe, English, Gray, Green, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—17.

So the substitute was adopted.

Mr. Bowen nominated E. Zitschke, of Johnson Co., for Enrolling Clerk.

Mr. Duncombe nominated H. Dimler, of Webster county.

Those voting for Mr. Zitschke were—

Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—23.

Those voting for Mr. Dimler were—

Senators Ainsworth, Bailey, Bussey, Buechel, Duncombe, English, Gray, Green, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—17.

Mr. Zitschke having received the majority of all the votes cast, was declared duly elected.

Mr. Bailey moved to adjourn until 2 o'clock, P. M.—Carried.

AFTERNOON SESSION.

Met at 2 o'clock, pursuant to adjournment.

Mr. Thompson nominated George G. Arndt, of Scott county, for Sergeant-at-Arms.

Mr. Taylor nominated Salmon Sharp, of Wayne county.

Those voting for Mr. Arndt were—

Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—23.

Those voting for Mr. Sharp were—

Senators Ainsworth, Bailey, Bussey, Buechel, Duncombe, English, Gray, Green, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—17.

Mr. Arndt having received a majority of all the votes cast, was declared duly elected Sergeant-at-Arms.

Mr. Brown nominated Mr. Hastings, of Black Hawk county, for Door-Keeper.

Mr. Neal nominated Mr. Walters, of Marion county.

Those voting for Mr. Hastings were—

Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—23.

Those voting for Mr. Walters were—

Senators Ainsworth, Bailey, Bussey, Buechel, Duncombe, English, Gray, Green, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—17.

Mr. Hastings having a majority of all the votes cast, was declared duly elected Door-Keeper.

Mr. Davis, of Polk, nominated Mr. Frederick Michael, of Polk county, for Fireman.

Mr. Neal nominated Mr. C. Kutzleib.

Those voting for Mr. Michael were—

Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent,

Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—23.

Those voting for Mr. Kutzleib were—

Senators Ainsworth, Bailey, Bussey, Buechel, Duncombe, English, Gray, Green, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—17.

Mr. Michael having a majority of all the votes cast, was declared duly elected.

Mr. McPherson nominated M. B. Noel, of Dallas county, for 1st Messenger, who was elected by acclamation.

On motion of Mr. McPherson, Mr. R. L. Davis, of Polk county, was elected 2d Messenger by acclamation.

On motion of Mr. Bowen, Mr. Willis D. Conard, of Johnson county, was elected 1st Paper-folder.

On motion of Mr. Davis, of Polk, Mr. George Peet, of Polk county, was elected 2d Paper-folder.

Mr. Bowen moved to dispense with the office of Post-Master.

Mr. Scott moved to lay the motion on the table, which was lost.

Mr. Bowen called the yeas and nays on his motion, which were ordered and were as follows:

The yeas were—Senators Bailey, Bowen, Bussey, Buechel, Duncombe, English, Green, Johnson, Lewis, Mann, Neal, Pusey, Sherradden, Taylor, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—18.

The nays were—Senators Anderson, Angle, Ainsworth, Brown, Davis of Clinton, Davis of Polk, Drummond, Gray, Hagans, Hastings, Henderson, Kent, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Scott, Thompson, Trumbull, Watson—22.

So the motion was lost.

Mr. Drummond offered the following:

Resolved, By the Senate, the House concurring, that E. H. Brown, of Polk county, be declared Post-Master of the Eighth General Assembly.

Mr. Neal offered the following substitute:

Resolved, That the Engrossing Clerk be required to perform the duties of Post-Master until otherwise ordered.

Mr. Saunders moved to lay the substitute on the table, upon which motion Mr. Neal called the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—23.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, Duncombe, English, Gray, Green, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—17.

The motion to lay on the table prevailed.

Mr. Drummond's resolution was then adopted.

Mr. Bussey offered the following:

Resolved, That the pay of the Sergeant-at-Arms, Fireman, Assistant Fireman, Door Keeper, and Post Master, shall not exceed two dollars per day, and that the Messengers and Paper Folders shall not exceed one and a half dollars per day.

Mr. Saunders moved to lay the resolution on the table, upon which motion,

Mr. Wilson of Dubuque, called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—23.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, Duncombe, English, Gray, Green, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—17.

The resolution was laid on the table.

Mr. Saunders moved that a committee of two be appointed to wait on the House and inform them that the Senate was organized and ready to proceed to business.

The motion prevailed, and Messrs. Saunders and Bailey were appointed said Committee.

Mr. Neal moved that a committee of two be appointed to wait upon the Governor and inform him that the Senate was organized, and ready to proceed to business.

The motion prevailed, and Messrs. Neal and Anderson were appointed said committee.

The committee appointed to inform the House of the organization of the Senate, reported that they had discharged their duty.

Mr. Davis of Clinton, moved to appoint a committee of three to revise the Rules of the Senate.

Mr. Pusey moved, as a substitute, that the Rules of the last Senate be adopted.

The substitute was adopted.

Mr. Davis of Clinton, offered the following:

Resolved, That the Clergymen of this city be requested to act as Chaplains to the Senate during the present session by such an arrangement as they may make among themselves.

Mr. Johnson offered the following amendment: "*Provided* they are to receive no compensation from the State Treasury for their services."

Mr. Johnson called the yeas and nays on his amendment, with the following result:

The yeas were—Senators Ainisworth, Bailey, Bussey, Buechel, Duncombe, English, Green, Johnson, Mann, Neal, Pusey, Sherradden, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque —17.

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Gray, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Scott, Thompson Watson, Wilson of Jefferson—23.

So the amendment was lost.

The original resolution was then adopted.

Mr. McPherson offered the following:

Resolved, That the Senate hold but one session per day, and that it commence at 9 o'clock A. M. Adopted.

Mr. Rankin offered the following:

Resolved, That a committee of three be appointed to make an arrangement with the Post Master of Des Moines for the payment of the postage of the Members and Secretary of the Senate of the 8th General Assembly.

Mr. Udell moved to amend by inserting the words, "and East Des Moines" after the word "Des Moines." Lost.

The resolution was then adopted, and Messrs. Rankin, Anderson, and Udell, were appointed said committee.

Mr. Taylor offered the following:

Resolved, That 100 copies of the Rules of the Senate be printed for the use of the Senate. Adopted.

Mr. Mann offered the following:

Resolved, That the Secretary furnish the Members of the Senate with a copy of the acts of the Legislature, and Journals, of the last session.

The resolution was adopted.

The following message was received from the House:

MR. PRESIDENT:—We are instructed by the House of Representatives to inform the Senate that the House is now permanently organized and ready to proceed to business.

I. C. CURTIS,
S. GOODRELL,
Committee.

Message from the House, by their Chief Clerk, Mr. Aldrich.

Mr. Drummond offered the following:

Resolved, That the Secretary of the Senate be required to compile and have printed with the Standing Rules of the Senate already ordered, a table showing the names, P. O. address, age, political connection, &c., of the members of the Senate.

Mr. Neal, from committee appointed to wait upon the Governor, submitted the following report:

MR. PRESIDENT:—The committee appointed by the Senate to act in conjunction with a similar committee on the part of the House to wait upon his Excellency, the Governor, and inform him that the two houses of the General Assembly are organized and ready to proceed to business, report that they have performed that duty, and that the Governor would communicate his Message in writing to the General Assembly.

J. E. NEAL, Ch'm.

The following Message from the Governor, through his private Secretary, Mr. Withrow, was received.

Fellow Citizens of the Senate,
and House of Representatives:

Representing the Executive Chair, it becomes my duty, under the Constitution, to communicate to the General Assembly, the condition of the affairs of the State, as administered in its several departments, and to recommend such measures, as to me shall seem expedient for your action.

The period that has elapsed since your last biennial session, has

been one of great disturbing causes and anxious solicitude to all classes of our citizens.

The first year of this period was visited with heavy and continuous rains, which reduced the measure of our field crops below one half the usual products, whilst the financial revulsion which commenced upon the Atlantic, in the fall of 1857, did not reach its climax for evil in our borders, until the year just past.

You need not be informed of the disastrous effects produced by these two causes, upon the hopes and condition of our people. Overtaken suddenly and unexpectedly in this misfortune, with heavy individual liabilities, with no facilities for obtaining money, their property reduced to a nominal value, and no demand for it at any price, thousands there are who feel that their homes and their fortunes are in great peril; and that this is so, would be worse than idle to disguise. In this aspect of affairs, you may reasonably expect that strong appeals will be made to you for remedial legislation; and I doubt not that their expostulations will receive your very considerate attention, and prompt you to put forth, in your sovereign capacity, such powers as you possess, to secure to them indemnity against unreasonable and unjust sacrifices, yet in a manner that shall guard and protect the rights of all parties interested.

I would not, however, suppress the important fact that the condition and affairs of our people are taking a favorable turn, since the commencement of the late monetary crisis; a large amount of individual indebtedness has been liquidated—a rigid system of retrenchment has been observed in the social and domestic relations and expenditures of our people—but few new liabilities have been created—no malignant epidemic has prevailed—the industry of the people, the last year, has been very well rewarded with a fair harvest—emigration is again flowing in—the social condition of our people is improving, and we have abundant reason for devout and grateful acknowledgments to *Him*, whose goodness knows no bounds, that we are once more being placed in a condition of advancement and prosperity.

Census of 1859.—You will have before you a neat print of the census of the past year, taken in the mode prescribed by the act that authorized the same, at an expense only of about $618 71. It fixed the population of the State at 642,532, being 123,168 more than the population, when the census was taken in the year 1856,

and will in all probability, reach 700,000 by the time the Federal census is taken during the present year. The agricultural statistics contained in the present census, refer to the year 1858, and do the field culture of the State very great injustice. On account of the heavy and protracted rains of that year, it is conceded that our crops fell below half their usual amount. Yet, as a result of our industry, we had in cultivation over three millions of acres. And unfavorable as was the season, we cut over 500,000 tons of hay—harvested over 3,000,000 bushels of wheat—cribbed over 23 million bushels of corn—1,500,000 bushels of potatoes—manufactured near a half million gallons of molasses from sorghum—sold beef cattle and hogs to an amount exceeding five millions of dollars, and exported wool and lead, to the value of a million and a quarter, &c.

But it is believed by the best judges, that the year just past, would exhibit a very different table of statistics; that the beef, pork, and wool crops have given an excess of 20 or 25 per cent. over the census year of '58, whilst the corn crop cannot fall short of fifty millions of bushels, and the value of the sorghum molasses would reach the figure of $500,000.

One or two more such crops, accompanied in other respects with the smiles of a propitious Heaven, and adhering to our present system of domestic economy, will not only re-assure but restore our people to their wonted prosperity, and place them in a condition to grant rather than ask favors of those Atlantic States and cities, which have been heaping obloquy upon us because of our embarrassments, which had its origin as much with them as with us.

Hasty Legislation to be avoided.—Seventy-one of the laws covering 263 pages, were passed the day and night preceding the adjournment of the last General Assembly. It would be strange indeed, if the engrossing and enrolling clerks could copy and compare all those enactments, for the signature of the President of the Senate and the Speaker of the House, without committing grave errors. It is known, important omissions and mistakes did occur while some very important bills had been matured at the cost of much time, labor and expense, failed of their passage, for the want of a few hours time. The mischief growing out of rash and inconsiderate legislation of this description cannot fail to address itself to the mind of a prudent legislator, and I feel myself shut

up to the duty of respectfully but earnestly urging upon you the correction of this great evil. I need not say that, as the supreme law-giving power of the State, you are charged with an important trust, which the public welfare demands shall be executed with a wise caution, and a faithfulness that shall comport with the solemnity of your commission.

STATE INDEBTEDNESS, REVENUE, AND EXPENDITURES.—Your attention is invited to the reports of the Treasurer and Auditor of the State. From the report of the latter, it will appear that the liabilities of the State amount to $352,492.37. This sum is made up of three amounts quite dissimilar in their character, and all of which, with some confusion of ideas, have been designated a State indebtedness. The first consists of $200,000, borrowed by the State in the winter of 1858, upon her bonds, running ten years at seven per cent. The second out-standing warrants amounting to $30,196.62, payable upon presentation. The aggregate of these two sums,—$230,196.62—constitute the entire present indebtedness of the State. The third sum of $122,295.75, is a part of the school fund, which belongs to the State, is held by the State in trust for educational purposes. It is true, the State pays interest on this amount, not to a creditor,—for the relation of debtor and creditor does not exist—but to the school fund itself, as upon a debt; ownership is not indebtedness. This money is a part of the proceeds of lands granted to the State, and is as much the propperty of the State as the lands were at the time they were granted. She has wisely dedicated the interest upon this fund to the support of a system of common schools. In paying this interest, she does not make herself a debtor, or divest herself of the right to control this fund as to her may seem best. She may at any time change her constitution and apply the five per cent. fund and the proceeds of the 500,000 acre grant to any other purpose. I deemed this explanation due, for the reason the constitution forbids a State indebtedness above 250,000 dollars, and if in the sense of the constitution, the receiving and holding this fund is a debt, then has the State precluded herself from demanding and receiving about a million of dollars due her from the General Government, on the five per cent. fund. Such is the amount and character of our liabilities. It will be observed that but a small portion of the same will mature and be required to be paid during the next two years. In contrast with this, the revenue resources of the State show that

its financial affairs are in a very satisfactory condition, as it leaves a large excess of assets over her liabilities.

The balance in the treasury, and in course of payment through the banks, the delinquent taxes now due from the counties, and the State tax of the year 1859, amount in the aggregate to six hundred and eight thousand six hundred and nine dollars and forty-eight cents.

The Auditor estimates the expenditures for the two fiscal years, commencing November 7th, 1859, and ending the 1st Monday of November, 1861, exclusive of appropriations for charitable institutions and other special purposes, at $401,719.72, whilst the estimated resources of the State for the same period, exclusive of the saline and school funds are put down at $858,609.48. The above figures exhibit a handsome margin upon which the State may prosecute to completion her various charitable and other institutions.

The first great duty of the State undoubtedly is, to administer its affairs in all the departments of the public service, upon as economical a scale as possible, consistent with the public good.

The expenditures for ordinary purposes, during the two fiscal years, ending on the 7th of November last, amount to $366,198 57, whilst the extraordinary expenses for the same period, amount to $212,157.45; making an aggregate of $578,356.02. I have no knowledge of any State in the Union, whose ordinary expenses, when viewed in connection with the nature of our political organization, the extent of our population and territorial limits, will compare more favorably, or whose people pay a lighter State tax for the privileges they enjoy, than do ours. This fact, it is believed will not escape the attention of the emigrant who is or may be seeking a home in the great valley of the Mississippi.

Board of Education.—Our Educational interest will claim your special attention. On the 12th of March, 1858, the General Assembly passed an Act entitled, "An act for the Public Instruction of the State of Iowa." This act, with the exception of those portions of it which provided for levying taxes and appropriating money, was subsequently declared unconstitutional by the Supreme Court. The Board of Education at its first session, held in December 1858, were much perplexed in determining the extent of their jurisdiction, fearing on the one hand that they might encroach upon the powers of the General Assembly, and on the

other, that they might fail to perform to the full extent, the duties required of them under the Constitution.

After much reflection and deliberation, they re-enacted the law above referred to with some slight alterations. It took effect on the first day of March last, and under it our school system has operated as successfully as we could reasonably expect in view of a change from a system with which they were familiar, to one materially different in its essential features. Objections have been made to some of its provisions, but in the main it appears to have given satisfaction.

The Board at their recent session held in December of last year, made a variety of amendments, which they believe will remove all valid objections.

Under the provisions of the Constitution, all laws passed by the Board of Education are subject to alteration, amendment or repeal by the General Assembly. The law as amended will be laid before you for your consideration; and it is earnestly hoped that you will only make such additions to it as you may deem essentially necessary to give it vitality without materially changing its provisions.

Repeated and radical changes in our school laws, though sometimes necessary, are always attended with temporary inconvenience, and frequently with serious injury; and hence it is particularly desirous to avoid them unless they are indispensable to the prosperity of our schools.

Popular education is one of the most important interests of the State. A much greater number of the people are personally identified with its failure or success than with any other subject of legislation. It is scarcely necessary, therefore, that the utmost precaution should be observed in anything you may deem it your duty to do for the promotion of this great object; and in this sentiment I am fully persuaded that I have your hearty concurrence. It is all important that the school laws should be considered and acted upon definitely and finally at an early day of the session, in order that they may be published and distributed in time for the school district elections in the spring. Their circulation in pamphlet form should not be restricted to school officers, but should be sent broad-cast among the people, in order that they may become familiar with their provisions. At least every head of a family should be supplied wite a copy. We have over one hun-

dred thousand voters who are interested in our school district meetings, and to enable them to become familiar with their duties and obligations, the school laws should be circulated exclusively among them.

The subject of discontinuing the Board of Education has been discussed by some of our public journals. While I much regret the unfortunate position in which we are placed by the educational provisions of our Constitution, I should seriously question the expediency of such a measure at present. The Board have endeavored faithfully to perform the responsible duties imposed upon them, but at nearly every step, they have been trammeled by constitutional restrictions, and hence their legislation has not been such as it would have been if they had been clothed with full and exclusive authority to enact all laws for the government and support of our common schools.

But it should be remembered also that they possess, under the Constitution, the sole power to originate all laws exclusively educational in their character.

The Constitution provides that the General Assembly shall have power to abolish or re-organize the Board of Education at any time after the year 1863, and as another session of the General Assembly will transpire before that time, any legislation on the subject at present would certainly be unwise and premature, and would probably render our whole educational system still more complicated than before.

Five Per Cent Fund.—Our admission into the Federal Union transpired in the fall of 1846. At this time there were very few outstanding military land warrants. A part of the compact of admission was, that in consideration the government lands should not be taxed by us, the State should receive five per cent upon the net sales of the lands within her chartered limits. Upon the cash sales we are and have been receiving this fund; but upon all entries made with military land warrants, the five per cent is denied us, upon the ground that such entries are mere bounties, and not sales. In February, 1847, three or four months after our admission into the Union, Congress passed an act offering one quarter section of land to every private, musician, and non-commissioned officer who would enter and serve a given period in the Mexican war. This war closed about the time that our best lands were being brought into market; vast numbers of these warrants were issued, and were

located in this State, absorbing a large proportion of our best lands. As they formed a part of the contract of enlistment, they could not have been withheld by the government without an act of bad faith; not so, however, if they were in fact only bounties. But they were issued in discharge of a consideration that had been given in the form of military services, and their subsequent redemption in land, constituted a sale in the sense of the law as well as the compact. Such is the opinion of the best jurists in the country. I have appealed in vain to the Secretary of the Interior for the payment of the five per cent upon these warrants, that now approximates to a million of dollars. On going to Washington to institute a suit in the Court of Claims, as I was directed to do by a joint resolution adopted at your last General Assembly, I was strongly dissuaded from doing so, for the reason that it would be a useless expenditure of money—that the decisions of that Court settled nothing—that they were only equivalent to a report made by a committee of either House of Congress, and were as frequently overruled—that the relief after all must come through Congress. Eminently unjust as is the non-payment of this fund, for the reasons assigned, Iowa is not the only party complaining. Other western States stand in the same category, but not so largely implicated. They propose to abide their time till after the next federal census and apportionment, which will give the west some eighteen or twenty additional representatives. My opinion is that we had better do the same thing.

The payment of this fund is not a mere favor which we are asking of the General Government, but a subsisting legal right which could be enforced in a court of justice, was there a tribunal of this kind clothed with the requisite jurisdiction.

School Fund and Lands.—The agents employed to investigate the affairs of the different School Fund Commissioners in the State, found many irregularities and abuses in the official discharge of their duties, and in the counties of Alamakee, Chickasaw, Clarke, Decatur, Fayette, Jones, Madison, Mitchell, Story and Wapello, they discovered detalcations to an amount exceeding $20,000. Their reports, however, in some instances, were not entirely clear and satisfactory, and probably may have done some of the officers injustice. The law makes it the duty of the County Judges in all such cases, to bring the matter to the notice of the District Attorney, for the purpose of instituting legal proceedings. I am of the

opinion that the interest of the State School Fund would be better subserved by authorizing the Auditor of State or the Secretary of the Board of Education (Col. Benton,) to re-investigate the accounts of the School Fund Commissioners in the counties mentioned, with a view of ascertaining with greater certainty the real facts in each case; this being done, to clothe such officer with full power to arrange amicably with the defaulting Commissioner the amount found to be due, by allowing time and good security. If he should fail in this, then to supply the District Attorney with such a statement of facts, that he may proceed with safety, and with less liability to involve the State in cost. Indeed, it would be well to invest some officer with full discretionary power to settle all such cases in the method that will, with the least expense, protect the State against loss.

I had the honor, at your last regular session, to communicate to your respective bodies, the frauds and abuses alleged to have been practiced in Tama county in the sale of the 16th section. The law required that the land should be offered at public sales three different times, six months or more apart, before they shall be subject to private entry. In January, 1857, 3,200 acres were offered at public sale in said county, (being the first and only time they were so offered,) and run up to a high figure by fictitious bidders, as the charge was made, to prevent actual settlers from becoming purchasers. After the sale these bidders privately forfeited their bids —after which the parties for whom they acted, purchased the same at private entry at the appraised value thereof. If this was true, the sale was a fraud upon, as well as a clear violation of the law, and consequently void, and I so directed the County Judge to declare them, which he accordingly did. I have since learned that some of these pretended purchasers were unwilling to have their lands so treated, and would contest their titles with the State, while others would give them up if their money could be refunded with interest. As the executive officer of the State, it was my duty to insist upon a strict observance of the law. It is quite competent for you to do otherwise, and in view of the altered condition of things in the State, the fall of property, &c., I would now recommend the passage of a law that should legalize these sales, and vest in the several purchasers the legal title to the lands in question, with the privilege, however, to such as desire it, to surrender back the land to the County Judge, upon being reimbursed the

money paid, with interest. This option should be given, for the reason that the sale had been declared void by me, and some of the parties may have made other arrangements. Such a disposition of this difficulty would obviate the expense and vexation of law suits, and at the same time, under all the circumstances, further the interest of the School Fund.

500,000 ACRE GRANT.—In the selection of these lands the agents employed returned an excess of 22,660.03 acres, which by some mistake was approved and entered upon the tract books both in the General Land Office at Washington, and upon our own books in the Register's office.

I was urged, and learned my predecessors had been, to return back to the General Government a list of lands to be taken from the original selections, properly described, that should be equal to this excess. Upon very full enquiry, I found that this could not be done without interfering with the rights of innocent purchasers, that the entire grant, including a part of this excess, had already been sold, leaving about 13,918.25 acres undisposed of. Perceiving no good reason why this last amount should not be given back, a list containing a proper description of the same was duly returned, and an arrangement was made with the Commissioner of the General Land Office, to the effect that the residue of this excess (8,745 acres) should be confirmed to the State, and that from her five per cent fund an amount should be retained sufficient to pay for the same, at $1.25 per acre, being $10,931. This adjustment is a favorable one for the State, and it is to be hoped that you will ratify it by the passing of an act that so much of the five per cent fund may be retained by the General Government, as shall be necessary to carry out the settlement so made, and that the title of the 8,745 acres may vest in the State; it will also be necessary for Congress to pass an act confirming this settlement for the consideration named, to which the attention of our Representatives should be immediately called.

DES MOINES RIVER GRANT AND IMPROVEMENT.—For years this grant has been held to extend to the source of the river. Recently the government authorities have decided that it is limited in its extent to the Raccoon Forks, and refuses to certify any more lands to the State north of this point. The Hon. Charles Mason was appointed a Commissioner by the last General Assembly, to procure, if possible, the residue of this grant to be certified to the

State. For this purpose he immediately repaired to Washington, and not obtaining a satisfactory decision from the Secretary of the Interior, appealed to the President, who referred the subject to the Attorney General, whose opinion was adverse to the State, and thereupon recourse was had to the Judiciary. A suit, in the name of E. C. Littlefield, Esq., against the Dubuque & Pacific Railroad Company, was instituted in the District Court of the United States, and judgment obtained in favor of the plaintiff for a tract of land embraced in this grant near Fort Dodge, derived from the State. An appeal to the Supreme Court of the United States was immediately taken, has already been submitted to that tribunal upon printed arguments, with assurances from the Court of an early decision, which the State confidently expects will be a favorable one, as it is impossible to conceive how the Government is to avoid the legal effect of her repeated admissions, that our title extended to the source of the river. Too much praise cannot be awarded to Judge Mason for the able and indefatigable manner in which he has addressed himself to the object of his commission. The settlement made at its last session by the Legislature with the Des Moines Navigation & Railroad Company, has been duly carried out according to the terms expressed, a part of the details of which will be found in the Report of the Commissioner, E. Manning, Esq. It will be remembered that the River improvement was abandoned, except the completion of four dams, the state and condition of of which will be found in the reports of the present Commissioner, Wm. C. Drake, and the Chief Engineer, S. Dwight Eaton, Esq., to which your attention is respectfully called.

If these four dams should be completed, they will still be the source of constant annoyance and expense to the State, and it is clear to my mind that it would be the part of wisdom to do at once what in the end will have to be done, and that is, to transfer these dams, with all their privileges, to any responsible party or parties (if such can be found) who would undertake to complete and keep the same in repair. The dams, completed, might be disposed of to the highest responsible bidder, &c.

Justice to a large number of individuals, demands that I should bring to your attention another subject connected with this grant. The agents employed by the State to select the 500,000 acre grant, among others, selected 12,913.51 acres of land, chiefly in Webster

county, belonging to the river grant, which selection, with others, was approved February 20th, 1851.

Col. Benton, at that time the State Superintendent, with his usual caution and prudence, before ordering these lands into market, addressed a letter of enquiry to the Commissioner of the General Land Office, whether any of the selections in question conflicted with the Des Moines River grant. This was in March, 1853. Receiving a negative answer on the 6th of June, of the same year, he ordered the lands into market. In January thereafter, he received another letter from the Commissioner, to the effect that the approval of the selections of these 12,813 acres had been revoked, and confirmed to the State under the Des Moines River grant.

In the meantime, the School Fund Commissioner of Webster county, under the order of sale, disposed of some 4,859 acres of this land, by sale to actual settlers, who have improved and still occupy the same. Since then the State, under her contract for the improvement of the Des Moines River, has conveyed by deed these same lands to the Des Moines River Company, who now hold the legal title. In this condition of things what is to become of these settlers? It is true, perhaps, under the occupying claimant law, they may get the value of their improvement. But is this the measure of justice that should be meted out to them? They were purchasers in good faith, and although their misfortunes are the result of the *laches* of Federal officers, rather than that of the State, yet simple justice demands, under the circumstances, that the State should at best do all it could to have these lands confirmed to them. This can now only be done by negotiation.

I would respectfully suggest, where any of these parties are unwilling to take a reasonable compensation for their improvements, and surrender the land, that if they will pay to the Des Moines Navigation & Railroad Company, the price for which the State sells other school lands, that then the State will make up the residue of the purchase money to said Company, either in cash or land; provided the purchase can be made of said Company on just and reasonable terms.

A special agent might be commissioned to effect the negotiation on this basis, properly restricted in his powers.

At all events, the whole subject is submitted to your better wis-

dom, earnestly expressing the hope that it will not be overlooked.

Swamp Lands.—The grant of these lands for purposes named in the act, has been the source of much trouble to the State, and vexation to the people of the counties who were intended to be made by an act of the Legislature, the recipients of the same. After large quantities of these lands had been selected agreeably to the rules prescribed by the proper department, and approved by the Commissioner of the General Land Office as such, they were permitted to be entered or located with land warrants at the Government Land Offices, upon a bare representation that they were dry lands. A remonstrance from the State against so unjust a proceeding, resulted in the passage of an act by Congress confirming to the State the swamp land selections as they had been made.

Before this, however, Congress had, by an act passed for that purpose, recognized and confirmed the title of purchasers, and locators of such tracts as had been selected as swamp or over flowed lands, but made provision, at the same time, that upon due proof by the authorized agent of the State, before the Commissioner of the General Land Office, that any of the lands purchased were swamp lands within the true intent and meaning of the act aforesaid, the purchase money shall be paid over to the State, and when the lands have been located by warrant or scrip, the State should be authorized to locate a quantity of like amount, &c.

The General Assembly at its last session, made an appropriation of $2,000, to defray the expense of selecting the swamp and overflowed lands in twelve counties then unorganized, and the sending of an agent to Washington to settle the preliminaries of the proof required under the act of Congress alluded to, as well as some other open questions in relation to the manner of listing and patenting these lands to the State. The Hon. James Thorington was commissioned for this purpose, and an adjustment was effected, under which the General Government has, up to this date, certified or listed to the State 507,811.30 acres. The report of the State Register will show in what counties the lands are situated. The lists have been examined, corrected and approved, and patents requested to be issued to the State for the same, which is now in process of being done. 61,812.43 acres of the above amount, embraced within the Fort Des Moines and the old Iowa City Land

District, have recently been patented to the State, and which I have caused to be patented to the counties in which they are situated. It is believed the above lands will all soon be certified by patents to the State, and they belong to that class of swamp lands about which there is no controversy, the title being, as I have before stated, confirmed to the State by an act of Congress dated March 3rd, 1857. But in addition to these lands, there has been listed to the State 124,332.76 acres falling within the Ft. Des Moines and Chariton Land Districts, which had been wrongfully permitted to be entered by cash or with military land warrants, the title whereof has been confirmed to the several purchasers and locators, but idemnity for which is to be given to the State, provided it shall be proved in the method prescribed, that they were swamp and overflowed lands within the meaning and intent of the act granting the same at the date thereof, or at the time of their selection. Forms of the proof, with the requisite instructions, have been forwarded to the Judges of those counties where these lands are situated, that the work of establishing the swampy character of the same may be commenced.

The General Land Office, at Washington, is unwilling to adjust this grant with any other party than the State authorities, which devolves upon the Executive, greater duties than it is possible for him to perform with his other official labors. The examination and correction as they are forwarded, which is only done by land districts, the division of these lists into counties, and transmitting to such counties, those which are to be patented, and those which have been entered by cash, and those which have been located with land warrants in separate lists, that the requisite proof may be taken in regard to their character—and supplying the counties or other agents with all needful information they may require concerning the manner of conducting the proof—examining and correcting these proofs when taken, before they are transmitted to Washington for approval, will require more labor than one individual can bestow, should he give his entire time. Hence I felt it my duty to employ J. B. Stewart, Esq., of Des Moines, a special agent to assist in these labors. But I am now satisfied, that although the Register of the State Land Office and his deputy have already as heavy duties as they can well perform; this swamp land business should be transacted in his office under the general supervision of the Governor, and that the Register should be au-

thorized to employ one or more competent persons as the necessities of the case may require, whose time and labor should be given exclusively to this branch of the public service and whatever amount the State should be required to pay the agent or agents thus employed could and ought to be refunded to the treasury out of the moneys obtained from the General Government for Swamp Lands sold. This would hasten the final close and settlement of this troublesome business, which is very much desired by the counties interested, and the commencement of which thus fairly made, has cost the Executive Department of the State unremitting labor and attention.

There is however another obstacle to the early completion of this service, which I should not omit to mention. The four land grant railroads in this State claim the right to impeach the Swamp Land selections so far as they complied with their grant, notwithstanding near three years ago, these selections whether their real character were swamp or dry, were by a special act of Congress confirmed to the State. This right upon application was conceded to these companies by the Commissioner of the General Land office with the consent of the Secretary of the Interior, without giving the State a hearing upon the question. Hence the Swamp Land selections found upon odd sections, falling within the description and limits of the railroad, (being fifteen miles on either side of each line) have not been with other swamp land, certified to the State. On being informed of these facts I proceeded to Washington and made an urgent personal appeal to the Secretary of the Interior for a reversal of this decision, for reasons which were named, but he declined to do so, yet expressed a willingness to require the railroad companies to designate at once the tracts claimed to be dry and to submit proof that should at least be equivalent to the evidence furnished that they have swamp lands, otherwise they should be certified to the State, and to this effect did he so instruct the Commissioner. Still I have heard of no such designations—the lands still remain uncertified to the State. I have been unable to learn from the Commissioner what course he designs to pursue in reference to the instruction of the Secretary of the Interior. And the question recurs where is this matter to end? If the contest goes on it must necessarily be protracted and expensive to the people of the counties, whilst it will prove in the end detrimental to the railroad companies themselves. It is obviously their inter-

est to propitiate the favor rather than the hostility of the people in pushing forward their several enterprises. The counties deeply feel the want of railroads, and many of them would be willing to give or subscribe their swamp lands to attain so desirable an object, but they are not thus willing to be deprived of them, without their consent, or subjected to the other alternative of proving them up a second time at great cost and trouble. The rail road grants were made to the State in trust for certain rail road companies. The State as I read the act has already made a declaration of this trust in favor of the companies in question, subject however to the conditions and restrictions contained in the act of Congress granting them. One of these conditions is, that the lands shall only be sold as the construction of the road progress, that is, after one hundred and twenty sections have been sold another like quantity shall not be sold until the Governor of the State shall certify to the Secretary of the Interior that twenty continuous miles of any of said roads have been completed. Now in order to put an end to this unhappy controversy which has been the source of so much complaint in the State, I cannot but feel that it is my duty to recommend the adoption of a joint resolution by your bodies instructing the Governor to sign no more certificates of the description spoken of to any of said companies until they shall file in his office a written relinquishment of their supposed right to contest the swamp land selections that may fall within the limits of their grants, and a consent on their part that the Commissioner of the General Land office may proceed to patent them to the State as other swamp lands, &c.

State Prison.—Ths institution merits a distinct notice. The facts and suggestions contained in the reports of the Board of Inspectors and Warden should attract your special consideration. Since the last General Assembly some eighty-five have been added to the number of convicts. On account of this unexampled increase the appropriation made for the general support of the Prison proved wholly inadequate. It did not indeed hold out a year. The price of provisions kept up, and being scarce and commanding a ready cash market, could not be obtained on so long a credit except upon terms at once exorbitant and inadmissible. An attempt on the part of the Inspectors to effect a loan of money for this purpose proved unsuccessful. I was forced to the necessity of opening the prison doors or furnishing the requisite supply.

This latter alternative was adopted, but only accomplished through the co operation and indulgence of the Auditor and Treasurer of the State, who permitted me to take some six or seven thousand dollars of the revenue whilst *intransitu* from the county collectors to the State Treasury upon my personal receipt. It will be necessary for you to legalize this transaction, I apprehend, and have the treasury credited with the requisite amount, and this I ask may be done. Whereby oversight or miscalculation the appropriation has failed to meet any emergency of this discription, I submit whether it would not be well to authorize the census Board or some other agency or power to supply the deficiency until the sitting of the ensuing General Assembly. I regret to make known the fact that there has been some misunderstanding and disagreement among the officers of this institution and between them and Prison contractors which have led to much irritation of feeling, complaint and finally litigation. It is unnecessary for me to express any opinion upon the character of these difficulties with a view of determining where the blame lies. But it does appear to me that if the Warden was not dependent upon the Board of Inspectors for the term of his office, and the duties and powers of each were clearly defined by law, it would seem to check abuses, and tend to secure both harmony and independence of action.

Representations made to me last May touching the discipline and condition of the Prison accounts, and of abuses in the financial management of the same, satisfied me that the interest of the State demanded an investigation with a view of ascertaining the condition of the one and the manner and system observed in conducting the other. I accordingly commissioned Thomas S. Espy, Robert A. Russell and H. Q. Jennison, to make an examination of the affairs of this institution, and report as contemplated and required by "*An act to authorize the Governor to appoint Commissioners to examine the accounts of State officers, and to define the duties of the Governor in certain cases.*" The very thorough and satisfactory report made by these commissioners is submitted to you and should be considered in connection with that of the Board of Inspectors.

You will not fail to perceive from a careful inspection of their report that the affairs of the institution have been conducted carelessly and without system. That the books of accounts were in a confused condition and could not be balanced; that $1,700 had

been traced as a deposite into the hands of bankers, and had been lost sight of by the officers, and would in all probability have been lost to the State but for this investigation. Much of this irregularity and confusion in the accounts, undoubtedly is attributable to the acts of an incompetent book keeper—which demonstrates the importance of having a professional accountant to keep the books in an institution where large sums of money are to be disbursed for various purposes under distinct appropriations.

To the report of the Commissioners is appended a general balance sheet, obtained only by re-journalizing the books and correcting the errors, and supplying the omissions, and which comes down from the commencement of our State organization to the 1st of June, 1859, exhibiting the following result:

	Dr.	Cr.
State of Iowa		$109,641 86
Construction	$69,045 82	
General Support	35,279 73	
Officers' Salaries	12,851 49	
General Support Fund		634 42
Convict's Fund	152 47	
Wall Fund	1,732 31	
Real Estate	700 00	
Bills Receivable	3,539 00	
Bills Payable		12,676 03
Individual Account	5,821 13	6,169 64
	$129,121 99	$129,121 95

It will be ascertained from the details in this balance sheet that the amount $109,641 86 is the whole amount expended by the State on account of the Penitentiary. The other sums on the credit side, may need explanation. The amount $634 42 is for cash advanced by the Warden during the month of May last, in payment of bills for supplies, &c. The amount $12,676 03 is the aggregate of all notes outstanding against the institution, on the 1st of June last, and the amount $6,169 64 is the sum of all amounts due individuals on book account. The different amounts on the debtor side will be readily understood. The labors of this Commission must result in great good to the institution as well as the State, besides exhibiting the precise condition of its financial affairs; it has exposed abuses, rectified mistakes, and made up

and systematized the entire Penitentiary account, so as to render it intelligible.

Honorable mention should be made of S. Guthrie, Esq., who is a most competent book keeper, rendered to the Commission valuable assistance in the discharge of their duties, and who is now employed by the present Warden as chief Clerk and book keeper of the establishment—which at once guarantees accuracy and system in the keeping of the accounts. It is believed, however, that he cannot be retained for the compensation now given that officer. True economy requires that the Clerk in this institution should be a first class book keeper with rates of pay which he could get in our larger mercantile establishments. It is proper that I should state that the Commissioners reported a deficit in the accounts of the late Warden, amounting to $2,278 11. This deficit was discovered by the examiners, after a final settlement of the Warden's accounts, which settlement the Inspectors now ask may be opened up. The attention of the Attorney General has been called to this subject with the necessary instructions.

The north line of the Prison enclosure is protected with a board fence, rendering the confinement of so large a number of convicts exceedingly unsafe and dangerous, and should be replaced with a stone wall at as early day as possible. The cell-room accommodations are inadequate and should be enlarged. I recommend as large appropriations for these objects as the revenue resources of the State will justify.

The Inspectors have procured a plan for the enlargement of the Penitentiary, through the assistance of a competent architect, which embraces all the modern improvements, and would accommodate some 300 or 400 convicts, and ought, in my judgment, to be adopted and carried out, if the financial condition of the State will admit of it.

Pardoning Power.—It is made my duty, under the Constitution of this State, to communicate to the General Assembly all cases of pardon, reprieves or commutations granted by me during my term of office, which I have the honor of doing in a separate paper accompanying this message, in which is shown the name and crime of each convict, the sentence, its date, and the date of the pardon, and the reason therefor.

The whole number of pardons in two years from January 10th, 1858, to January 9th, 1860, for Penitentiary offences, was fifteen.

Of these only three were pardoned before their imprisonment—the remaining twelve had suffered imprisonment a greater or less time —some of them sufficiently long to satisfy the ends of justice, independent of the other causes which operated upon my mind in their discharge. The number pardoned for offences punished by fines and by imprisonment in the county jail, was six. There was one case of commutation, and none of reprieves.

The applications for pardons were numerous—often informal and loosely made; to secure an intelligent consideration of these applications, as well as greater certainty and uniformity in their presentation, and to guard against imposition and an abuse of an important trust, when required to be exercised, I proposed a series of rules, which, together with that provision of the Constitution which relates to the subject, I caused to be published and sent to all the counties for the information of those whom it might concern. A copy of the rules presenting the mode of applying for pardons, is appended to the report alluded to, and to which your attention is called. It will be perceived that the Constitution clearly contemplates the enactment of a law regulating the exercise of the pardoning power. This, as yet, has not been done. I now recommend the passage of such a law, and that it shall in its provisions embrace the substance of the rules which I have established, and which I have found from experience to work well, and adequately to guard against an improper use of this high prerogative power, whilst under them the rights of the convict are also duly protected.

State Reform School.—Many States of the Union have established these institutions. They are regarded as tokens of an advancing civilization, and have proved a success. From 70 to 80 per cent. of the juvenile offenders who have entered them have been reformed and given back to society useful and honorable members. They are placed in an institution where the requisite means are employed to transform their moral constitution, where they are compelled to listen to the appeals of virtue and right action, instead of incarceration in the Penitentiary, where they are sujected to the malign influence of the vicious and depraved. I learn from the records of our Penitentiary exhibit the remarkable fact that fifty juvenile convicts, between the ages of 14 and 21, have been imprisoned within its walls during the last three years, and that three-eighths of our convicts have, from the beginning,

been of this description. The legitimate place for this class of offenders is in a reform school. In the civil and domestic relations of life, the law, out of a tender regard for their inexperience and supposed want of mature judgment, affords them immunities and privileges not extended to the adult citizen. Why should not this distinction be made in our criminal jurisprudence? It can be demonstrated that the prosecution and maintenance in prison of these fifty juvenile offenders, have cost the State, in all probability, more than their moral discipline would have done in an institution of the description named.

The Rev. Thomas E. Corkhill, of Keokuk, has addressed me a long communication, filled with valuable statistics and information on this subject, which I should have been pleased to have published and laid before you, had I possessed the power, under the law, to have done so. It is, however, at your service. In the name of a common humanity, the necestity and propriety of establishing a State Reform School is urged upon your consideration.

Insane Hospital.—The condition of this institution will be found in the reports of the Commissioners and Superintendent, and little need or can be added to the suggestions there made. Should it take $100,000 more to complete this structure, it will still cost less than its prototype at Northampton, Massachusetts, whilst those acquainted with both buildings will be constrained, perhaps, to admit that ours is $75,000 the better of the two. It is difficult for those not acquainted with structures of this description, to conceive why their cost should reach so high a figure; a visit, however, to this institution would reveal to them this mystery. When completed, it will ocupy the first rank of all similar institutions in the world, and be a beautiful as well as a shining illustration of the philanthropy and enterprise of the people of Iowa. I am inclined to think the revenue resources of the State as estimated for the next two years, (although the Auditor, in his estimates, proposes to reduce the taxes,) will justify an appropriation sufficient to complete this building, which is so much needed to satisfy the appeals of humanity as they come up from different parts of the State.

Deaf and Dumb Asylum.—This institution is located at Iowa City, occupies a rented building sufficiently large and commodious to answer, in the main, its present purposes, is in a flourishing condition, and under the charge of Prof. Ijams, a competent and

successful instructor of mutes, who is building up an institution creditable alike to himself and the State. The time is not distant when the State must locate this institution permanently and erect suitable buildings to effectuate its aims of usefulness. This, in my opinion, should be done at the Capital of the State, where, in the end, it will be more accessible and under the more immediate supervision of the Legislature and State authorities. I bespeak a careful reading of the annual report of the Board of Trustees, which needs no enlargement from me.

Agricultural College.—A very brief statement of what has been done under an act passed at your last session, providing for the establishment of a State Agricultural College and Farm, may justly be expected. The Board of Trustees at their session in June last, located this institution and Model Farm in Story County, upon 649½ acres of land, in township 83, range 24 west, being a central as well as an eligible site for an institution and farm of the description indicated in the law. Liberal donations were made by the counties of Story and Boone, for the support of the same. The Board established the professorships and prescribed the studies best calculated to educate agricultural and mechanical labor, all of which will be more fully set forth in the report of the Executive Committee or Board of Trustees. Connected with this institution is an Agricultural Bureau under the charge and control of Gen. Wm. Duane Wilson, its Secretary, whose unremitting attention to his duties, and great energy, has rendered it of very great service already to the State, as his valuable and interesting report demonstrates, and to which your attention, and especially that of the farmers of the State is most respectfully attracted.

Banks and Banking.—The acts Incorporating a State Bank and authorizing free banks in this State, were severally accepted and ratified by the people at an election held for that purpose. The State Bank was organized on the 28th of October, 1858. There are now 12 branches established at the following points: Muscatine, Dubuque, Keokuk, Mount Pleasant, Davenport, Iowa City, Des Moines, Oskaloosa, Lyons City, Washington, Burlington and Fort Madison, with an aggregate capital of $460,450, paid in specie, and a circulation of $563,836. There are other important statistical facts bearing upon the condition of these branches contained in a consolidated statement published by the President, Chester Weed, Esq., for the information of the public, on the 5th

of last month, which makes it, perhaps, unnecessary to embrace them in this communication. There are applications pending for four more branches, and the probability is that the number will be increased to twenty in all in the course of this year, which will be able, it is thought, to supply the wants of the legitimate business of the State for some years. If these branches have not accomplished all that the public expect of them, it is gratifying, at least, to know that they have done a cautious and safe business; commanding the confidence of the people, whilst they have in no small degree subserved the interest of the community at large in relieving the reasonable wants of its business men.

If the very extraordinary financial pressure in the midst of which they commenced their business, has limited their operations on the one hand, it has, upon the other, imparted a degree of caution and prudence in the management of their business, which is worthy of all praise, and cannot fail to commend them to the confidence of the public. In this connection I will be pardoned for suggesting, that inasmuch as the State has lent to this institution its name, and participates to some extent in managing and directing its operations, through three Directors of its own appointment, it should by the passage of an act express its willingness to receive the issues of these branches in payment of taxes.

Standing in this intimate relation to these institutions, it is but just that the State should, in this way, add its confidence to that of the public, which is an element of such vital importance to their successful operations. I need not add that this policy, in my judgment, would greatly subserve the interest and convenience of the tax payer, whilst it would tend to drive much of the foreign free bank money out of our State, and fill its place with our own issues.

I beg to say that I desire to be held alone responsible for this recommendation, as it does not emanate from the request or even suggestion of any of the parties interested in the banks.

I have not understood that any banks have been established under the Free Banking Law. I have heard it suggested that it was too stringent and ought to be modified. I doubt whether an application of this kind ought to be entertained should one be made. It is the want of these stringent provisions in the Free Banking systems of Illinois and Wisconsin that have flooded those States and Iowa with their irredeemable paper. It is infinitely

better for the people of this State to have no free or State banks, if their paper cannot be redeemed on demand in specie.

Under the 73d section of the present Revenue law, the Auditor has and is saving a large proportion of the expense attending the collection of the State revenue under the former system. The allowance of mileage to the County Treasurers, as formerly done, was an expensive mode, and less reliable than the one now adopted. From the more populous counties of the State the revenue is now paid into the nearest branch of the State Bank, and is thence forwarded to the State Treasury, at the Capitol, at the risk of the bank and upon economical terms.

I am of the opinion that the State can further economize the system of receiving and disbursing the public revenue by a slight modification of its laws. It may legitimately make the bank, to some extent, the fiscal agent of the State. The revenue being first moved from the populous counties to the Capitol, must be moved back again in large part, in disbursements, for the use of the public institutions in different parts of the State, and to pay off their officers.

A considerable amount has now to be paid in New York, semi-annually, for interest on the outstanding State loan; and the rates of exchange, as well as the transportation of specie, which must be paid by the State, are less from the river counties, than from the interior.

If the Auditor should be authorized by your legislation to direct the payment from any county, to be made at any Branch of the State Bank, to be designated by him, and thence ordered into the State Treasury, as now—or thence disbursed on warrants directed to such Branch, in his discretion, it would save the transportation, both ways, of a large part of the revenue, and save time in reaching the public creditor. He is already authorized to have it paid into Bank in transit to the treasury. The additional power requisite is to disburse on warrants directed to the bank. This system would prevent any large accumulation of money at one point, and would also avoid some risks of loss inevitably attending double trasportation of the funds; while the security of the State would be equal if not superior to that of the official bond. These reasons, together with the financial economy secured by it commend it to your consideration.

Registry Law.—I renew the recommendation of my predeces-

sor, for the enactment of such a law, and earnestly commend to your attention the suggestions and remarks which he had the honor to submit to the last General Assembly upon this subject.

State Arms and Volunteer Corps.—The quota of arms drawn by each State is in proportion to its representation in Congress. This provision of law operates to the disadvantage of the new States, whose population usually is much in advance of such representation. Thus far our supply has been wholly inadequate to the demand. A chivalrous spirit pervades the minds of our young men, and many highly creditable companies have been organized in the State, although we have had no military law, the enactment of which should now engage your serious attention.

The reception, custody, and distribution of the public arms, coupled with the large correspondence that necessarily grows out of it, makes this branch of the public service both burthensome and expensive to some extent, which should be provided for by law. The duties connected therewith have been for the last two years very efficiently and promptly performed by the present Adjutant General of the State, Gen. Jesse Bowen, whose compensation has borne no proportion to his official obligations and labors.

State Historical Society.—A communication from the Executive Committee of this organization will be laid before you, exhibiting a most satisfactory account of the condition and prospects of the Society, than which it is believed no similar association in the whole land has accomplished so much in the same time.

In the hands of its present friends it promises to add great honor and credit to the State.

For further information in relation to its history, progress and aims, I refer you to the communication already alluded to; and also to the report of the Treasurer of this Society, the vouchers of whose disbursements are filed in my office, accessible to any committee your respective bodies may appoint to examine the same. I cordially concur in the appropriation asked for by the Executive Committee.

Frontier Difficulties.—Congress made an appropriation of $20,000 in behalf of the citizens of Minnesota and Iowa, to defray the expenses of their various expeditions against Ink pa-dutah and his band, for the murders committed at Spirit Lake in the spring of 1857. It was required that these expenses should

be proved up before Major Cullen, Superintendent of Indian Affairs at St. Paul. This was done, and the amount allowed the Iowa expedition under Major Williams, was $3,612 43, which is now being disbursed to the privates and officers composing the same.

Under the act authorizing the Governor to raise a company of mounted men for the defence and protection of our frontier, approved Feb. 9th, 1858, I beg to say that a company of thirty such men, known as the Frontier Guards, armed and equipped as required, were organized and mustered into service under the command of Capt. Henry B. Martin, of Webster City, about the first of March then following, and were divided into two companies, one stationed on the little Sioux River, the other at Spirit Lake. Their presence afforded security and gave quiet to the settlements in that region, and after a service of four months, they were duly disbanded.

Late in the fall of the same year, however, great alarm and consternation was again felt in the region of Spirit Lake and Sioux River settlements, produced, as represented to me, by the appearance of large numbers of Indians on the border, whose bearing was insolent and menacing, and who were charged with clandestinely running off the stock of the settlers. The most urgent appeals came to me from these settlers, invoking again the protection of the State. From the representations made to me of the imminence of their danger, and the losses already sustained, I felt it my duty to summon into the field once more the Frontier Guards, adding ten more men to their number. After a service of four or five months they were again discharged, and paid in the manner prescribed in the act under which they were called out.

It is believed that this company afforded the needed protection, and saved, it may be, our hardy border settlements from another inhuman butchery.

The expense of these two expeditions has cost the Treasury of the State $19,800 paid, and about $1,200 or $1,500 unpaid, of contingent expenses, which did not seem to be provided for in the law, growing out of services rendered in procuring the necessary equipments and outfit, and the transporting and disbursing the money, &c., &c.

These claims, duly authenticated, have been placed in the hands

of our Representatives in Congress, to the end that the State may be reimbursed. It is understood that this can only be done by getting through Congress a special act for that purpose.

I need not say that I opened a correspondence, both with the President of the United States and the Secretary of War, upon the subject of our exposed frontier, explaining to them the character of our difficulties, and respectfully solicited that protection which the Federal Government is bound to extend to the whole line of our borders. I received strong assurances from the President that this should be done, and a partial promise from the Secretary that he would establish a garrison at some point between Fort Ridgley and Fort Randal, that should sufficiently guard and protect our frontier. Whether this has been done or not, I am not advised.

Rail Roads.—The establishment, at as early a day as practicable, of a system of railway locomotion over the State, uniting county with county, and one neighborhood with another, and thus linking together not only the four corners of the State with bands of iron, but putting us in connection with all the States east and south of us, is a matter of so much importance that few men, of any section or party, would wish to record themselves against it.

Their social and commercial advantages have been tested by millions in this country and in Europe, and they are forcing themselves upon the recognition of every civilized nation. We have a system of near 3,000 miles of railway projected, admirably adjusted to accommodate every part of the State, with only four hundred miles constructed.

Had we the means to complete the entire system, it would cause a wonderful transformation to take place in the settlement of our prairies, in the development of our coal mines and other mineral, in stimulating the productions of the soil, as well as the various branches of operative industry.

But great and obvious as are these advantages, there are just grounds for apprehending they will be for some time postponed to us. They cannot be built without large amounts of money. Capitalists are disinclined to invest in this direction any longer, it is claimed by many that the State ought not to give its aid; county subscriptions are now adjudged unlawful, and although this description of improvements are peculiarly adapted to the wants and

the interests of the masses, they never yet have been prevailed upon to do much for enterprises of this kind. In this attitude of affairs, the question may well be propounded, how are our railroad schemes to be carried forward? The few enterprising men in the State who are engaged in this work unaided, cannot accomplish the task. A suspension would be disastrous to the best interests of the State. Already, it is known that large numbers of emigrants have located in adjoining States because of their superior advantages over us in railways. This subject is of no ordinary import, and is mentioned not because I have any specific recommendation to make, but for the purpose of asking your serious and earnest attention to our real condition in this respect, to the end that you may, in your combined wisdom, devise some method by which this work may be progressed, that the people of this State may have, under a system of completed railways, all the benefits and advantages enjoyed by the citizens of other States.

In regard to the four roads receiving land grants from the General Government through the State, as the trustee, it will be remembered that the State in the execution of this trust, imposed among others, the following condition: "That in case either of said Railroad Companies shall fail to complete and equip seventy-five miles of its road within three years from the 1st day of December, 1856, then and in that case it shall be competent for the State of Iowa to resume all rights conferred upon the Company so failing, and to resume all rights to the land thereby granted, and remaining undisposed of by the Company so failing to have the length of road completed in manner and time as aforesaid."

If after a full and careful investigation and making all due allowances for the stringency of the times, it shall appear that any of these Companies have failed to comply with the requirements of the law and the just expectations of the people, and are now unable, either through mismanagement or other cause, to go forward with the great work committed to their charge, then it will become your duty to make such disposition of the lands granted to such delinquent Company or Companies, as shall secure to the State the benefit of the grant, and give to the people along the contemplated lines all the advantages of a direct eastern outlet that they would have possessed if such default had not been made. I cannot dismiss this subject without advising the passage of an act that shall require a majority of the Board of Directors of all cor-

porations organized under and in virtue of the provisions of our laws, to reside and keep their office of business within the State.

Capitol Building.—This structure was erected at the expense of the School Fund, borrowed by six gentlemen of Des Moines City, for that purpose, for the re payment of which with ten per cent. interest, they gave mortgages on their individual property.

The amount of money thus obtained from the Superintendent of Public Instruction, with ten per cent. interest up to this date, (not paid) is $52,130. The building cost, including the lots and interest, up to this date, $53,733.61. The divided public sentiment in regard to the particular site it should occupy, precluded the possibility of building it at the common expense of the town or county. These men are quite unable to supply the State with so large and costly a building for nothing. The State ought not to consent to become a pensioner upon their bounty. It cannot do so without compromising its magnanimity. She ought to own this building—it is convenient, substantially built, and worth the money it cost. The State has been in the occupancy of the building over two years—made important changes and improvements upon the same—inconsistent, perhaps with the legal rights of the proprietors—and it will now answer the purposes of a State House for years. In view of these facts, it is gravely suggested whether the interest and honor of the State would not be quite as well subserved, by directing the mortgages against these men to be cancelled, assume the liabilities to the School Fund, and pay to them the difference between this fund and the cost of the building.

James D. Eads, late Superintendent, &c.—Under your legislation I was instructed to appoint a Commissioner to settle with the sureties of this defaulting officer, upon the basis therein specified. Robert A. Russell, Esq., a competent person, was assigned to this duty, but failed, after several attempts, to negotiate such settlement upon any terms whatever; whereupon I directed suit to be instituted against the said Eads and his securities for some $71,880 97, being the amount of his supposed defalcation. Although the cause was expected to have been tried last month, the result has not yet transpired.

Geological Survey.—Since your last session, this work has not progressed as rapidly as could have been desired. The year 1858 was mostly employed in preparing and publishing the result of the survey in the eastern portion of the State, which made a large vol-

ume, in two parts, and has drawn from the scientific world the most satisfactory testimonials of its merits. Charged, as I was, with the distribution of some two or three hundred copies of this work in foreign lands, I was able, through the agency of the Smithsonian Institution, and the assistance of Professors Hall and Agassiz, to make such a distribution as will, in my opinion, tell largely for the interest of the State.

A list of the nations, societies, institutions and scientific journals, &c., to which copies were sent, will be found in a communication from the State Geologist to the Executive, herewith submitted for your inspection, and from which you will also learn other details in respect to the present condition, as well as important suggestions bearing upon the future of this enterpise.

At the time of the last appropriation the State was more largely in arrear with the expenses of the survey than was anticipated; the payment of which absorbed so much of the appropriation, that there was not a sufficiency left to form an effective organization for working out the Geology of the western part of the State, and hence in part the little progress made the last two years.

It is due, however, to Professor Hall, to say that he has had two assistants in the field, working out the details of some portion of the State before explored, and which will make a part of the materials of the second volume.

In addition to this, he has already published a supplement to his first volume, containing descriptions of new species of *crinoidea* and other fossils, chiefly from the Burlington and Keokuk lime-stones, which will give this branch of the survey a very prominent position, and make the carboniferous limestones of Iowa classic localities.

It is but just toward the west half of the State, that this survey should go forward. The very favorable reception which the first volume has met with on the part of the public—the numerous applications for it from all sections of the country, which could not be supplied, and the highly commendatory notices of it which I have received by letters from scientific gentlemen, make it but too evident that the money expended on this work has not been lost to the State.

Pennsylvania.—This State has been pleased, in the face of the Constitution, to levy a tonnage duty upon all the freght that passes over her great central railroad, whether transported east or west, by residents or non-residents.

It is true, this duty is collected and paid into the treasury of that State for revenue purposes, from the company operating this road, but it is in fact paid from the pockets of the freighters themselves, among whom the business men of Iowa constitute no inconsiderable number.

This was and is a clear violation of the Federal compact, as I believed, and was advised by learned counsel, and therefore felt it my duty to direct a suit to be brought in the name of the State of Iowa against that State, to test the validity of such a law, in the courts of the country.

Codification and Revision of Laws.—The Commissioners appointed to prepare a code of civil and criminal procedure, and to revise and codify the laws of the State, will spread before you the work of their hands, which should engage your attention in the early session, whilst the several committees are preparing other measures for your consideration.

The very cursory reading which I have been able to give to a portion of the civil practice act, made a favorable impression upon my mind, and it is to be hoped, upon a full and careful examination by you, that it will be found quite acceptable, and that you will not feel it necessary to make many changes in the same.

Investigating Commissioners.—Under the law of 1858, requiring me to appoint commissioners to investigate the State and Executive offices, I appointed Messrs. Jno. A. Kasson, J. M. Griffith and Thomas Seeley, whose reports will be laid before you.

Their examinations have embraced the transactions of several years, and their reports contain much valuable information and statistics not elsewhere found. Indeed, a very cursory inspection of their reports, will show how full and satisfactory, and at the same time with what ability and thoroughness the investigation has been conducted; making it unnecessary, perhaps, ever to go back of these reports for additional information, in regard to the manner in which the business in these offices has been conducted. They present, in my judgment, many important suggestions respecting the executive administration, some of which may require legislation, and to which I ask your careful attention. Among the more important topics presented by them for consideration, I mention the following:

Office of Secretary of State.—In this office are deposited most of the bonds executed to the State. No provision of law

exists for recording them. Many of them secure the State against malfeasance in office, in very large amounts, some of them being for over 200,000 dollars. The commissioners suggest that it should be required by law, that the officer charged with the custody of any such bonds, should immediately on filing it in his office, deliver it to the Register of the State Land Office, to be recorded in a volume to be kept for that purpose, and that such copy and certified transcripts from it, should be made prima facie evidence of the contents of the original in courts of justice in this State. The original and the copy being thus kept in separate departments, would diminish the hazards of loss by fire or otherwise.

State Land Office.—It appears by their report on this office, that sundry books are still wanting, to comply with the terms of the act establishing that office, and fully to accomplish the object of its establishment; also that no records or papers respecting the territorial grant of lands on which Iowa City is situated, were found in the office.

It further appears that many errors exist in the patents of lands issued by the Secretary of State, prior to the organization of this office, which demand correction and adjustment. Other important facts and suggestions are contained in the report on this office, to which it would be well to give attention.

Office of Superintendent.—This department was found in a very unsatisfactory condition, mainly attributable to the confusion occurring during the superintendency of Mr. Eads. The commissioners were unable to state the accounts of that office from any reliable data found among its papers or books. From data found elsewhere, they ascertained the amount of the 5 per cent. fund received from the United States, up to the 1st of June, 1858, to be..... $552,609 08

And amount of premium on drafts therefor, by Col. Benton, to be..... 37 98

Making a total of..... $552,647 06

Of which is only accounted for..... 403,672 36

Leaving a balance unaccounted for of..... $148,974 70

This amount represents the sum loaned to individuals, retained, or otherwise disposed of by Mr. Eads—the condition and security of which was reported upon by J. M. Beck, Esq., under the direc-

tion of a former General Assembly, but which is more fully traced out in the report of the commissioners, who find against Eads an actual deficit of some $72,880 97; subject, however, to a deduction of Waite's note, $1,000, since paid, and whatever else may be realized from the collaterals held by the State.

The commissioners found no account in this or any other office, showing the amount of School fund chargeable to the several counties of this State, as five per cent. fund distributed to them, or as proceeds of sale of school lands held by them, and enabling them to ascertain reliably the present amount of the school fund of this State.

Taking the figures furnished by the last report of Superintendent of Public Instruction, and correcting the computation made by him, the total amount appeared to be $2,071,241 59. But they do not consider this sum as reliably ascertained.

The present constitution (Art. 7, sec. 3,) requires that all losses to the permanent School or University Fund, of this State, which shall have been occasioned by the defalcation, mismanagement, or fraud of the agents or officers controlling and managing the same, shall be audited by the proper authorities of the State. The amount so audited, shall be a permanent funded debt against the State in favor of the respective fund sustaining the loss, upon which not less than 6 per cent. annual interest shall be paid.

The Commissioners are of opinion that no data exist at this time in any of the State offices, for the discharge of this constitutional duty, and that only the particular examination by a local or general agent in each county, together with a special examination in the State Land Office, of lands sold pertaining to this fund and the consideration therefor, as shown by certificates of purchase and payment; and on examination in the Auditor's office, of vouchers of five per cent. fund distributed to the counties, will render it possible to audit this constitutional claim.

I should be faithless to my convictions of duty, if I did not endorse and specially invite your attention to some cogent reasons which they also offer for a partial change in the management of this fund. While the people of the whole State are liable for losses to the fund, it is only the people of the county who designate and elect the officers managing it in its counties. They suggest that the counties, as principals, should be responsible to the State for the conduct of their own several agents, that the responsibility

of loss may rest upon those only who control its management. This principle is one of universal application in law, is just, and is well worthy of your consideration, as likely to increase the care and vigilance of the people in protecting this important fund from loss. This fund is dedicated to the support of common schools. The efficiency of the system will depend much upon the promptness with which the annual interest upon the fund is paid. I learn that interest to the amount of $120,000 is now due, that should have been paid a year ago or more. The annual payment of interest due this month, it is expected will greatly add to this sum. It is believed that if the counties were made corporately responsible for the payment of the interest of their defaulting citizens, the moral effect would be to stimulate the loanees to pay more promptly their interest, inasmuch as they would be less willing that their own neighbors should pay for their laches than the State at large.

Again, it is suggested whether the annual payment, by the counties, of nine per cent. interest, they loaning it at ten per cent., would not realize a larger annual revenue to the fund, and be much more reliable for the support of common schools, than the irregular payments of interest at ten per cent. dependent upon the promptitude of individuals.

The liability for the principal or the interest of this fund, cannot be forced upon the counties. But it is supposed that the State has the power to withdraw the funds from them, unless, under authority of your legislation they would assume the liability proposed for the conduct of their own officers and agents, in the management of the fund. For other important suggestions bearing on these questions, I respectfully refer you to the 16th and 17th pages of the report upon this office. Also, to a resolution passed by the Board of Education, at its last session, expressing similar views.

Treasury Department.—The very full report of the Commissioners upon the Treasurer's office, presents several important tables and accounts. The late Treasurer has, during his three terms of office, up to June 1st, 1858, received for general purposes, $938,560.92. Tabular statements are furnished, showing the sources from which this amount was derived. After reviewing this entire account, they find a balance against the State Treasurer larger than that fixed by the Auditor, by the sum of $315.28, and ascertained by actual count, on that day, the sum of $845.66 as

wanting in the Treasury, of which $315.28 was not called for by the Auditor's settlement; and of the remainder, a partial explanation is given in the report. At that date a portion of the funds called for was represented by certificates of deposit, which were afterwards redeemed, and the money placed in the Treasury.

They found in the Treasurer's office, an account which has been lost sight of for many years past, relating to the sales of lots in Iowa City, and the payment to the Treasury of a small annual salary therefor, under the supposed authority of a territorial act. I call your attention to the facts there presented, and to the propriety of a transfer of the books and papers relating thereto, from the offices of the Secretary and Treasurer of State, to that of the State Register, and the transfer of the control of any bonds or lots there remaining unsold, to the same office, with instruction to report at your next regular session the condition of said property; how much yet remains to be sold; whether there have been any lots or lands sold, the purchase money of which has not been paid, &c.

Since the date of their report, the system of book-keeping in this office has been changed, and many of their suggestions adopted; the incoming Treasurer having opened new books and improved the system of accounts.

They urge, however, the importance of more frequent settlements with the Auditor, than those now required by law. I commend the various suggestions touching this department of State administration to your sound consideration.

Auditor's Office.—The report upon this office shows some differences in amount of warrants issued, from that indicated by the various Auditors' reports since November, 1852. After examining every warrant entry on the register from that date up to the first of January, 1859, they were posted to certain schedules shown in their report, the total of which should balance the total amount of warrants reported by the several Auditors as issued during that period. There is, however, a discrepancy, partial explanations of which are suggested by the report.

The difficulties in the way of their examination, and of satisfactory results from it, have led them to recommend a radical change in the system of keeping books and accounts in this office. Many improvements, I understand, have been introduced by the present Auditor, not reaching, perhaps, all the changes which they recommend. For the details of this subject, I refer you to the report itself.

They also call attention to the expediency of separating the appropriation bills for the regular and permanent expenditures of government, from that for occasional expenditures usually included under the general appropriation bill. When the former are made for two fiscal years, as has been the custom, it practically leaves the government without appropriations for the period from the first of November, the close of the fiscal year, until the next appropriation, which is usually in March.

I concur in their suggestion, that the fiscal year and the calendar year should now be made identical.

They also suggest a mode of keeping the accounts by certain schedules, which will guard against over-drafts of appropriations by accident, or otherwise, which, also, is commended to your attention.

It is further recommended that a special deputy be assigned in this office to the keeping of the books and accounts of the School Fund, now amounting to over $2,000,000, and still increasing, the charge of which has recently been transferred to this office, and which ought to be kept entirely distinct from all revenue accounts. A complete examination and settlement of the account between the permanent and temporary school funds, and the different counties of the State, should be made and regularly kept.

For several years past the accounts of these funds have been greatly confused, and the necessity of a reform I have already indicated.

Executive Office.—Among others, you will examine their report upon this office, which contains suggestions worthy of your notice. The Commissioners append to each report, a list of the books and papers of each office, which show the description and extent of these Archieves of the State. Their general review of the actual condition of the several offices, and the past legislation affecting them, which has involved much labor on their part, will be permanently useful in any legislation introducing reforms or increasing the security or facility of transacting the public business.

Reflections.—I have thus given you, perhaps, an unnecessary detailed exposition of the affairs of the State, so far as they pertain to its several financial and executive departments accompanied with such suggestions in regard to improving their condition, as seemed to me to call for your careful consideration.

During my brief administration, I have scrupuously endeavored to omit nothing that could protect or advance the diversified interests of the State.

In the unadjusted condition of our various land grants, in the abuses, frauds, and mismanagement of our school funds and lands, in our border difficulties, coupled with other official duties, I have found my time constantly employed.

In closing this communication, I desire to say, that, although our people have received a terrible shock to their hopes, I have, myself, an abiding faith in the future of Iowa, founded upon the laws and elements of growth—upon her recuperative powers—and the genius and enterprise of her people. But then in this respect they should have fair play. This genius and enterprise should be duly encouraged and directed into proper channels. Let our system of railways be completed—cease to tax the labor of our people by emancipating from taxation all improvements, the product of their industry made upon the soil—give, under the homestead bill proposed in Congress, the ten thousand scores of homes, which we still have in reserve for the landless poor, that they may have a little spot of free earth which they can call their own.

Give to our young farmers and mechanics the benefits of Morril's Agricultural College Bill, which proposes to develope a new interest, and an increased efficiency in general husbandry, and the useful arts, by bringing to their aid the treasures of science and knowledge, so that the *labor* thus educated, which may be expended upon the soil, should yield the richest reward with the least expense. These two national measures, so comprehensive in their range for usefulness, demand a public recognition at your hands. But what is of still more importance than all these, and upon which our wealth, strength and prosperity will more immediately depend, is such an organization of the industry of the State as would enable our people to work in combination with each other, and so to diversify their labor and employments, that they may furnish for themselves the facilities for obtaining most of the necessaries and comforts of life. The teachings of a true social economy forbid that a whole State should engage in one pursuit, not even that of agriculture,—grand, noble and indispensible as it is.

For this would compel the State on the one hand, to lose all the labor that could not be employed in the field, and on the other, deprive our citizens from making exchanges among themselves,

and compel them to export their surplus produce to distant markets, at great cost. This, perhaps, would suit our Eastern neighbors, who would be glad to have the loom and anvil left to their management and control, and we, in the West, supply them with the products of the field, and their workshops with our raw material.

The immediate effect of this policy, however, would be to suppress manufactures at home, and build them up abroad, whilst the cost of transportation both ways would fall upon us and ever keep us poor. But the important fact is that the true interests of our people lie in another direction. Take an illustration. Last year we saved for ourselves a half million of money in the manufacture of Sorghum molasses and sugar, which, under the system indicated, would have gone out of the State for the purchase of sweetning, in some form. A few years more will put an end to this drain upon our pockets for such objects. Why not carry this principle a step further?—tan our own leather—make our own boots, shoes, and hats—manufacture all our agricultural implements—all our household furniture—our woolen and cotton cloths—our wagons, carriages and harness—our barrels, baskets and brooms—our cars and locomotives—our engines and machine work of every description. Under this system of economy we would not send our rude materials one or two thousand miles to be worked up, and returned to us, with the cost of finished commodities added to that of transportation for our own use; and thus our money would not always be flowing out of the State. But they would be manufactured in our midst—the producer and artizan would be brought face to face—they would operate their several branches of industry along side of each other. What one class of operatives produced would be consumed by others, and thus their exchanges would be made upon the same theatre of action, a home market created—their money or the profits of their labor retained in the State, to be employed either in the arts and adornments of life, or in some other enterprise where it would again re-produce itself in some other form. Under no other system of operative industry has any State or people on earth ever become rich and powerful.

But the question may be asked, how is this to be accomplished? The first step undoubtedly would be for the Federal Government to return to the tariff of 1842. The second, for the people of this

State and for you, by your legislation, to offer every possible inducement for artizans and manufactures to settle in our midst.

This done, the population and wealth of the State will take a new bound. It will have the effect to refine and diversify the pursuits of our people—to emancipate labor and make it free—to give to the laboring masses a feeling of moral worth—a throb of selef respect—a perception of the rights, dignity and duties of their calling.

Invoking the spirit of Divine truth to crown your efforts for the public weal with success, I now take my leave of this branch of the public service.

RALPH P. LOWE.

JANUARY 9TH, 1860.

On motion of Mr. Davis of Polk, the message was laid on the table, and 5000 copies in English and 2000 in German ordered to be printed.

On motion of Mr. Davis of Clinton, the Senate adjourned until 9 o'clock to-morrow.

SENATE CHAMBER,
January 11, 9 o'clock, A. M.

Senate called to order by the President.

Prayer by the Rev. Mr. Bird.

Journal of yesterday read and approved.

Mr. Davis of Polk, offered the following resolution.

Resolved, (The House of Representatives concurring,) That the members of the Senate will meet the members of the House of Representatives in Joint Convention, in their Hall, this day, at eleven o'clock, A. M., for the purpose of canvassing the votes for Governor and Lieutenant Governor.

Resolution adopted.

Mr. Bowen offered the following resolution:

Resolved, That the Secretary of the Senate be required to procure two Thermometers for the use of the Senate Chamber.

The resolution was adopted.

Mr. Rankin moved that the reading of the Governor's Message be dispensed with.

Motion prevailed.

Mr. Powers offered the following resolution:

Resolved, That in addition to the number already ordered, the Senate order 1000 copies of the Governor's Message to be printed in the Norwegian language.

Mr. Sherradden moved to amend by striking out "one thousand" and inserting "five hundred." Lost.

Mr. Drummond moved to amend by adding "and one thousand copies in the Holland language." Motion was lost.

Mr. Pusey moved to amend by adding "one thousand copies in the Pottawattamie Language" Lost.

The question then recurring upon the resolution offered by Mr. Powers, the yeas and nays were called for and ordered—result as follows:

The yeas were—Senators Anderson, Angle, Bailey, Bowen, Brown, Buechel, Davis of Clinton, Davis of Polk, Gray, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Scott, Thompson, Watson—23.

The nays were—Senators Bussey, Drummond, Duncombe, English, Green, Johnson, Mann, Neal, Pusey, Sherradden, Trumbull, Taylor, Udell, Williams, Wilson of Jefferson—15.

So the resolution was adopted.

Mr. Davis of Polk, gave notice that he would on to-morrow or some subsequent day, offer a bill providing for the appraisement of property sold under execution.

Mr. Rankin moved that the Secretary of State be instructed to furnish the members of the Senate with so much of the report of the Code Commissioners as may be printed. Which motion prevailed.

Mr. Davis of Clinton, offered the following resolution:

Resolved, That the President of the Senate shall, on written application of an Editor or Reporter, cause to be furnished such accommodations as this chamber will afford, and also the necessary writing stationery for such applicant.

Mr. Neal offered the following amendment: "Strike out all after the word afford." Which motion was lost.

The resolution offered by Mr. Davis, was then adopted.

Mr. Mann offered the following resolution:

Resolved, That the Secretary be directed to furnish each member of the Senate with 25 copies of such daily papers as he may select.

On motion of Mr. Bailey, the resolution was laid on the table.

Mr. Duncombe, gave notice that he would on to-morrow, or some subsequent day, introduce a bill, providing that the State printing shall be given to the lowest responsible bidder for the same.

Mr. Rankin, from the committee appointed to make arrangements for the payment of postage, reported that the committee had discharged their duty, and that the necessary arrangements were perfected.

Mr. Pusey, moved that the Senate take a recess until quarter before eleven, A. M. Carried.

At quarter before eleven A., M., the Senate was called to order by the President.

Message from the House by Mr. Aldrich, Chief Clerk.

MR. PRESIDENT:—I am instructed by the House to inform your Honorable Body that the House has concurred in the Senate resolution for a joint Convention of the two houses at 11 o'clock, A. M., for the purpose of convassing the votes for Governor and Lieutenant Governor.

C. ALDRICH, Chief Clerk.

The Senate then proceeded to the Hall of the House of Representatives, to sit in Joint Convention with the House, to canvass the votes for Governor and Lieutenant Governor.

The Sergeant-at-arms announced the Senate, who entered the Hall preceded by their President.

Whereupon the President of the Senate announced that the Convention had met to hear the result of the vote for Governor and Lieutenant Governor of the State of Iowa.

Mr. Pusey of Pattawattamie county, was appointed Teller on the part of the Senate.

On calling the roll the following members were absent: Messrs Hall, Hotchkiss, Claggett, and Robinson, members of the House. Messrs. Hammer and Patterson of Muscatine, members of the Senate.

The Speaker then proceeded to announce the vote of the several counties in the State, for the office of Governor and Lieutenant Governor, pending which, Mr. Wilson of Dubuque, moved to have a recess till two o'clock, which was carried.

At 12 o'clock the Senate returned—and on motion, adjourned until 45 minutes of 2 o'clock P. M.

AFTERNOON SESSION,
15 minutes past 1, P. M.

Senate met pursuant to adjournment.

The President in the Chair.

Mr. McPherson, offered the following:

Resolved, That the Secretary be authorized to have suitable locks and keys placed upon the drawers of the desks in the Senate Chamber. Adopted.

Mr. Watson offered the following:

Resolved, That members be required to pay their own postage, except on public documents.

Mr. Anderson moved the following substitute:

Resolved, That the members be required to pay their own postage on public documents in book form.

Mr. Wilson of Jefferson, moved to refer the resolution and substitute to a special committee of three. Carried.

The President appointed as said committee, Wilson of Jefferson, Watson and Gray.

The Senate then again repaired to the Hall of the House of Representatives, to continue the canvass of votes for Governor and Lieutenant Governor.

---

2 O'CLOCK, P. M.

The members of the House and Senate again met in Joint Convention, when the canvas was concluded, with the following result:

Whole number of votes cast.....	110,047
For Governor—Of which S. J. Kirkwood received....	56,505
" A. C. Dodge "	53,542

For Lieut. Governor—	N. J. Rusch	received.....	55,142
	L. W. Babbitt	"	52,874
	N. P. Rusch	"	307
	S. W. Baldwin	"	46
	S. W. Babbitt	"	114
	W. L. Babbitt	"	53
	N. Rusch	"	10

Whereupon the President announced S. J. Kirkwood as being duly elected Governor of the State of Iowa for the term of two years, and that N. J. Rusch was duly elected Lieutenant Governor of the State of Iowa for the term of two years, they having received a majority of all the votes cast at the election in October last, and certificates of their election were read and signed, as follows:

HALL OF THE HOUSE OF REPRESENTATIVES,
Des Moines, January 11, 1860.

This will certify, That, upon a canvas in Joint Convention of the two Houses of the General Assembly of the State of Iowa, of the votes cast at the last October election, A. D. 1859, for the office of Governor of the State of Iowa, it appeared that Samuel J. Kirkwood received a majority of all the votes cast at said election for said office, and was, thereupon, declared duly elected to the said office of Governor, for the term of two years, or until his successor is elected and qualified.

Signed in presence of this Joint Convention, this 11th day of January, A. D. 1860.

ORAN FAVILLE,
Lieutenant Governor.

Attest: W. H. H. PUSEY, *Teller for Senate.*
L. C. NOBLE, *Teller for House.*

JOHN EDWARDS,
Speaker of the House of Representatives.

HALL OF THE HOUSE OF REPRESENTATIVES,
Des Moines, January 11th, 1860.

This will certify, That, upon a canvass in Joint Convention of the two Houses of the General Assembly of the State of Iowa, of the votes cast at the October election, A. D. 1859, for the office of Lieutenant Governor of the State of Iowa, it appeared that Nicholas J. Rusch 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, or until his successor is elected and qualified.

Signed in the presence of the Joint Convention, on this 11th day of January, A. D. 1860.

ORAN FAVILLE,
Lieutenant Governor.

Attest: W. H. H. PUSEY, *Teller for the Senate.*
L. C. NOBLE, *Teller for the House.*

JOHN EDWARDS,
Speaker of the House of Representatives.

The following committe was appointed to wait on the Governor and Lieutenant Governor elect, and inform them of their election, viz: Messrs. Dennison, Kellogg and Merrill, of the House, and Messrs Trumbull and Powers, of the Senate.

Said committee reported, having performed their duty.

On motion of Mr. Goodrell, of Polk, a committee of two was appointed to wait upon the Judges of the Supreme Court and invite them to be present at the inauguration of the Governor.

Messrs. Goodrell, of the House, and Duncombe, of the Senate, were appointed said committee.

Mr. Bowen, of Johnson, introduced the following resolution:

Resolved, That the members of the Board of the State Agricultural Society, now in session in this city, be invited to take seats within this Hall, to witness the inauguration, and that seats be provided for them. Adopted. Messrs. Bowen, of Johnson, and Dunlavy, of Davis, were appointed said committee.

On motion of Mr. Wright, the Joint Convention adjourned.

SENATE CHAMBER,
HALF PAST 3 O'CLOCK, P. M.

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

Message from the House, by a Committee:

MR. PRESIDENT:—We are directed by the House to inform the Senate that the House is ready to go into Joint Convention, for the purpose of inaugurating the Governor and Lieutenant Governor elect.

S. GOODRELL,
I. C. CURTIS, } Com.

On motion of Mr. Davis, of Polk, the Senate proceeded to the Hall of the House for the purpose of going into a Joint Convention.

On motion of Mr. Wright a Committee of two was appointed to inform the Senate that the House was now ready to proceed with the Inauguration.

Messrs. Wright and Dunlavey were appointed said Committee, who reported having performed this duty; when the Senate, preceded by their President and Secretary, entered the Hall of the House and took the seats assigned them.

On motion, the Chair appointed Messrs. Trumbull and Powers a Committee to wait upon the Governor and Lieutenant Governor elect, and inform them that the Joint Convention was ready to proceed with the Inauguration.

On motion, Messrs. Goodrell and Duncombe were appointed a Committee to wait upon and invite the members of the Supreme Bench and officers of State to be present at the Inauguration.

Mr. Bowen, of Johnson, renewed his motion that a Committee of two be appointed to invite the members of the Agricultural Board also to be present. Carried.

Messrs. Bowen and Dunlavey were appointed said Committee.

The members of various Committees reported having performed their several duties.

Senator Anderson was called to the Chair; after which His Excellency, the Governor, and Lieutenant Governor, together with the Governor and Lieutenant Governor elect, accompanied by the Chief and Associate Judges of the Supreme Court, and their successors in office, and the other officers of State, entered the Hall and were seated.

Whereupon Chief Justice Wright proceeded to administer the oath of office to Samuel J. Kirkwood, as Governor, and Nicholas J. Rusch as Lieutenant Governor of the State of Iowa, when His Excellency addressed the Joint Convention as follows:

Gentlemen of the Senate, and
the House of Representatives:

The people of Iowa have placed in your hands, for the time being, the law-making power of the State, and therefore they look to you, that, during the time you hold this trust, such course of policy shall be pursued and such laws enacted, as will tend to promote the honor and the welfare of the State.

The office to which I have been elected, and the responsibilities which I have just assumed, associate me with you to a certain extent in this work, by imposing upon me, among other duties, that of communicating to you such information as will aid you in the performance of your duties, and recommending to you such measures as in my opinion will, if adopted by you, advance the public welfare.

Under a government like ours, where the people are the source of all political power, the laws are necessarily a fair reflex of the intelligence and morals of the people; and therefore it becomes of the first importance that the standard of intelligence and morality should be raised as high as possible. In this view, it has been the settled policy of the State to foster and encourage in all suitable ways, the education of the youths of the State, so that when at a more advanced period of life, they take part in the direction and control of public affairs, they can do so understandingly, and with an intelligent regard to the public welfare. Under our Constitution, the subject of education has been almost wholly withdrawn from you, and placed in the hands of a Board specially constituted for that purpose, leaving with you, however, the power of revising and amending their action. This Board has just closed a session at which they have made such changes in and amendments to the school law, as they deemed expedient and proper, and in my opinion it would be prudent for you to interfere with their action only in case that you shall find, upon examination, an overpowering necessity for so doing.

Not only is it highly important that the voice of our people, as expressed through the ballot box, shall be enlightened and intelligent, but it is imperatively necessary that the utterings of that voice be correctly and honestly reported. In a goverment like ours, without privileged classes, and where the laws affect all alike, we need not fear that a majority of our people will deliberately pursue a policy intended to operate injuriously upon the public welfare, because by so doing they would be acting contrary to their own best interests. We therefore feel at all times safe in submitting quietly and cheerfully to the will of the majority fairly and constitutionally expressed, confident that if, at any time, from any cause, the people are led into error, they have the sagacity speedily to detect, and the honesty promptly to correct the error. But if through fraud or violence, the ballot box shall cease to report

to us correctly and honestly the will of the majority, if corrupt and interested men are enabled to substitute their will for that of the people, then the assurance of safety derived to us from the honesty, the intelligence, and the interest of the people, no longer exists,—our confidence in our government is lost, and we feel that we are at the mercy of dishonest men, who seek the control of our affairs, for the purpose of promoting their own private interests, rather than the public good. We cannot, therefore, guard with too much care the sanctity and purity of the ballot box. In my opinion, there is no measure so well calculated to effect this object, as a carefully prepared and well guarded registry law; and I respectfully recommend that measure to your consideration. It may be objected by some, that the operation of such a law is burdensome to the electors. I am satisfied that the supposed difficulty in this respect, is much over-estimated; and even were it not, I cannot conceive that any elector who properly appreciates the value of the privilege he enjoys as such, will deem burdensome any reasonable amount of time and attention that it may be necessary for him to bestow, in order to prevent his honest vote from being destroyed by a fraudulent one.

The institutions for the care of the insane, and for the education of the mute and the blind, will, I doubt not, receive from you prompt and cheerful attention and support. Established as they have been, in answer to the requirements of those better feelings of our nature, which prompt us to protect the weak and succor the unfortunate, you may rely with confidence upon the approval by our people, of all reasonable and proper efforts on your part to make them useful and efficient means for carrying out the noble purposes for which they were created.

I would also recommend to your favorable consideration, the State University, at Iowa City. It is based upon a grant made by the Congress of the United States to this State, for the support of such an institution, and, having accepted the grant, we are bound by a proper sense of State pride, by our duty properly to execute the trust confided to us, and by the interests of education, in which are involved the best interests of the State, to render the institution such an one as will be useful and creditable to the State.

The condition and affairs of the Penitentiary, located at Fort Madison, will necessarily engage your careful and serious attention. The safety of society requires that the building be such as

will afford proper facilities for the safe confinement of those vicious persons whose liberty is dangerous to the lives and property of peaceful and law abiding citizens.

An agricultural college was originated at the last session of the General Assembly, and has since been located in Story county. Agriculture will be for many years to come, as it has been in times past, that interest which underlies and supports all other interests in our State; and any aid that can legitimately be given to it, should be given generously and not grudgingly. I have not sufficient information touching this institution, to enable me to make any specific suggestions in regard to it, and can only recommend the whole matter to your careful and friendly consideration.

The present condition and future management of the permanent school fund of the State deserve your serious investigation and deliberation. Under former and existing laws, this fund has been lent to individuals, and in many cases either through the carelessness or dishonesty of the officers by whom it has been lent, the securities taken therefor have proved to be entirely inadequate, so that large losses to the fund must ensue. By a provision of our Constitution, all these losses fall upon the State and become funded debt upon which the State must forever pay the interest. Many of the loans thus made, are now or soon will be falling due, and it becomes a matter of grave importance to determine in what manner the moneys when paid shall be again disposed of. I consider the present system open to much objection. Not only are losses of the principal constantly occurring under it, which the State is bound to make good, but even the interest is not promptly paid, so that the active fund for the support of schools is fluctuating and uncertain. I am strongly inclined to the opinion that a better policy would be to direct the payment of the principal, as it falls due, into the State Treasury, to be used as other moneys for State purposes, binding the State to pay the interest on the same for school purposes. In this way the money would, in the first instance, go to the benefit of all the people of the State alike by lessening to that extent the amount of money to be raised by taxation, and the interest would, in like manner, be paid by the people and be applied directly to their use in the support of the public schools. If this shall be deemed objectionable, I would recommend that the money when paid in, be invested either in stocks of the United States, or in the best stocks of

interest-paying States. In case you shall deem it proper to adopt this or a similar policy, it will be advisable to vest in the officers to whom the money shall be paid, in the first place, discretionary power to grant indulgence of time to those borrowers whose loans are amply secured, so as not to cause unnecessary hardship or distress, during our present financial difficulties.

I would also suggest to you the propriety of a careful examination of our revenue system, with a view to ascertain if it cannot be made more certain and efficient. Any system of revenue which permits large amounts of taxes to become delinquent and to be ultimately lost to the State, must be defective, and must operate unjustly and unfairly upon our people. The deficiences thus created in the revenue must be provided for by additional taxation upon those who have already discharged their duty as citizens, by paying the taxes assessed upon them, and they are thus compelled to bear more than their due proportion of the public burden. The laws should provide for the most rigid and exact accountability of all officers charged with the collection, control or disbursement of the public money. Any vagueness of the laws which permits an officer to retain in his hands, without detection, any portion of the public moneys, or to use them for his private benefit, not only defrauds the revenue, but introduces among officials a laxity of morals highly dangerous to the public interest. The Governor is authorized by a law passed at the last session of the General Assembly, to institute a careful examination of the accounts of the State Officers once in each year, and I have not any doubt the law will be found beneficial in its operations. But the amount of money paid by our people into the State Treasury, is but a small proportion of the total amount paid by them in the shape of taxes. A much larger amount is paid for county and other purposes, and in my opinion the existing laws are defective in not requiring a more careful scrutiny of the accounts of those to whom this money is paid and by whom it is disbursed. I therefore recommend to your consideration, in addition to any other measures your wisdom may suggest, the passage of a law requiring the Judge of each Judicial District, to appoint once in each year a skillful accountant in each county of his District, whose duty it shall be to examine carefully the books of each county officer, and to state and record an account between such officer and his county, and when necessary, between officer and

officer. Such examinations by disinterested persons would, in my opinion, have a decidedly beneficial effect; the expense attending them would be very small, and I have no doubt the people of the counties would cheerfully bear that expense for the satisfaction of knowing that the large amounts of money they pay as taxes, are applied to the proper object.

I apprehend it is scarcely necessary for me to recommend to you as close and rigid an economy in the matter of appropriations as is consistent with a proper administration of the affairs of the State. The scarcity of money, consequent upon the financial revulsion of 1857, and the failure of our crops to a great extent since that time, has caused the payment of the taxes necessary to the support of our government, to be felt as a sensible burden by our people, and they have the right to demand, and I think do demand at our hands, that until the present pressure is somewhat removed, and our financial affairs have become somewhat more easy and prosperous, we shall limit the expenses of the State to the smallest sum compatible with due regard to the public interest.

An event has recently occurred in our sister State of Virginia, causing in that State an intense excitement, which has to a greater or less degree extended thoughout our country. I allude, of course, to the late unlawful invasion of that State by John Brown, and his associates. The moving causes that led these misguided men to that mad attempt, in my opinion, may be easily and certainly found. On the 4th of March, 1853, President Pierce was inaugurated as the chief magistrate of a happy and united people. The administration of his predecessor had been marked by a settlement of the agitation of the question of Slavery, growing out of the acquisition of territory from Mexico, as the administration of Mr. Monroe had been marked by the settlement of a similar agitation in connection with the territory purchased from France during the Presidency of Mr. Jefferson, and as these two settlements covered all the territory then belonging to our Government, our people fondly hoped that for a long period of time, this vexed and irritating question would be kept out of our national councils, and that the angry and embittered feelings always arising from its discussion, would then die out for want of food. As an additional basis upon which to rest this hope, our people had the solemn pledge of honor of the political party then dominant in all the branches of our national government, deliberately given at the

time Mr. Pierce was nominated by them for the Presidency, that if placed in power they would resist, to the extent of their power, the agitation of that dangerous question, both in the Congress of the United States, and out of it. Unfortunately for the peace of the country, and for the preservation of those kindly and fraternal feelings which should always exist among our people, Mr. Pierce and his political friends did not redeem that pledge. On the contrary, the first important act of his administration was the passage of the Kansas Nebraska Bill, by which the settlement made during Mr. Monroe's administration of the question of slavery in the territory acquired from France, was set aside, and the fountains of strife so recently closed, again opened to pour forth among our people their bitter waters. The excuse offered for this wanton, uncalled-for and most unfortunate act, was the alledged desire on the part of those who did it, to settle the question of slavery, then in a state of perfect quietude and repose, and this was to be done by introducing into our legislation a new policy which denies to Congress a power claimed for it by the founders of our government, and exercised by it from the beginning; which declares that to be unconstitutional which the makers of the Constitution declared to be constitutional, and which rests upon the strange assumption that the government of the United States cannot set up and mantain in the territories of the United States a form of government demanded by a majority of our people, and identical in the disputed particular, with the form of government of a majority of the States of our confederacy. If the men who did this thing, did not know that their action would again produce among us agitation, heart-burning, jealousy, and ill-will, they were so wholly ignorant of the temper and feelings of our people, as to make them unsafe public servants. If they did know, they were unfaithful. In either view, they were faithless to the pledges they had given, as the inducement for placing power in their hands. The Kansas Nebraska bill was long pending, and its passage was strenuously resisted in Congress. The debates in that body upon it were acrimonious and exciting; the discussions in the public press were bitter and inflammatory, and when the passions of the people in the different sections of our country had been thoroughly aroused, their prejudices inflamed, and their pride enlisted in the contest going on in the halls of Congress, that contest was by the passage of the bill, transferred from these halls to the plains

of Kansas; from the representatives in Congress to our entire people; and thus was cast into the arena as a prize to be struggled for by an aroused and excited people, a territory which, in size, in soil and in climate is equal to some of the most powerful monarchies of the old world. Did the men who passed that act expect and desire that struggle to be a friendly and a peaceful one? The country would fain so believe, yet such belief requires that we should attribute to them a want of knowledge and foresight but little less criminal in men in their position, than would have been the expectation and desire by them that the struggle should be as it was, a hostile and bloody one.

It is my deliberate conviction, that on the day on which the opponents of this new and most unfortunate measure, aided by a few of its original friends, defeated its legitimate consummation by defeating the passage of the so called Lecompton bill, which sought to enforce upon the people of Kansas a constitution they abhorred and which would have required for its enforcement the aid of federal bayonets,—on that day, the union of these States met and escaped the greatest peril to which it has yet been subjected. But happily for all, unexpectedly to the fears of many, adversely perhaps to the wishes of some, that great peril was escaped, and Kansas, with a constitution which accords with the legislation which, in the last generation dedicated her to freedom, and with the wishes of her people, stands ready to ask admission into our Union as a free State. I do not recur to these past transactions for the purpose of again stirring up ill feelings now measurably appeased, but for the light, which, in my opinion, they throw upon present events. It is as true now as it was in the olden time, that "they who sow the wind shall reap the whirlwind." During the struggle in Kansas which makes her story a blot on the page of our country's history, the free State men of that territory were treated by their pro-slavery brethren in that territory, and in the States, and by the General Government, as if they had not any rights, legal or natural, which either were bound to respect. Is it strange that some of them should have ceased to respect the rights of those whom they looked upon as their oppressors —should have learned to hate the institution for whose advancement they were oppressed? During the same period that other new policy called fillibusterism, and the doctrines by which it is

sought to be upheld, attained full force and vigor. It was insisted in substance, by our southern brethren, and either openly or tacitly approved by many in the north, that if our people should find upon our borders, or within reasonable reach of us, a weak and helpless nation, who could be attacked with comparative safety, and whose form of government did not attain to our standard of perfection, it was not only the privilege, but the mission of such of our people as desired to engage in the laudable undertaking, to invade her territory with fire and sword, to bring upon her peaceful inhabitants, men, women and children, all the horrors of war; and having thus carried through and perfected a process of "regeneration," to establish on the ruins of her government, our own free institutions, prominent among which, according to the advocates of this doctrine, stands human slavery.

Is it strange that the bare promulgation of these doctrines, acting upon the minds of men maddened by the recollection of wrongs inflicted upon them in Kansas, because of their love of freedom, should lead them to the conclusion that they should do and dare as much at home for liberty, as those who have oppressed them were doing abroad for slavery? It seems to me most natural, and while I deeply deplore and most unqualifiedly condemn, I cannot wonder at, the recent unfortunate and bloody occurrence at Harper's Ferry. But while we may not wonder at, we must condemn it. It was an act of war—of war against brethren, and in that a greater crime than the invaders of Cuba and Nicaragua were guilty of, relieved to some extent of its guilt, in the minds of many, by the fact that the blow was struck for freedom, and not for slavery. Still it was a wrong, and as such the deliberate public sentiment of the north, as well as of the south, condemns it. In my opinion, much misapprehension exists on this subject among our southern brethren, and this misapprehension renders proper the present allusion to it. The mass of them relying upon the statements of the leading men of the south, who should know better, and of prominent men in the north, who do know better, but falsify for a purpose, believe that the sympathy expressed by many of our northern people for the leader of that invasion, covers and contains an approval of his act. This is a great, and it may become a dangerous error. While the great mass of our northern people utterly condemn the act of John Brown, they feel and they express admiration and sympathy for the disinterestedness of purpose by which

they believed he was governed, and for the unflinching courage and calm cheerfulness with which he met the consequences of his failure. Many, very many, of our northern people felt deep sympathy for the gallant Crittenden, who died so bravely in Cuba, for an act they strongly condemned, and the tears of many of the best and bravest of our revolutionary sires bedewed the grave of Andre, who, by their own judgment, died the death of a spy, his sentence approved by Washington. When passion has passed away, and calm reason has resumed its place in the minds of our southern brethren, they will fully appreciate our feelings, and then, if I do not mistake them, while with us they condemn yet pity John Brown, as a misguided but not base minded man, they will also with us detest and scorn these men in our midst who now seek by distorting our language and falsifying our sentiments, to use the passions and prejudices of our southern brethren as a means to pave their own base way to power and place.

I cannot concur in the opinion expressed by some persons, that the constituted authorities of the States of this Union have discharged their entire duty, when they have looked to and cared for their own internal affairs, and that they travel out of their legitimate sphere when they in any manner concern themselves with the affairs of our General Government. The several States, as such, are the constituents of one branch of the National Congress, and if it be true that the constituent may and should concern himself with what is done by his representative, it must be true that each State may and should concern herself with the actions of that General Government of which her representatives are a part; if it be true that the States of our Confederacy are interested in the administration and preservation of that compact but for which they would be wholly independent and rival, perhaps hostile sovereignties, instead of one great and united nation, it must be true that they may and should concern themselves with the manner in which those to whose hands that administration and preservation are committed, discharge their trust.

The passage by Congress of the measure commonly known as the Homestead Bill, would in my opinion, be productive of much good, preventing in a great degree the acquisition, by speculators, of large bodies of the public lands, to the injury of the actual settlers, and by enabling many honest and industrious poor men who cannot now do so, to enroll themselves in the class of independent

farmers who are the support and strength of our country. The government price of a quarter section of land may appear to many a small and insignificant sum, but the many thousands of the farmers of the west who have opened farms either "in the woods" or "on the prairies," can more justly appreciate the great benefits deriveable from that small amount in their work of toil and privation. I respectfully recommend that you memorialize Congress for the passage of such a law.

The building of a Railroad to the Pacific Ocean, is a measure which, in my opinion, is demanded by the best interests of our whole country. In case of war with any of the great maritime powers, the States on the Pacific would be peculiarly open to attack, and our government could afford them the necessary aid for their defence only at great risk and enormous expense. Troops could not be sent to their assistance through our own county, except by the overland route, which experience has shown to be, for an army, almost impracticable; while if sent by any other route, they might be compelled to fight their way to the States they are sent to defend. It seems to me to be a bad policy that would compel us to depend upon other nations for a right of way to our own possessions and our own homes, when we can have such way within our own limits.

A great central trunk route, with branches at either end to accommodate all parts of our country, both upon the Atlantic and Pacific, would meet our wants and commend itself to the sound sense and calm judgment of our people. I also recommend that you memorialize Congress in favor of that measure.

There is one aspect of the vexed and exciting question of slavery to which I wish to direct your attention, as one upon which, perhaps, our whole country can harmonize. Recent events in Virginia have drawn the attention of our Southern brethren to the danger surrounding them, by reason of the great number of free colored persons among them in contact with their slaves, and the excitement of the moment has caused some of their State Legislatures seriously to entertain the terrible proposition to compel this unfortunate people either to become involuntary exiles from the land of their birth, or to become slaves. The repugnance, the prejudice, if you will, of the people of the Free States, especially of the north-western States, against allowing any large influx of these unfortunates among them, is well known, and must be heeded

by those who make laws for those States. The dangers and difficulties attendant upon the presence of free colored persons in a slaveholding community, prevent emancipation by many who would otherwise gladly set free their slaves, and have in some States caused the passage of laws prohibiting or greatly hindering emancipation. Indeed, these dangers and difficulties are to-day the great hindrance to the abolition of slavery in and by the Slave States, and the apprehended danger that in case the Southern States should abolish slavery, the Free States would at once be overrun by the ignorant slaves just manumitted, is skillfully used by partizan politicians among us, to reconcile the Northern mind to the extension of slavery in other directions. Moved by these considerations, I deem it my duty to recommend to your careful and favorable consideration, a plan for the colonization of the free colored population of our country in Central or South America, under the protection of our General Government, brought forward in the Congress of the United States, by a distinguished member of that body from the State of Missouri, with the view that, if the measure shall meet your approbation, you may memorialize Congress in its favor. The substance of this plan, as subsequently presented in the U. S. Senate by one of the Senators from Wisconsin, is, that our Government shall, by treaty with some of the Central or South American Governments, acquire "the rights and privileges of settlement and of citizenship for the benefit of such persons of color of African descent, as may voluntarily desire to emigrate from the United States, and form themselves into a colony or colonies, under the laws of the State or States to which they may emigrate, the United States, in consideration of the commercial advantages of free trade with such colony or colonies, making and securing the necessary and proper engagements to maintain them in the enjoyment of the rights and privileges acquired by such treaty or treaties." The colonization of this unfortunate race, in some country peculiarly adapted by climate and production to their use and occupation, has long been a favorite scheme with a large portion of the people in all sections of our country, and until time and experience had shown the operations of the Society which proposed to colonize them in their native country, to be, by reason of the expense, impracticable, as a means for relieving our country of the vast numbers of these people among us, that Society received, as it justly deserved, a great degree of public favor. That the

operations of that Society have produced, and will produce, great good to Africa, I have no doubt, and I shall rejoice to see its ability for usefulness largely extended. But experience has shown it to be wholly inefficient as a means of removing from among us this large and rapidly increasing population. Colonization in Central or South America, by means of the proximity of the proposed colonies, would be much less expensive, and therefore more effective, and if the General Government, supported by the several States, should take the matter in hand with earnestness and zeal, it seems to me that we might congratulate ourselves upon having done a work which would not only be productive of great good to ourselves, but also enable us to commence the payment of that vast and accumulated debt we owe this wronged and unfortunate race, and which would, perhaps, enable us to see the beginning of that most desirable end, when our land shall be in truth "the land of the free," as it has been, and is, "the home of the brave."

In conclusion, permit me to say that, although our political horizon is not unclouded, although anger and jealousy have to some extent taken the place of brotherly kindness and good will among our people, although some men occupying high position under our Federal and in some of our State Governments, influenced by pride and passion, utter sentiments disloyal to our Union, and others, in like high position, but governed by baser motives, either openly or silently approve these sentiments; still, in my opinion, those who love our Constitution and our Union, have not very great cause for alarm. Passion will subside, reason will resume its sway, and then our Southern brethren will discover that they have been deceived and misled, as to our feelings and purposes; that the people of the North, while hoping and praying for the day when no slave shall press our soil, yet do neither claim nor desire any power to interfere with slavery in any of the States where it exists; and that the good old ways wherein we walked, when to talk of disunion openly or to approve silently, was to incur the scorn due a traitor, are ways of pleasantness, and that the good old paths our fathers taught us to tread, are paths of peace. And they will join with us in believing that the men who achieved our independence and framed our Constitution, were as true patriots, and understood the Constitution as well as the statesmen of the present day,—will unite with us in following their teachings and walking in their footsteps, and in discarding these new measures, and this new

policy, which have produced no fruits but those of discord and bitterness, and will again pledge themselves, as we to-day pledge ourselves, in the full depth and force of its meaning, to the sentiment of the true and stern old patriot of the Hermitage—"The Union—it must and shall be preserved."

SAMUEL J. KIRKWOOD.

After which the Hon. Chief Justice Wright administered the oath of office to the Supreme Judges, to wit: L. D. Stockton, Ralph P. Lowe, and Caleb Baldwin.

On motion of Senator Davis of Polk, the Joint Convention adjourned without day.

At 4 o'clock P. M., the Senate returned, and was called to order by the President.

On motion, adjourned until 9 o'clock to-morrow morning.

SENATE CHAMBER,
January 12, 1860, 9 o'clock, A. M.

Senate called to order by the President.

Prayer by Rev. Mr. Chamberlain.

Journal of yesterday read and approved.

The President, Lieut. Gov. Faville, then addressed the Senate as follows:

SENATORS:—In vacating the Chair that I have officially occupied for the last two years, and in taking leave of you whose countenances and voices have become so familiar, I find no adequate words to express my emotions. I can, however, but offer you my sincere thanks, not only for your courteous bearing towards me while occupying the Chair, and for your uniform kindness to me while out of it. I entered upon the discharge of my duties greatly distrusting my own ability, and claiming your generous forbearance, and I gratefully acknowledge that the claim has always been cheerfully granted. My thanks are due you for your constant adherence to rules, and for the decorum and freedom from personalities observed in your deliberations.

Whatever my deficiences may have been, and whatever embarrassments may have met me in discharging the duties of the Chair, I most cordially bear testimony to your uniform willingness to aid rather than obstruct the prosecution of business.

I desire to express my special obligations to the older members of the Senate with whom I have been longer associated, and whose acts of kindness I shall never forget.

Allow me to bespeak for my successor the same generous treatment that you have ever shown to me, and permit me to express the hope that nothing will ever occur in your deliberations that will reflect on the dignity and honor of the Senate.

Trusting that your labors will result in the highest good to our beloved Commonwealth, I now bid you adieu.

Mr. Wilson of Dubuque, on the part of the Senate, replied as follows:

Mr. President:—I take pleasure in presenting this resolution to the Senate, and I ask for it the unanimous sanction of this body. We met at the last session of the General Assembly as strangers, but parted as friends. We all look back to that period as one of the pleasant episodes of our life. There was warm congeniality and kind feeling displayed throughout that entire term. We part with you, Mr. President, with regret. We recognize in you the able, impartial, dignified and courteous presiding officer of the Senate. This resolution, coming as it does from your political opponents, bears testimony to your gentlemanly bearing during your official connection with this body. We can only say in conclusion, that you carry into private life our good wishes for your future welfare. I feel authorized by my Democratic brethren, and certainly my Republican friends will unite to reciprocate the warm expression of good will and kind wishes that just fell from your lips as you were bidding adieu to the Chair you so faithfully filled.

The President appointed Messrs. Rankin and Trumbull a committee to conduct Lieut. Gov. Rusch to the Chair, which duty was discharged.

The President, Lieut. Gov. Rusch, then addressed the Senate as follows:

Senators: The responsible position to which I am elected by the voice of the people, makes it my duty to preside over your deliberations. I humbly acknowledge my incompetence to per-

form, in a suitable manner, the duties of the post to which I am called, and I ask your kind and generous indulgence for any errors I may commit. I am confident that your hearty sympathy and legislative experience will aid me in the difficulties to administer the duties of the chair, which I shall strive to do with impartiality and fidelity to the best of my ability and knowledge.

We have assembled to revise the laws and establish the institutions of our young and growing State. May a noble and patriotic spirit characterize all our deliberations, and the purest motives for the welfare of our common country never be overshadowed by partizan spirit. For so doing we will be rewarded with the satisfaction of our constituents and the approbation of our consciences.

Mr. Wilson, of Dubuque, offered the following resolution:

Resolved, That the Senate of the State of Iowa express their thanks to Lieut. Gov. Faville for the dignified, impartial and courteous manner in which he has discharged his duties as presiding officer of the Senate during his official connection with said body.

Unanimously adopted.

NOTICES OF BILLS.

Mr. Johnson gave notice of the introduction of a bill on to-morrow, or some future day of the session, regulating the salaries of the Governor and other State officers.

Also, a bill to repeal chapter 91 of the acts of the 7th General Assembly, entitled "An Act to provide for the establishment of a State Agricultural College and Farm, with a board of Trustees, which shall be connected with the entire agricultural interests of the State of Iowa."

Also, a bill to repeal all existing acts for the suppression of intemperance.

Mr. Udell gave notice that on to-morrow, or some subsequent day of the session, he would ask leave to introduce a bill in regard to the Saline Lands.

Mr. English gave notice that he would, on to-morrow, or some subsequent day of the session, offer a bill for an act to amend the charter of the city of Glenwood.

Also, for an act to amend chapter 92 of the acts of 1858.

Mr. Bussey gave notice that he would, on to-morrow, or some subsequent day of the session, introduce a bill to amend sec. 1,

chap. 61 of the session laws of 1858, in relation to the estates of decedents.

Mr. Taylor gave notice of a bill to limit and define the powers and duties of Grand Juries.

Mr. McPherson offered the following resolution:

Resolved, That the President be requested and empowered to appoint, for this session, all standing committees contemplated by the rules adopted by the Senate.

Mr. Davis, of Clinton, moved its adoption, which motion prevailed.

Mr. Anderson asked leave to introduce Senate File, No. 9, a bill for an act to regulate the duties of the Treasurer of State.

The bill was read a 1st and 2d time, when Mr. Johnson moved that the 11th rule be suspended and the bill be read a third time and put upon its passage, which motion prevailed.

Upon the passage of the bill the yeas and nays were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, Duncombe, English, Green, Hagans, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—35.

The nays were—Senators Gray, Neal, Taylor, Watson—4.

So the bill passed.

Mr. Udell moved to amend the title so that it should read as follows:

"An act in relation to the pay of the members of the General Assembly."

Amendment adopted—and title as amended agreed to.

Mr. Pusey offered the following resolution:

Resolved That during the sittings of the Senate, smoking shall be prohibited within the Senate Chamber and Gallery.

Mr. Johnson, moved to so amend the resolution as to include "chewing."

Mr. Bailey moved to lay the resolution and amendment on the table. Which motion did not prevail.

The question recurring on Mr. Johnson's amendment, it was lost.

The question recurring upon the resolution, it was adopted.

Mr. Davis of Clinton, obtained leave to introduce Senate File No. 2, a bill for an act to repeal section 8 of an act entitled "an act to amend chapter 84 of the laws of 1853, entitled an act to amend section 1848 of the Code of Iowa, approved Feb. 27, 1856."

Mr. Anderson, moved that the bill be laid upon the table, which motion prevailed.

Mr. Pusey moved to take from the table the resolution offered by Mr. Mann, relating to the taking of papers. Carried.

Mr. Lewis moved to strike out the words "twenty-five" and insert instead thereof, the word "five."

Mr. Anderson offered the following substitute:

Resolved, That the Secretary be directed to furnish the members of the Senate with fifteen copies of such daily papers as the members may direct, or their equivalent in weeklies, published in the State.

Mr. Johnson moved to amend the substitute by inserting twenty-five in the place of "fifteen."

Mr. Bailey offered as an amendment: "Strike out fifteen and insert twenty.

Mr. Scott moved to refer the whole matter to a special committee of three, to be appointed by the President. Which motion prevailed.

The President appointed as said committee, Messrs. Scott Anderson, and Johnson.

Mr. Taylor moved to take from the table the resolution offered by Mr. Bussey, in relation to the per diem of certain officers of the Senate. Motion adopted.

Mr. Rankin moved to refer the resolution to a select committee of three, upon which motion Mr. Neal called the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Hagans, Hastings, Kent, Lewis, McPherson, Pattison, of Marshall, Powers, Rankin, Reiner, Saunders, Thompson, Wilson of Jefferson—16.

The nays were—Senators Angle, Ainsworth, Bailey, Bussey, Buechel, Davis of Polk, Duncombe, English, Gray, Green, Henderson, Johnson, Mann, Neal, Pusey, Sherradden, Scott, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque—23.

Absent or not voting, Messrs. Coolbaugh, Drummond, Hammer, and Patterson of Muscatine.

So the motion to refer was lost.

Mr. Brown moved to lay the resolution on the table, upon which motion, Mr. Johnson called the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Bowen, Brown, Davis of Polk, Hastings, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Thompson, Wilson of Jefferson—11.

The nays were—Senators Angle, Ainsworth, Bailey, Bussey, Buechel, Davis of Clinton, Duncombe, English, Gray, Green, Hagans, Henderson, Johnson, Kent, Lewis, Mann, Neal, Pusey, Rankin, Sherradden, Scott, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque—27.

Absent and not voting—Messrs. Anderson, Coolbaugh, Drummond, Hammer, and Patterson of Muscatine.

So the motion to lay on the table was lost.

Mr. Thompson moved to amend the resolution by striking out "$2" and inserting "$3" as the pay of the Sergeant-at-Arms, upon which motion Mr. Bussey called the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Buechel, Hastings, McPherson, Pattison of Marshall, Saunders, Thompson—10.

The nays were—Senators Ainsworth, Bailey, Bussey, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Henderson, Johnson, Kent, Mann, Neal, Pusey, Powers, Rankin, Reiner, Sherradden, Scott, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—27.

Absent and not voting—Messrs. Coolbaugh, Drummond, Hammer, Lewis, Patterson of Muscatine, and Watson.

So the motion to amend was lost.

Mr. Brown moved to amend the resolution by striking out "$2" and inserting $2 50, so that it should read, "The compensation of the Sergeant-at-Arms shall not exceed $2 50 per day," which motion was adopted.

Mr. Brown moved to further amend the resolution by striking out "$2" and inserting "$3," so that it shall read, "The compensation of the Door-Keeper shall not exceed three dollars per

day;" upon which motion, Mr. Taylor called the yeas and nays, which were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Wilson of Jefferson—20.

The nays were—Senators Angle, Ainsworth, Bailey, Bussey, Buechel, Duncombe, English, Gray, Green, Hagans, Johnson, Mann, Neal, Taylor, Udell, Williams, Wilson of Dubuque—17.

Absent and not voting—Messrs. Coolbaugh, Drummond, Hammer, Pusey, Patterson, Rankin.

So the amendment was adopted.

Mr. McPherson moved to amend by striking out "$2" and inserting "$3 00" in the compensation of Fireman; upon which motion Mr. Johnson called the yeas and nays, which were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Polk, Hastings, Mann, McPherson, Pusey, Pattison of Marshall, Powers, Reiner, Sherradden, Trumbull—13.

The nays were—Senators Angle, Ainsworth, Bailey, Bussey, Buechel, Davis of Clinton, Duncombe, English, Gray, Green, Hagans, Henderson, Johnson, Kent, Lewis, Neal, Rankin, Saunders, Scott, Thompson, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—26.

Absent and not voting—Coolbaugh, Drummond, Hammer, Patterson of Muscatine.

So the amendment was lost.

On motion, Senate adjourned until 9 o'clock to-morrow morning.

SENATE CHAMBER,
JANUARY 13, 1860, 9 o'clock, A. M.

Senate called to order by the President.

Prayer by Rev. Mr. Chamberlain.

Journal of yesterday read and approved.

Mr. Hammer, Senator elect from Clayton county, presented his credentials and was sworn in.

The President announced the following

STANDING COMMITTEES.

Ways and Means—Saunders, Coolbaugh, Anderson, Neal, Kent, Johnson and Powers.

Judiciary—Rankin, Thompson, Wilson of Dubuque, McPherson, Wilson of Jefferson, Ainsworth and Taylor.

Federal Relations—Wilson of Jefferson, Davis of Clinton, Mann, Hagans and Duncombe.

Schools and University—Bowen, Brown, Bussey, Watson and Gray.

Agricultural—Anderson, Pattison, Bailey, Williams, Reiner, Lewis and Neal.

Railroads—McPherson, Angle, Trumbull, Hammer, Drummond, Thomson and Udell.

Banks—Thompson, Patterson, Pusey, Saunders and Coolbaugh.

Internal Improvements—Drummond, Johnson, Sherradden, English and Hastings.

Claims—Angle, Henderson, Green, Reiner and Buechel.

Charitable Institutions—Davis of Clinton, Davis of Polk, Udell, Scott and Buechel.

Public Lands—Brown, Duncombe, Powers, Pusey and Henderson.

Public Buildings—Davis of Polk, Bowen, Bailey, Drummond and Buechel.

Township and County Organizations—Powers, Pusey, Watson, Gray and Hagans.

Roads—Pattison, Hammer, Sherradden, Williams and Kent.

Military Affairs—Hagans, Bailey, Rankin, Trumbull and Scott.

Elections—Scott, Wilson of Dubuque, McPherson, English and Wilson of Jefferson.

New Counties—Kent, Neal, Angle, Taylor and Pattison.

State Library—Watson, Udell, Mann, Lewis and Rankin.

Incorporations—Lewis, Wilson of Dubuque, Davis of Clinton, Green and Hastings.

County Boundaries—Henderson, Johnson, Anderson, Duncombe and Brown.

Commerce—Reiner, Pattison, Gray, Saunders and Anderson.
Engrossed Bills—Hastings and Williams.
Enrolled Bills—Sherradden and Bussey.

NOTICES OF BILLS.

Mr. Powers gave notice that he would on to-morrow, or some subsequent day of the session, introduce a bill to make it the duty of the Sheriffs of the several counties of the State to keep a record of all the property attached or levied upon by virtue of an execution.

Mr. Ainsworth gave notice that he would on to-morrow, or some subsequent day of the session, introduce a bill to repeal the Usury Law of the State.

Mr. Thompson gave notice that he would on to-morrow, or some subsequent day of the session, offer a bill to enforce the collection of taxes for the year 1858.

Mr. Powers offered the following resolution:

Resolved, By the Senate, (the House concurring,) That the Senate will meet the House of Representatives in Joint Convention, in the Hall of the House of Representatives, on Saturday the 14th inst., at 10 o'clock, A. M., to proceed to the election of a Senator to represent the State of Iowa in the Congress of the United States for six years from the 4th day of March, A. D., 1861, in the place of the Hon. James Harlan.

Mr. Neal moved to strike out "Saturday the 14th inst., and insert Monday the 16th inst. Which motion was lost.

Mr. Mann moved to lay the resolution on the table, and called for the yeas and nays, which were ordered. Result as follows:

The yeas were—Senators Ainsworth, Bailey, Buechel, Duncombe, English, Green, Hammer, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—16.

The nays were—Senators Anderson, Angle, Bowen, Brown, Bussey, Davis of Clinton, Davis of Polk, Drummond, Gray, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—25.

Absent or not voting—Coolbaugh, Patterson of Muscatine.

So the motion was lost.

Mr. Mann moved to strike out "Saturday the 14th inst.," and insert Tuesday the 17th inst.

Mr. Johnson called for the yeas and nays, which were ordered. Result as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—23.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—18.

Absent or not voting—Coolbaugh, Patterson of Muscatine.

So the motion did not prevail.

The question recurring upon the resolution offered by Mr. Powers, it was adopted.

Mr. Thompson offered the following resolution:

Resolved, That of the Inaugural Address of the Governor, there be ordered printed for the use of the Senate, 5000 copies in the English, 2000 copies in the German, 1000 copies in the Norwegian, and 1000 copies in the Holland languages.

Upon motion to adopt, Mr. Duncombe, called for the yeas and nays.

Mr. Ainsworth gave notice that he would at some future day, with others, present his protest against the passage of the resolution, and demand that it be placed upon the Journals of the Senate.

Mr. Wilson of Dubuque, gave notice that he would at some future day present his protest against the passage of the resolution, and demand that it be entered upon the Journal of the Senate.

The yeas and nays were then ordered, upon the call of Mr. Duncombe, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—23.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal,

Pusey, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque —18.

Absent or not voting, Coolbaugh, and Patterson of Muscatine. So the resolution was agreed to.

Mr. Wilson of Dubuque, presented a petition from T. S. Wilson, and others, citizens of Dubuque county, praying for a law providing for the redemption of property sold under the foreclosure of mortgages. Petition referred to the Judiciary Committee with instructions to report by bill.

Mr. Wilson of Jefferson, from the select committee to which was referred a resolution relating to the postage of Senators, reported that they had considered the same, and recommend the passage of the following resolution as a substitute for the one referred to the committee:

Resolved, That the following mail matter only shall be transmitted through the mail by members of the Senate, at the expense of the State: Letters, Reports of State Officers, Governor's Message, Inaugural Address, copies of bills introduced in either House of the General Assembly, and newspapers furnished by order of the Senate.

Mr. Pusey moved the following amendment: "Also such other Des Moines City papers containing reports of Legislature proceedings, as Senators may procure at their own cost, and the Census Returns of 1859.

Message from the House, by Mr. Aldrich, Chief Clerk.

Mr. President:—I am directed by the House of Representatives to inform the Senate that the House has agreed to the concurrent resolution of the Senate in relation to E. H. Brown, as Post Master, with the following amendment in which the concurrence of the Senate is asked: "Strike out the name of E. H. Brown," and insert the name of "T. R. Oldham."

CHAS. ALDRICH, Chief Clerk H. of R.

The question recurring upon the adoption of the amendment offered by Mr. Pusey, it was adopted.

Mr. Udell moved to strike out the words "Inaugural Address," which motion did not prevail.

The resolution as amended was then adopted.

Mr. Scott, from the special committee to which was referred the resolution offered by Mr. Mann, and the substitute offered by Mr.

Anderson, with the pending amendments, in relation to furnishing newspapers for the members of the Senate, reported back the same without recommendation.

REPORTS.

The biennial report of the State Librarian was received, and on motion of Mr. Bussey was referred to the committee on State Library.

Report of the commissioners of the Asylum for the Blind was received, and on motion of Mr. Drummond, was referred to the committee on Charitable Institutions.

Report received from the Secretary of the Board of Education, when Mr. Bailey moved that the reading be dispensed with and the report be referred to the committee on Schools and University. Carried.

Mr. Hammer presented a report from M. L. Fisher, Superintendent of Public Instruction, which, on motion, was referred to the committee on Schools and University.

Message from the House, by Mr. Aldrich, Chief Clerk.

MR. PRESIDENT:—I am directed by the House of Representatives to inform the Senate that the House has ordered the following number of copies of ex-Governor Lowe's Message, and Governor Kirkwood's Inaugural Address, to be printed:

7,500 copies of each in the English language: 1,500 copies of each in the German language: 1,000 copies of each in the Holland language: 1,000 copies of each in the Norwegian language.

CHARLES ALDRICH, Chief Clerk H. of R.

INTRODUCTION OF BILLS.

Mr. Pusey introduced Senate File No. 3, a bill for an act creating the office of County Auditor and defining his duties, which was read a first and second time, and referred to Committee on Township and County Organizations.

Mr. Davis, of Clinton, moved to take from the table Senate File No. 2, a bill for an act to repeal sec. 3 of an act entitled "An Act to amend chapter 84 of the laws of 1853, entitled 'An Act to amend sec. 1848 of the Code of Iowa,'" approved Feb. 27, 1858.

The bill was taken up and referred to Committee on Judiciary.

Mr. Wilson, of Dubuque, introduced Senate File No. 4: A bill

for an act in regard to the interest on delinquent taxes; read first and second time and referred to Committee on Ways and Means.

Mr. Wilson, of Dubuque, had leave to introduce Senate File No. 5: A bill for an act to amend section 48 of the laws of 1858, entitled "an act in relation to revenue," approved March 23d, 1858; which was read a first and second time, and referred to Committee on Ways and Means.

Mr. Davis, of Polk, moved that the report of the Committee to which was referred the subject of subscription to newspapers, be taken up.

The question recurring on the amendment of Mr. Johnson to the substitute offered by Mr. Anderson, viz: to strike out "15" and insert "25," Mr. Johnson called the yèas and nays, which were ordered and were as follows:

The yeas were—Senators Ainsworth, Bussey, Duncombe, English, Green, Johnson, Mann, Pusey, Trumbull, Taylor, Wilson of Dubuque—11.

The nays were—Senators Anderson, Angle, Bailey, Brown, Buechel, Davis of Clinton, Davis of Polk, Drummond, Gray, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, McPherson, Neal, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Udell, Watson, Williams, Wilson of Jefferson—29.

Absent and not voting, Messrs. Bowen, Coolbaugh and Patterson of Muscatine. So the motion was lost.

The vote was then taken upon the motion made by Mr. Bailey, to amend by striking out "15" and inserting "20." The motion was lost.

Mr. Duncombe moved that the question be indefinitely postponed, and upon this motion called the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Ainsworth, Bussey, Buechel, Duncombe, English, Green, Johnson, Neal, Udell, Williams, Wilson of Dubuque—11.

The nays were—Senators Anderson, Angle, Bailey, Brown, Davis of Clinton, Davis of Polk, Drummond, Gray, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Wilson of Jefferson—29.

Absent and not voting, Messrs. Bowen, Coolbaugh, and Patterson of Muscatine. So the motion to indefinitely postpone was lost.

Mr. Mann moved to strike out "15" and insert "19." Lost.

Mr. Johnson moved to amend by adding the words, "published at Des Moines," and called the yeas and nays upon the motion, which were ordered and were as follows:

The yeas were—Senators Anderson, Bailey, Brown, Bussey, Buechel, Duncombe, English, Green, Hagans, Hastings, Johnson, Lewis, Mann, Neal, Pusey, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—20.

The nays were—Senators Angle, Ainsworth, Davis of Clinton, Davis of Polk, Drummond, Gray, Hammer, Henderson, Kent, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—20.

Absent, Messrs. Bowen, Coolbaugh, and Patterson of Muscatine.

The vote being a tie, the President voted *nay*, so the amendment was lost.

The substitute offered by Mr. Anderson was then adopted.

The Senate then adjourned until 9 o'clock to-morrow morning.

SENATE CHAMBER,
Saturday, Jan. 14, 1860, 9 o'clock A. M.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Chamberlain.

Journal of yesterday read and approved.

Mr. Saunders presented a petition from Martin McHugo, a native of Ireland, but now a citizen of Henry county, Iowa, praying for the passage of a law granting him title to certain lands named therein, which were held by his brother, Michael McHugo, who died 16th September, 1856, intestate, and which may have escheated to the State.

On motion the petition was referred to the Judiciary Committee.

Message from the House.

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has concurred in the resolution of the Senate in relation to a Joint Convention for the election of a United States Senator, this day, at ten o'clock, A. M.

I am further directed to inform the Senate, that the house has passed the following bill in which the concurrence of the Senate is asked:

House substitute for Senate File No. 1, a bill for an act making appropriation for the payment of the per diem of the members and officers of the General Assembly.

CHAS. ALDRICH, Chief Clerk.

Mr. Wilson of Jefferson, presented a petition from Benjamin D. Pervue and others, praying for the abolition of the Death Penalty, and for the substitution of imprisonment for life, instead thereof.

NOTICES OF BILLS.

Mr. Powers gave notice that he would on Monday, or some subsequent day of the session introduce a bill to regulate the amount of toll to be taken by the proprietors of Grist Mills.

Mr. Pusey gave notice that he would on some subsequent day of the session introduce a bill for an act to secure the completion of certain railroads within the State.

Also, notice of a bill for an act to liquidate road orders drawn by township trustees on township clerks.

Also, notice of a bill for an act to amend an act entitled an act to amend the Charter of the city of Council Bluffs, approved Jan. 23, 1857.

Also, notice of a bill for an act to prohibit county officers from dealing in the indebtedness of their respective counties.

Also, notice of a bill for an act to amend an act entitled an act for the relief of certain claimants and pre-emptors of school lands, approved April 14th, 1858.

Mr. Ainsworth gave notice of a bill that he would introduce on Monday, or some subsequent day of the session, to fix the times of holding courts in the 10th Judicial District.

Mr. Hammer gave notice that he would on Monday or some subsequent day of the session, introduce a bill to amend chapter 80 of the Code of Iowa, so as to give parties going on to land by consent of the owner, color of title.

Mr. Mann gave notice that he would on Monday, or some subsequent day of the session, introduce a bill in relation to partition fences.

Mr. Taylor gave notice of a bill, that he would on Monday, or some subsequent day of the session, introduce to amend sections 51, 58, 59 and 60 of chapter 152, of the acts of the 7th General Assembly.

Mr. Saunders moved to take up the House substitute for Senate File No. 1. Agreed to.

Mr. Anderson moved that the Senate agree to the substitute of the House for Senate file No. 1.

The yeas and nays were called upon the question, with the following result:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, McPherson, Pusey, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Williams, Wilson of Dubuque—34.

The nays were—Senators Mann, Neal, Rankin, Taylor, Udell, Wilson of Jefferson—6.

Absent, Coolbaugh, and Patterson of Muscatine. So the substitute was agreed to.

The question then being upon the final passage of the substitute, the yeas and nays were called with the the following result:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Williams, Wilson of Dubuque—36.

The nays were—Senators Gray, Neal, Taylor, Udell, Wilson of Jefferson—5.

Absent, Coolbaugh and Patterson of Muscatine. So the House substitute for Senate File No. 1, was passed.

Upon motion of Mr. Davis of Polk, the title was agreed to.

Message from the House by Messrs. Bowdoin and Taylor, informing the Senate that the House of Representatives had agreed

to the concurrent resolution of the Senate to go into Joint Convention for the election of United States Senator.

Mr. Anderson obtained leave to introduce the following resolution:

Resolved, That (the House concurring) we adopt the joint rules of the last General Assembly, for the present session.

Resolution adopted.

On motion, the Senate proceeded to the Hall of the House of Representatives to go into Joint Convention for the purpose of electing a United States Senator.

The Senate, preceded by the President, Sergeant-at-arms and Secretary, entered the Hall of the House after being duly announced, and took the seats assigned to them.

The President of the Senate acting as President of the Joint Convention, and the Chief Clerk of the House acting as Secretary.

The President announced the object of the Convention to be the election of a Senator, to represent the State of Iowa in the Senate of the United States, for the term of six years, from and after the 4th day of March, 1861.

The Secretary was directed to call the Roll, whereupon the following named gentlemen were found to be absent, to wit: Messrs. Coolbaugh, Gray, Hall, Patterson of Muscatine.

On motion, the absentees were excused.

Mr. Robb acted as Teller on the part of the House.

Mr. Anderson acted as Teller on part of Senate.

The President announced that the Joint Convention would proceed to the election of a United States Senator, and that nomination of candidates was now in order.

Mr. Powers nominated James Harlan.

Mr. Claggett nominated Augustus Cæsar Dodge.

The Joint Convention proceeded to vote, when it appeared that James Harlan received 73 votes, and Augustus Cæsar Dodge received 52 votes.

James Harlan having received a majority of all the votes cast, was declared duly elected United States Senator to represent the State of Iowa in the United States Senate for the term of six years from and after the 4th day of March, A. D. 1861.

Those gentlemen voting for James Harlan were—Anderson,

Angle, Barnes, Bemis, Bereman, Blackford, Bowen, Bowdoin, Bremer, Brown, Caldwell, Clark of Johnson, Clark of Jefferson, Cottel, Cowing, Crawford, Darling, Davis of Clinton, Davis of Jasper, Davis of Johnson, Davis of Polk, Dennison, Drummond, Edwards, Gillett, Glasgow, Goodrell, Gue, Gurley, Hagans, Haskell, Hoag, Hasting, Henderson, Hunt, Kent, Lambert, Lewis, Lynch, Macomber, Mangold, McPherson, McQuinn, Millard, Mitchell, Merrill, Morehead, Mosier, Noble, Parker, Pattison of Marshall, Price of Muscatine, Powers, Quinn, Rankin, Reiner, Rosenkrans, Ruddick, Sabin, Saunders, Shipman, Sherradden, Stanton, Scott, Streeter, Thompson, Tompkins, Watson, Williamson of Louisa, Wilson of Jefferson, Withrow, Witter, and Wright—73.

Those gentlemen voting for Augustus Cæsar Dodge, were—Ainsworth, Baker, Bailey, Beal, Bennett, Bracewell, Bussey, Buechel, Campbell, Clark of Des Moines, Claggett, Conner, Curtis, Doggett, Duncombe, Dunlavey, English, Ellis, Gniffke, Green, Harris, Hammer, Hedges, Hotchkiss, Jennings, Johnson, Jones, Kellogg, LeLacheur, Mann, McCullough of Jackson, McCullough of Lee, Neal, Paulk, Pusey, Peet, Price of Lee, Reed, Rees, Riddle, Robinson, Robb, Stephens, Taylor of Jones, Taylor of Wayne, Trumbull, Udell, Whitaker, Williams of Mahaska, Williams of Dubuque, Williamson of Warren, Wilson of Du buque—52.

Excused, Gray; absent and not voting, Coolbaugh, Hall, Patterson.

The following certificate was then signed by the President of the Senate and the Speaker of the House of Representatives, and attested by the Tellers, in presence of the Joint Convention:

HALL OF THE HOUSE OF REPRESENTATIVES,
DES MOINES, Iowa, January 14th, 1860.

This will certify, that at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled at the Capitol, on Saturday, the 14th day of January, A. D. 1860, for the purpose of electing a United States Senator; James Harlan having received a majority of all the votes cast for said office, was declared duly elected a Senator to represent the State of Iowa in the Senate of the United States for the term of six years from and after the 4th day of March, 1861.

Signed in presence of the Joint Convention, the day and year first above written.

NICHOLAS J. RUSCH,
President of the Senate.
JOHN EDWARDS,
Speaker of the House of Representatives.

Attest:

DAN ANDERSON,
Teller on part of the Senate.
PATRICK ROBB,
Teller on part of the House of Representatives.

The President then announced that the object for which the Joint Convention had met, was now accomplished, whereupon, on motion of Mr. Rankin, the Joint Convention adjourned *sine die.*

SENATE CHAMBER,
10½ A. M.

The Senate was called to order by the President.

On motion of Mr. Ainsworth, the Senate adjourned until Monday morning 9 o'clock.

SENATE CHAMBER.
January 16, 1860—9 o'clock A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Drake.

Journal of Saturday read and approved.

Mr. Taylor presented the petition of William McHargue, a citizen of Wayne county, representing that he had purchased certain lands of David W. Baker, School Fund Commissioner of said county, to which lands said School Fund Commissioner was unable to give him a title, he therefore prays for relief by law.

On motion, the petition was referred to the Committee on Claims.

Mr. Taylor presented a memorial from the teachers of Wayne county asking for the passage of such a law as will enable teachers

to hold Teachers Institutes in the several counties of the State. Referred to the committee on Schools and University.

Mr. Taylor presented a memorial and report from a committee of the State Agricultural Society which, on motion, was referred to the Committee on Agriculture.

Mr. Wilson of Dubuque, presented a petition from John Gilmore, Lawrence Powers, and Mathew Williams in regard to compensation for laying out a road. Referred to the Committee on Roads.

Mr. Drummond presented a petition from Daniel Connell jr., and others, praying for the abolition of the office of Co. Judge. Which, on motion, was referred to the committee on Township and County Organization.

Mr. Bowen presented the petition of C. Thompson and others, asking that section 8 of the session laws of 1853, chapter 104 be so changed as to read 1st day of October, instead of November. Referred to the Committee on Judiciary.

NOTICES OF BILLS.

Mr. Sherradden gave notice that he would on to-morrow, or some subsequent day of the session, introduce a bill for an act for the relief of persons falsely imprisoned.

Mr. Watson gave notice that he would on to-morrow or some subsequent day of the session, introduce a bill amending the revenue law by which certain actual improvements may be exempt from taxation.

Mr. Davis of Polk, gave notice that he would on to-morrow or some subsequent day of the session introduce a bill for the relief of W. W. Williamson.

Mr. Taylor gave notice that he would on some subsequent day of the session introduce a bill for an act separating the offices of Treasurer and Recorder.

Mr. Johnson gave notice that he would introduce on some subsequent day of the session a bill fixing the times for holding Courts in the 2nd Judicial District.

Mr. Neal gave notice that he would, on some subsequent day of the session, introduce a bill for an act to amend chapter 148 of the laws of 1858, entitled an act to authorize the Register of the State Land Office and Governor of Iowa, to issue patents to the pur-

chasers of Des Moines River Improvement Lands, approved March 23d, 1858.

Mr. Bowen offered the following resolution:

Resolved, That 2000 copies of the report and supplement of the Secretary of the Board of Education, and the report of the Board of Trustees of the Iowa University be printed for the use of the Senate.

Mr. Ainsworth moved to amend by striking out 2000 and inserting 1000, which was adopted.

The question then being upon the adoption of the resolution as amended; it was adopted.

Message from the House, by Mr. Aldrich, Chief Clerk.

MR. PRESIDENT:—I am directed to inform your honorable body that the House of Representatives has concurred in the resolution of the Senate, in relation to the Joint Rules of the two Houses, first having amended the same by striking out the 8th Rule, in which the concurrence of the Senate is asked.

CHAS. ALDRICH, Chief Clerk.

Mr. Drummond offered the following resolution:

Resolved, That the Secretary be instructed to furnish each member of the Senate with five copies of daily newspapers, printed in the State, or their equivalent in weeklies, in addition to the number already ordered.

Mr. Johnson moved to amend by striking out the words "printed within the State." Which motion was lost.

The President decided that the resolution was out of order.

Mr. Duncombe appealed from the decision of the President.

Mr. Lewis called for the yeas and nays, upon the appeal, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Bowen, Brown, Buechel, Davis of Clinton, Davis of Polk, English, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Thompson, Udell, Watson, Williams, Wilson of Jefferson—26.

The nays were—Senators Ainsworth, Bussey, Drummond, Duncombe, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Wilson of Dubuque—14.

Absent or not voting—Coolbaugh, Patterson of Muscatine, Scott.

So the decision of the President was sustained.

Mr. Bussey offered the following resolution:

Resolved, That the Secretary be required to procure two or more copies of the Code of Iowa for the use of the Senate.

Resolution adopted.

Mr. Pusey from the committee on Township and County Organization reported back, without amendment or recommendation, Senate File No. 3, a bill for an act creating the office of County Auditors and defining their duties.

Mr. Mann moved that the bill be laid on the table and printed.

Mr. Davis of Clinton called for a division of the question, granted.

The question then being upon the motion to lay upon the table, it was adopted.

The motion to print the bill was lost.

Mr. Davis of Clinton, from the committee on Charitable Institutions, made the following report:

Your committee to whom was referred the report of the Commissioners of the Blind Asylum, have had the same under consideration, and have instructed me to report the same back to the Senate, with the recommendation that it be laid upon the table and four hundred copies of that portion marked for the purpose, be ordered to be printed.

Mr. Drummond moved to amend the report so as to require the entire bill to be printed. Motion prevailed.

The question being upon laying the report upon the table and printing 400 copies of the same—it was agreed to.

Mr. Sherradden, from the committee on Enrolled Bills, reported that they had examined House substitute for Senate File No. 1, and found the same correctly enrolled.

Mr. Lewis, upon his request, was excused from acting as chairman of the Committee on Incorporations.

INTRODUCTION OF BILLS.

Mr. Davis, of Polk, introduced Senate File, No. 6, a bill for an act for the appraisement of property sold on execution. Read first and second times and referred to the Judiciary Committee.

Mr. Bussey introduced Senate File No. 7, a bill for an act to amend sec. 1, chap 61, of the Code, in relation to the estates of decedents. Read first and second time, and on motion of Mr. Powers, was referred to the Committee on Judiciary.

Mr. Sherradden introduced Senate File No. 8, a bill to amend chap. 147 of the session laws of 1858, in relation to game. Read first and second time. Mr. Davis, of Clinton, moved the reference of the bill to a select committee of three, which motion prevailed. The President appointed as said committee, Messrs. Davis of Clinton, Sherradden and Wilson of Dubuque.

Mr. English introduced Senate File No. 9, a bill to amend the city charter of Glenwood. Read first and second time and referred to the Committee on Incorporations.

Mr. Hammer introduced Senate File No. 10, a bill for an act to amend chap. 80 of the Code of Iowa. Read first and second time and referred to the Judiciary Committee.

Mr. English introduced Senate File No. 11, a bill for an act to amend chap. 92 of the acts of 1858. Read first and second time, and on motion of Mr. English, referred to Committee on Commerce.

Mr. Neal obtained leave to introduce Senate File No. 12, a bill for an act to amend an act entitled an act to define the time of holding Courts in the several Judicial Districts of the State. Approved March 23, 1858. Read a first and second time. On motion of Mr. Anderson, the bill was referred to the Judiciary Committee.

Message from the House, by Charles Aldrich, Chief Clerk.

Mr. President:—I am directed by the House of Representatives to inform the Senate that the House has passed substitute for House File No. 11, a bill for an act fixing the times of holding Courts in the Eleventh Judicial District, to which the agreement of the Senate is asked.

CHARLES ALDRICH, Chief Clerk H. of R.

Mr. Johnson introduced Senate File No. 13, a bill for an act fixing the salaries of the Governor and other State officers of the State of Iowa. Read first and second time, and on motion of Mr. McPherson, was referred to the committee on Ways and Means.

Mr. Powers called up the message from the House in relation to the concurrent resolution appointing E. H. Brown Post Master.

Mr. Davis, of Polk, moved that the Senate refuse to concur in the amendment of the House to strike out the name of E. H. Brown and insert the name of T. R. Oldham, which motion prevailed.

On motion of Mr. Anderson, the Senate adjourned.

SENATE CHAMBER,
January 17, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Drake.

Journal of yesterday read and approved.

Mr. Duncombe moved to take up House File No. 11, a bill for an act fixing the time for holding Courts in the 11th Judicial District, Iowa. Read first and second time, and upon motion of Mr. Johnson, the 11th Rule was suspended and the bill put upon its final passage.

Message from the House, by Mr. Aldrich, Chief Clerk.

Mr. PRESIDENT:—I am directed to inform your honorable body that the House has ordered 3000 additional copies of the report of the Auditor of State for the use of the House.

CHARLES ALDRICH, Chief Clerk.

The question being upon the final passage of House File No. 11, the yeas and nays were taken, with the following result:

The yeas were—Senators Anderson, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—39.

The nays were—None.

Absent and not voting, Messrs. Coolbaugh, Hagans, and Patterson of Muscatine; excused, Mr. Angle. So the bill was passed. Title was agreed to.

NOTICES OF BILLS.

Mr. Pusey gave notice of a bill for an act to amend an act entitled an act for the relief of swamp land pre-emptors, approved April 7th, 1858.

Mr. McPherson, notice that he would on some subsequent day of the session, introduce a bill to change the boundaries of the 3d Judicial District.

Mr. Henderson, notice that he would, on to-morrow, or some subsequent day of the session, introduce a bill for an act to regulate

the manner of selecting and fixing the compensation of jurors.

Mr. Neal offered the following resolution:

Resolved, That the Governor be requested to submit to the Senate the report of the Commissioners appointed to examine the accounts of the State officers, under "an act to authorize the Governor to appoint Commissioners to examine accounts of the State officers, and define the duties of the Governor in certain cases," approved March 23, 1858. Also a full statement, in detail, of the expenses of said Commissioners.

On motion of Mr. Neal, the resolution was laid on the table.

Mr. Ainsworth offered the following resolution:

Resolved, That the Secretary of the Senate be authorized to subscribe for five copies of daily papers published without this State, or their equivalent in daily or weekly papers published within this State, for the use of the members of this body.

Message from the House, by Mr. Aldrich, Chief Clerk.

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed House File No. 2: An act fixing the times of holding Courts in the 4th Judicial District, in which the concurrence of the Senate is asked.

I am also directed to inform the Senate that the House insists upon the amendment to the Senate resolution in relation to the election of Post-Master, and asks for a Committee of conference, Messrs. Witter, Baker and Cowing having been appointed such Committee on the part of the House.

CHARLES ALDRICH, Chief Clerk.

Mr. Wilson, of Jefferson, moved to lay the resolution offered by Mr. Ainsworth on the table, upon which motion Mr. Ainsworth called the yeas and nays. The following is the result:

The yeas were—Senators Bailey, Bowen, Brown, Buechel, Davis of Clinton, Gray, Hagans, Hastings, Kent, Lewis, McPherson, Neal, Pusey, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Trumbull, Udell, Williams, Wilson of Jefferson—23.

The nays were—Senators Anderson, Ainsworth, Bussey, Drummond, Duncombe, English, Green, Hammer, Henderson, Mann, Pattison, Thompson, Taylor, Watson, Wilson of Dubuque—15.

Absent or not voting, Coolbaugh, Patterson of Muscatine, Angle, Davis of Polk and Johnson. So the motion to lay on the table prevailed.

Mr. McPherson moved that the President appoint a committee of three to confer with the House committee of conference in relation to the election of a Post Master. Carried.

The President appointed as said committee, Messrs. McPherson, Pusey and Davis of Polk.

Mr. Davis of Clinton, offered the following resolution:

Resolved, That the committee on Township and County Organization be instructed to report bills to this body for—

1st—Creating the office of County Treasurer.

2d—Abolishing the office of County Judge.

3d—Establishing a court of Common Pleas with Probate Jurisdiction.

4th—Creating the office of County Auditor.

5th—Providing for a Board of Supervisors.

6th—For the office of Township Collector of revenue.

Mr. Taylor offered the following amendments:

1st.—Strike out the words, "Board of Supervisors," and insert Board of Commissioners.

2d—Strike out the words "Township Collectors of taxes."

Mr. Johnson moved to lay the resolution and amendment on the table. Which motion was not agreed to.

Mr. Johnson offered the following amendment:

After the caption, strike out all except the second instruction.

Mr. Bowen offered the following amendment to the amendment:

Resolved, That it is inexpedient to dispense with County Judges; but that their powers should be more particularly defined and limited.

Mr. Powers offered a substitute for the amendments:

Resolved, That the office of County Judge be abolished.

Mr. Brown moved to lay the resolution and amendments upon the table. Agreed to.

Mr. Wilson of Jefferson called up the Message from the House relating to Joint Rules.

Mr. Bussey moved that the Senate concur in the House amendment to the Joint Rules, which motion did not prevail.

Mr. Davis of Clinton, from the Select Committee, to which was referred Senate File No. 8, reported the same back to the Senate with the following amendments:

1st—Strike out the 1st day of March and insert the 22d day of February, in lieu thereof.

2d—Strike out the 1st day of September, and insert the 1st day of August, instead thereof.

Mr. Taylor offered the following amendment:

SECTION 2. That the words Prairie Hen or Chicken, in the several acts to which this is amendatory, be and the same are hereby stricken out.

Mr. Thompson moved to lay the whole matter on the table. Carried.

INTRODUCTION OF BILLS.

Mr. Udell introduced Senate File No. 14, a bill for an act to authorize County Judges to sell Saline Lands. Read first and second time, and laid on the table and ordered to be printed.

Mr. Ainsworth introduced Senate File No. 15, a bill for an act fixing the times of holding courts in the 10th Judicial District. Read 1st and 2d time, and on motion of Mr. Ainsworth, was referred to a committee consisting of the Senators of the 10th Judicial District.

Mr. Johnson introduced Senate File No. 16, a bill for an act to repeal chapter 91 of the acts of the 7th General Assembly. Read a 1st and 2d time, and on motion of Mr. Mann, was referred to the Committee on Agriculture.

Mr. Taylor introduced Senate File No. 17, a bill for act entitled an act to amend secctions 51, 58, 59, 60, of chapter 152 of the acts of the 7th General Assembly. Read a 1st and 2d time, and on motion of Mr. Wilson of Dubuque, was referred to the Committee on Ways and Means.

Mr. Sherradden introduced Senate File No. 18, a bill for an act for the relief of persons falsely imprisoned. Read 1st and 2d time, and on motion was referred to the Judiciary Committee.

Mr. Bussey obtained leave to introduce Senate File No. 19, a bill for an act to amend chapter 152 of the Session Laws of 1858. Read a 1st and 2d time, and on motion, referred to the Committee on Ways and Means.

Mr. Wilson of Dubuque, obtained leave to introduce Senate File No. 20, a bill for an act relating to Notaries Public. Read a 1st and 2d time, and on motion of Mr. Wilson of Dubuque, was referred to the Committee on Judiciary.

Mr. McPherson introduced Senate File No. 21, a bill for an act to fix the boundaries of the third Judicial District. Read 1st and

2d time, and on motion of Mr. McPherson, was referred to a select committee consisting of Messrs. Pusey, English, and Hagans.

Mr. Duncombe introduced Senate File, No. 22, a bill for an act to abolish the office of State Printer and State Binder, and to provide for the letting of the State printing and binding to the lowest responsible bidder. Read a 1st and 2d time.

Mr. Wilson of Jefferson, moved to refer the bill to the Committee on Ways and Means.

Mr. Bussey moved to amend by referring it to a select committee of three, of which Duncombe shall be chairman.

Mr. Neal called the yeas and nays upon the amendment, which were ordered, with the following result:

The yeas were—Senators Angle, Ainsworth, Bussey, Buechel, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—18.

The nays were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—22.

Absent or not voting—Messrs. Bailey, Coolbaugh and Patterson of Muscatine. So the amendment did not prevail.

Mr. Johnson moved to lay the bill on the table and print it. Lost.

Mr. Neal offered the following amendment to the motion of Mr. Wilson of Jefferson: "And that said committee be instructed to report a bill to abolish the offices of State Binder and Printer, and for letting the printing and binding of the State to the lowest respnsible bidder."

Mr. Duncombe called the yeas and nays upon the amendment, which were ordered, and resulted as follows:

The years were—Senators Ainsworth, Bailey, Bussey, Buchel, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—18.

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Pow-

ers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—23.

Absent—Coolbaugh, and Patterson of Muscatine. So the amendment was lost.

Mr. Davis of Clinton, offered the following amendment: "With instructions to inquire into the propriety of reducing the present rates of public printing, and to report the rates heretofore given for such work since the State was organized; and also as to the propriety of letting the same out to the lowest bidder."

Message from the House by Mr. Aldrich, Chief Clerk.

MR. PRESIDENT:—I herewith present House File No. 1, which has passed the House, and in which the concurrence of the Senate is asked.

CHARLES ALDRICH, Chief Clerk.

The question then being upon the amendment of Mr. Davis of Clintion, Mr. Duncombe called the yeas and nays, which were ordered, and were as follows:

Yeas—Messrs. Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Pattison of Marshall, Powers, Rankin Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, and Wilson of Jefferson—41.

Nays—None.

Absent—Coolbaugh, and Patterson of Muscatine. So the amendment was adopted.

The question then recurring upon the motion of Mr. Wilson of Jefferson, as amended, it was adopted.

On motion of Mr. Bussey, Senate adjourned.

SENATE CHAMBER,
January 18, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Drake.

Journal of yesterday read and approved.

Mr. Sherradden presented the petition of William M. Abraham, and sixty-three others, praying for the passage of a special act for the relief of Olivia Sturgeon, widow of the Rev. Samuel Sturgeon.

On motion of Mr. Sherradden, said petition was referred to the Judiciary Committee.

Message from the House, by Mr. Aldrich, Chief Clerk.

MR. PRESIDENT:—I am directed by the House to inform your honorable body that the House has passed House File No. 39, a bill for an act making appropriations for the payment of the pro tem. officers of the Eighth General Assembly.

I am also directed to inform the Senate that the House has agreed to the recommendation of the Joint Committee appointing W. W. Maynard, of Council Bluffs, Postmaster of both Houses of this General Assembly.

In all of which the concurrence of the Senate is asked.

CHARLES ALDRICH, Chief Clerk.

On motion of Mr. McPherson, the message from the House in relation to the appointment of W. W. Maynard as Postmaster was taken up and concurred in.

Mr. Watson gave notice of a bill for an act to provide for the re-location of county seats.

Mr. Henderson gave notice of a bill that he would introduce on some subsequent day of the session to regulate the fees of the Clerks of the District Courts.

On motion of Mr. Duncombe, House File No. 2, an act fixing the time of holding Courts in the fourth Judicial District was taken up, the 11th Rule suspended, and the bill put upon its final passage; the yeas and nays were taken with the following result:

The yeas were—Senators Anderson, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Lewis, Mann, McPherson, Neal, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—39.

Nays—None.

Absent or not voting—Angle, Coolbaugh, Patterson of Muscatine, Kent. So the bill was passed.

Mr. McPherson offered the following resolution:

Resolved, That the Committee on Ways and Means be required to enquire into the expediency of reducing the prices paid for State Binding. And also to report the prices heretofore paid for similar work.

Mr. Johnson moved that the resolution be refered to a special committee of three. Not agreed to.

The question then being upon the adoption of the resolution, it was adopted.

Mr. Wilson of Jefferson offered the following resolution:

Resolved, That the Committee on Township and County Organizations be instructed to report a bill regulating the compensation of County Officers, and providing for the payment of the same by fees.

Mr. Pusey moved to lay the resolution on the table, which motion was lost.

The resolution was then adopted.

Mr. Rankin from the Judiciary Committee, made the following reports:

Senate File No. 7, a bill for an act to amend section 1, chapter 61, in relation to the estates of decedents, referred back with the recommendation that it be indefinitely postponed.

On motion of Mr. Bussey, it was laid on the table.

Senate File No. 12, a bill for an act to amend an act to define the time of holding Courts in the several Judicial Districts of the State, referred back with the recommendation that it be indefinitely postponed.

On motion of Mr. Neal, the bill was laid on the table.

Mr. Rankin from the same committee, reported back a petition relating to estrays, and recommended that it be referred to the Committee on Agriculture. So referred.

Mr. Watson introduced Senate File No. 23, a bill for an act entitled an act to amend the revenue law. Read first and second time.

Mr. Watson moved that it be referred to a special committee of three. Carried.

President appointed as said committee, Senators Watson, Wilson of Dubuque and Davis of Clinton.

Mr. Thomson introduced Senate File No. 24, a bill for an act to enforce the collection of taxes of 1858, read first and second time, and on motion, it was referred to the Judiciary Committee.

Mr. Hagans obtained leave to introduce Senate File No. 25, a bill for an act to provide for the payment of the late School Fund Commissioners of the State of Iowa, read first and second time, and on motion of Mr. Bailey, it was referred to the Committee on Schools.

Mr. Drummond obtained leave to introduce Senate File No. 26, a bill for an act to determine the eligibility of County Officers, read first and second time, and on motion, it was referred to the Committee on Township and County Organization.

Mr. Davis of Polk, introduced Senate File No. 27, a bill for an act for the relief of W. W. Williamson, read first and second time, and on motion referred to the Judiciary Committee.

On motion of Mr. Ainsworth, Senate adjourned.

SENATE CHAMBER,
January 19, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Summerbell.

Journal of yesterday read and approved.

Mr. Pusey from the select committee to which was referred Senate File No. 21, a bill for an act to change the boundaries of the third Judicial District, reported the same back to the Senate, with the recommendation that it be indefinitely postponed—which, on motion, was agreed to.

Mr. Neal moved to take up House File No. 1, a bill for an act to amend chapter 150 of the acts of the 7th General Assembly. Agreed to. Bill read a first and second time, when Mr. Neal offered the following amendment, and moved its adoption: Strike out all of section "one" after the words "to wit" in the eighth line, and insert "In the 6th Judicial District, commencing at Sigourney, in Keokuk county, on the second Mondays in February and August in each year.

At Oskaloosa, in Mahaska county, on the fourth Mondays of February and August in each year.

At Montezuma, in Poweshiek county, on the second Tuesdays of March and September in each year.

At Newton, in Jasper county, on the third Mondays of March and September in each year.

At Knoxville, in Marion county, on the second Tuesdays of April and November in each year.

At Fairfield, in Jefferson county, on the fourth Tuesdays in April and November in each year.

At Washington, in Washington county, on the fourth Tuesday in May and the second Monday inDecember in each year.

Mr. Wilson of Jefferson, moved to amend section 4, by striking out the words, "Democratic Standard," and inserting "Sigourney Republican" in lieu thereof; and also striking out "State Journal" and inserting "State Register," in lieu thereof.

Mr. Pusey moved to amend the amendment by adding the words, "without expense to the State."

Mr. Neal moved to lay the amendment, and the amendment to the amendment on the table, and called the yeas and nays upon the question, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bussey, Buechel, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Trumbull, Udell, Williams, Wilson of Dubuque—15.

The nays were—Senators Anderson, Angle, Bailey, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Taylor, Watson, Wilson of Jefferson—26.

Absent or not voting—Coolbaugh, Drummond, Patterson of Muscatine. So the motion was lost.

The question being upon the amendment of Mr. Pusey, Mr. Johnson called the yeas and nays, which were ordered, and were as follows:

The nays were—Senators Angle, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Duncombe, English, Gray, Green, Hagans, Hammer, Johnson, Mann, Neal, Pusey, Powers, Reiner, Saunders, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque—27.

The nays were—Senators Anderson, Davis of Polk, Hastings,

Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Rankin, Sherradden, Scott, Watson, Wilson of Jefferson—18.

Absent or not voting—Messrs. Coolbaugh, Drummond, Patterson of Muscatine. Motion prevailed.

Mr. Wilson moved to lay the bill and amendments on the table, upon which question Mr. Neal called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Lewis, Powers, Saunders, Sherradden, Scott, Watson, Wilson of Jefferson—7.

The nays were—Senators Anderson, Angle, Ainsworth, Bailey, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer Hastings, Henderson, Johnson, Kent, Mann, McPherson, Neal, Pattison of Marshall, Rankin, Reiner, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque—31.

Absent or not voting—Coolbaugh, Drummond, Pusey, Patterson of Muscatine; excused Bowen. So the motion did not prevail.

The question being upon the amendment of Mr. Wilson, of Jefferson, as amended by Mr. Pusey, it was not agreed to.

Mr. Neal offered the following amendment to section four: in the place of Des Moines State Journal, insert State Register, which was agreed to.

On motion of Mr. Neal, the 11th Rule was suspended and the bill put upon its final passage, upon which the yeas and nays were taken, and were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—40.

The nays were—None.

Absent or not voting, Messrs. Coolbaugh, Patterson of Muscatine, and Watson. So the bill was passed. Title was agreed to.

Mr. Neal obtained leave to introduce Senate File No. 28, a bill for an act entitled An act to attach the counties of Sioux and Buncombe to the county of Plymouth, for election, revenue and judicial purposes.

Mr. Johnson moved that it be referred to a special committee of three, of which Mr. Duncombe shall be Chairman. Carried.

President appointed Messrs. Duncombe, Anderson and Watson, as said committee.

On motion of Mr. Anderson, House File No. 39, was taken up, and referred to Committee on Ways and Means.

Mr. Bailey offered the following resolution, which was adopted:

Resolved, That the Committee on Township and County Organization be required to inquire into the expediency of passing a law authorizing each township to fix the places for holding elections by a vote of the people, and report by bill or otherwise.

Mr. Powers presented the petition of F. D. Bosworth, and twenty others, praying for the abolition of the office of County Judge, and also, that the offices of Treasurer and Recorder be separated. On motion, the petition was referred to the Committee on Township and County Organization.

Mr. Wilson, of Jefferson, presented the petition of John McCleary, and one hundred and twenty-five others, from Jefferson county, praying for steps to be taken for colonizing the free blacks. Referred to Committee on Federal Relations.

Mr. Neal introduced Senate File No. 29, a bill for an act to amend chapter 148 of the laws of 1858, entitled "An act to authorize the Register of the State Land Office, and the Governor of the State, to issue patents to the purchasers of Des Moines River Improvement Lands," approved March 23d, 1858. Read a first and second time, and referred to Committee on Ways and Means.

On motion of Mr. Sherradden, Senate File No. 8: A bill for an act to amend chapter 147 of the session laws of 1858, in relation to game, was taken up, and referred to Committee on Judiciary.

Mr. Anderson offered the following resolution:

Resolved, That a copy of the resolution providing for the payment of postage for members of the Senate, be furnished to the P. M. of the General Assembly, by the Secretary of the Senate, and that the P. M. be instructed to procure a copy of a similar resolution passed by the House, and that he be and is hereby instructed not to forward to the post-office any matter not therein included. Adopted.

On motion of Mr. Davis, of Clinton, the Senate resolved itself into a Committee of the Whole upon the Governor's Message. Mr. Anderson in the Chair.

At 12 o'clock the Committee arose, and reported back the Message with the following recommendations:

That so much as refers to State Indebtedness, Revenue and Expenditures, be referred to the Committee on Ways and Means.

Relating to Agricultural College, to Committee on Agriculture.

Relating to Insane Asylum, to Committee on Charitable Institutions.

Relating to Swamp Land, Five Per Cent Fund, Frontier Difficulties, and the levying of tonage on certain articles by the State of Pennsylvania, to Committee on Federal Relations.

Relating to Historical Society, to Committee on Library.

Relating to Schools and Universities, to Committee on Schools and University.

Relating to Codification and Revision of Laws, to Committee on Judiciary.

Relating to Capitol Building, to Committee on Public Buildings.

Relating to Registry Law, to Committee on Elections.

Relating to surplus selected under the 500,000 Acre Grant, to Committee on Public Lands.

Relating to Blind Asylum, to Committee on Public Buildings.

Relating to Pardoning Power, to Committee on Judiciary.

Relating to Des Moines River Improvement and Lands, to Committee on Internal Improvement.

Relating to Penitentiary, to Committee on Charitable Institutions.

Relating to Banks, to Committee on Banks.

Relating to Reform Schools, to Committee on Charitable Institutions.

Relating to Railroads, to Committee on Railroads.

Relating to State Arms, to Committee on Military Affairs.

Reflections, to Committee on Agriculture.

On motion of Mr. Wilson, of Dubuque, the report of the Committee was adopted.

Message from the House, by Mr. Aldrich, Chief Clerk.

MR. PRESIDENT:—I hereby present for your signature House File No. 11, A bill for an act fixing the terms of holding Court in the 11th Judicial District, the same having passed both Houses of the General Assembly, and been duly enrolled in the House.

CHAS. ALDRICH, Chief Clerk.

MR. PRESIDENT:—I am directed to inform your honorable

body, that the House has passed House File No. 17, "an act fixing the terms of court in the Seventh Judicial District," to which the concurrence of the Senate is asked.

CHARLES ALDRICH, Chief Clerk.

On motion of Mr. Wilson of Dubuque, the Senate adjourned.

SENATE CHAMBER,
JANUARY 20, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Bird.

Journal of yesterday read and approved.

RESOLUTIONS.

By Mr. Taylor:

Resolved, That the Senate meet hereafter, at 10 o'clock, A. M., until otherwise ordered.

Lost.

By Mr. Davis of Clinton:

Resolved, That the Judiciary Committe be instructed to enquire what further legislation is necessary to prevent the destruction of timber by trespassers, and report by bill or otherwise.

Agreed to.

By Mr. Udell:

Resolved, That a committee of seven be appointed by the Senate, to act in conjunction with a committee appointed by the House to district the State into Representative Districts.

Laid on the table.

REPORTS OF COMMITTEES.

Mr. Bowen, from the Committee on Schools and University, to which was referred the report of M. L. Fisher, late Superintendent of Public Instruction, of the expenditures of the Contingent Fund of his office, report, that they have examined his account and vouchers, and find the following: That Mr. Fisher was elected the

1st of April, A. D. 1857, and received for contingent expenses to Nov. 1st, the close of the fiscal year, $250, and for the fiscal year 1858, to Nov. 1st, $750, which amount has been expended, as shown by vouchers. We also find that Mr. Fisher has paid out for clerk hire, on the fiscal year 1859, from Nov. 1st, 1858, to Jan. 8th, 1859, the sum of $93.33, at which time the Board of Education abolished the office, and he received no part of the Contingent Fund for that year. We also find that Mr. Fisher expended, for the year 1858, $23.42 more than the amount of Contingent Fund appropriated for that year. The committee are, therefore, of the opinion that there is justly due Mr. Fisher $93.33. We, therefore, recommend the adoption of the following resolution:

Resolved, That the Committee of Ways and Means be directed to embrace in the general appropriation bill, in favor of Martin L. Fisher, late Superintendent of Public Instruction, $93.33, for clerk hire paid E. H. Talbott for his services from Nov. 1st, 1858, to Jan. 8th, 1859.

Signed, JESSE BOWEN, Chairman,
CYRUS BUSSEY,
J. J. WATSON,
G. W. GRAY.

Mr. Bowen moved to lay the report on the table, which was agreed to.

Mr. Rankin, from the Judiciary Committee, made the following reports:

Senate File No. 18, a bill for an act to relieve persons falsely imprisoned. Reported back, with the recommendation that it be indefinitely postponed, which was agreed to.

Senate File No. 24, a bill for an act to enforce the collection of taxes for the year 1858. Reported back, with the recommendation that it be passed. The bill was read a third time, and put upon its final passage. The yeas and nays were taken with the following result:

The yeas were—Senators Angle, Ainsworth, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Mann, McPherson, Neal, Pusey, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—35.

The nays were—None.

Absent or not voting—Anderson, Coolbaugh, Bailey, Davis of Polk, Drummond, Lewis, Patterson of Muscatine, Pattison of Marshall. So the bill was passed.

Mr. Rankin, from same committee, reported back the petition of W. M. Abraham and 63 others, praying for the relief of Olivia Sturgeon, with the recommendation that the prayer be not granted. Which on motion, was agreed to.

Also, the petition of Benjamin D. Pervue and others, praying for the abolishment of capital punishment, with the recommendation of the majority of said committee that the prayer be not granted.

On motion, the petition was laid on the table.

Mr. Duncombe, from the special committee, to which was referred Senate File No. 28, a bill for an act entitled an act to attach the counties of Sioux and Buncombe to the county of Plymouth for revenue, judicial and election purposes, and providing for the transfer of the records, books and papers, relating to said counties of Sioux and Buncombe from the county of Woodbury to the county of Plymouth, reported back the same with a substitute, and recommended the passage of the substitute. Which upon motion, was read a third time and put upon its final passage.

The yeas and nays were taken with the following result:

The yeas were—Angle, Bailey, Bussey, Buechel, Davis of Clinton, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Mann, McPherson, Pusey, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Udell, Watson, Williams, Wilson of Dubuque—29.

The nays were—Bowen, Saunders, Taylor, Wilson of Jefferson—4.

Absent or not voting—Anderson, Coolbaugh, Davis of Polk, Drummond, Neal, Patterson of Muscatine, Pattison of Marshall; excused,—Ainsworth, Brown, Lewis. So the substitute was passed.

Mr. Powers, from the Committee on Township and County Organization, reported back Senate File No. 26, a bill for an act to determine the eligibility of county officers, and recommended that it be indefinitely postponed.

Mr. Mann moved to lay the bill upon the table. Which motion prevailed.

The President laid before the Senate the report of the Commissioners on the Deaf and Dumb Asylum. Which on motion was referred to the Committee on Charitable Institutions.

Mr. Watson obtained leave to introduce Senate File No. 30, a

bill for an act to legalize the acts of certain officers of the literary fund of Grinnell, of Iowa. Read first and second time, and referred to the Committee on Judiciary.

Mr. Watson introduced Senate File No. 31, a bill for an act for the re-location of County Seats. Read 1st and 2d time, and on motion of Mr. Watson, referred to a special committee of five.

The President appointed as said committee, Messrs. Watson, Mann, Powers, Thompson, and Hammer.

Mr. Pusey introduced Senate File No. 32, a bill for an act to amend section 2, of an act entitled an act for the relief of certain claimants and pre-emptors of School Lands, approved April 14th, 1858. Read the 1st and 2d time, and on motion of Mr. Pusey, referred to the Judiciary Committee.

Mr. Johnson obtained leave to introduce Senate File No. 33, a bill for an act to amend chapter 107 of the acts of the 6th General Assembly, entitled an act to legalize the sale of School Lands, made by John Jordon, School Fund Commissioner of Decatur county, Iowa.

On motion, the bill was referred to the Committee on Judiciary.

Mr. Bowen presented the petition of E. Zitschke, relating to the publication of chapter 65 of the Laws of 1858; which, on motion of Mr. Wilson of Dubuque, was referred to the Judiciary Committee, with instructions to report by bill, or otherwise.

Mr. Neal moved to reconsider the vote by which Senate File No. 1, was passed, which motion was agreed to.

Mr. Neal moved to reconsider the vote by which the 1st section was amended. Carried.

On motion, the bill was laid on the table.

Mr. Johnson moved that the Senate now adjourn, which motion prevailed.

SENATE CHAMBER,
January 21, 1860, 9 o'clock A. M.

Senate met pursuant to adjournment.

Prayer by Rev. S. S. Howe.

Journal of yesterday read and approved.

PETITIONS.

Mr. Bailey presented the petition of L. J. Evans, and others, praying for the repeal of the Prohibitory Law, which was read, and on motion of Mr. Bailey, referred to a select committee of five.

President appointed as said committee, Messrs. Bailey, Rankin, Thompson, Bowen, and Ainsworth.

Mr. Saunders presented the petition of John P. Grantham, and others, praying for the relief of Palmer C. Tiffany, which, on motion, was referred to the Committee on Judiciary.

Mr. English presented the petition of Jesse R. Allen, asking for permission to erect a dam on the Nishnabotany river. The petition was referred to the Committee on Internal Improvements.

Message from the House.

Mr. President:—I am directed to inform your honorable body that the House has passed the following bills:

House File No. 3, a bill for an act to amend section No. 2, of chapter 155, of the acts passed by the 7th General Assembly of the State of Iowa, and

House File No. 12, a bill for an act to repeal part of section 4, of chapter 148, of the laws of the 7th General Assembly, in all of which the concurrence of the Senate is asked.

I am further directed to inform the Senate, that the house insists upon expunging Rule 8th of the Joint Rules of the two Houses, and asks a Committee of Conference.

Messrs. Curtis, Wright and Gue, having been appointed as such committee on the part of the House.

CHAS. ALDRICH, Chief Clerk.

NOTICES OF BILLS.

Mr. Powers gave notice that he would on some subsequent day of the session, introduce a bill for an act to protect fish in the rivers of the State.

REPORTS OF COMMITTEES.

Mr. Davis of Clinton, from the Committee on Incorporations, reported back Senate File No. 9, a bill for an act to amend the City

Charter of the City of Glenwood, with the recommendation that it be indefinitely postponed.

On motion of Mr. Mann, the bill was laid on the table.

Mr. Saunders from the Committee on Ways and Means, reported back House File No. 39, and recommended that the bill be passed.

Mr. Udell moved that the bill be re-committed, which was agreed to.

Message from the House, by Mr. Aldrich, Chief Clerk.

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed House substitute for House File No. 33, "a bill for an act relating to the organization of new counties," in which the concurrence of the Senate is asked.

CHAS. ALDRICH, Chief Clerk.

INTRODUCTION OF BILLS.

Mr. Hagans obtained leave to introduce Senate File No. 34, a bill for an act to amend chapter 43, of the Code of Iowa. Read 1st and 2d time, and referred to the Judiciary Committee.

Mr. Powers obtained leave to introduce Senate File No. 35, a bill for an act to legalize certain railroad bonds of Mitchell county. Read 1st and 2d time, and on motion of Mr. Powers, was referred to a select committee of three.

President appointed as said committee, Messrs. Powers, Brown, and Gray.

Mr. Wilson of Dubuque, obtained leave to introduce Senate File No. 36, a bill for an act to re-locate county seats. Read 1st and 2d time, and on motion of Mr. Mann, was referred to the special committee, consisting of Messrs. Watson, Powers, Mann, Thompson and Hammer.

On motion of Mr. Davis of Cinton, House File No. 17, a bill for an act fixing the times of holding courts in the 7th Judicial District, was taken up, read 1st and 2d time, and referred to a committee consisting of the Senators of the 7th Judicial District.

Mr. Udell moved to take up House File No. 3, a bill for an act to amend section 2, of chapter 155, of the acts of the 7th General Assembly. Read a 1st and 2d time, and on motion of Mr. Brown, was referred to the Committee on Schools and University.

On motion, House File No. 12 was taken up, and read first and second time.

Mr. Scott moved that the 11th Rule be suspended, and the bill read a third time and put upon its final passage, which motion was agreed to.

The yeas and nays were taken with the following result:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, McPherson, Neal, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thomson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—38.

The nays were—Senator Mann—1.

Absent and not voting—Senators Coolbaugh, Drummond, Patterson of Muscatine, and Saunders. So the bill was passed and title agreed to.

On motion, the Message of the House, relating to expunging the 8th Rule, was taken up and a committee of conference agreed to.

The President appointed as said committee, Senators Wilson of Jefferson, Wilson of Dubuque, and Anderson.

Mr. Neal called up House File No. 1, a bill for an act to amend chapter 150 of the acts of the 7th General Assembly, to which he offered the following amendment, and moved its adoption, which was agreed to.

Strike out all of section one, after the words "to-wit," in the 8th line, and insert:

In the sixth Judicial District, commencing at Sigourney, in Keokuk county, on the second Mondays in February and August in each year.

At Oskaloosa, in Mahaska county, on the fourth Mondays in February and August in each year.

At Montezuma, in Powsheik county, on the second Tuesdays in March and September in each year.

At Newton, in Jasper county, on the third Mondays of March and September in each year.

At Washington, in Washington county, on the second Tuesdays in April and November in each year.

At Fairfield, in Jefferson county, on the fourth Tuesdays in April and November in each year.

At Knoxville, in Marion county, on the the third Monday in May and the second Monday in December in each year.

The bill as amended was put upon its final passage, upon which the yeas and nays were taken with the following result:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—40.

The nays were—none.

Absent or not voting—Senators Coolbaugh, Drummond, and Patterson of Muscatine. So the bill was passed. The title was agreed to.

On motion of Mr. Neal, the Secretary was instructed to transmit the bill as passed, to the House immediately.

Message from the Governor, by his Private Secretary, T. F. Withrow.

EXECUTIVE OFFICE,
January 20, 1860.

Gentlemen of the Senate:—I herewith transmit to you a copy of a communication this day received by me from the Secretary of the Board of Trustees of the State University.

SAMUEL J. KIRKWOOD.

OFFICE OF THE SECRETARY OF THE BOARD OF TRUSTEES, IOWA STATE UNIVERSITY,
Iowa City, January 17th, 1860.

Dear Sir:—In compliance with the instructions of the Board of Trustees of the State University, I have the honor to transmit the following copy of a resolution adopted by said Board of Trustees at their meeting, in October last.

Resolved, That the Legislature of this State be, and hereby is, requested to grant to the State University, the remainder of the Saline Lands belonging to the State, and that the Secretary of this Board forward to the Governor of the State a copy of this resolution, with the request it be presented by him to the Legislature.

Very Respectfully, Your Ob't Serv't,

A. HART, Secretary.

Mr. Bussey offered the following resolution:

Resolved, That the Secretary of State be required to report to the Senate the number of sets of the Geological Survey, Reports

of the Supreme Court and Debates of the Constitutional Convention, remaining on hand.

Adopted.

The President appointed John Scott, Chairman of the Committee on Incorporations, in the place of Mr. Lewis, resigned.

Mr. Pusey moved that the Senate adjourn. Carried.

SENATE CHAMBER,
January 23, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Warring.

Journal of Saturday read and approved.

PETITIONS.

Mr. Udell presented the petition of A. Harris, and fifty-seven others, citizens of Appanoose county, asking for the passage of a law authorizing the County Judge of said county to appropriate $15,000 of the Swamp Land Fund of said county for the erection of a Court House. On motion of Mr. Udell, the petition was referred to a select committee of three. President appointed as said committee, Messrs. Udell, Brown and Mann.

Mr. Duncombe presented the petition of Jesse Mason, and sixteen others, citizens of Crawford county, asking for a law whereby hogs and sheep may be permitted to run at large, in Millford township, in said county. Read and referred to the Judiciary Committee.

Mr. Mann presented the petition of G. W. Field, and one hundred others, praying for the abolition of the County Judge system and the establishment, in its stead, of a system of township organization similar to that of New York, Illinois and Wisconsin. Read and referred to the Committee on Township and County Organization.

Mr. Pusey presented the petition of Wm. Garner, and fifty-four others, citizens of Pottawattamie counnty, praying the Legis-

lature not to abolish the present County Judge system, nor to modify the same, except to increase the salary of the County Judge. Read and referred to the Committee on Township and County Organization.

NOTICES OF BILLS.

Mr. Taylor gave notice that he would, on some subsequent day of the session, introduce a bill amending a portion of the laws passed by the Board of Education.

Also, a bill defining the duties of the Secretary of State.

Mr. Pusey—notice of a bill that he would introduce, on some subsequent day of the session, for an act to amend an act entitled "An act authorizing General Banking in the State of Iowa."

RESOLUTIONS.

By Mr. McPherson:

Resolved, That the Senate elect an Assistant Doorkeeper.

On motion of Mr. Brown, the resolution was laid on the table.

By Mr. Davis of Polk:

Resolved, That the Judiciary Committee be requested to inquire into the expediency of reporting a bill for an act requiring officers selling real estate on execution, or taking property on attachment, to make a record of the fact in the Clerk's office in the county in which said real estate may be situated.

Resolution adopted.

By Mr. McPherson:

Resolved, That the Judiciary Committee be instructed to report by bill, or otherwise, defining more particularly, the duties of the Reporter of the Supreme Court of Iowa.

Resolution adopted.

REPORTS OF COMMITTEES.

Mr. Saunders presented the report of the Commissioners of the Insane Asylum, and moved its reference to the Committee on Charitable Institutions, which motion prevailed.

Mr. Rankin, from the Judiciary Committee, reported back the petition of Palmer C. Tiffany, praying for relief from taxation, and recommended that the prayer of the petition be not granted.

Mr. Anderson moved to refer the petition to the Committee on Ways and Means.

Mr. Mann moved to amend, by instructing the committee to report a bill for general relief from oppressive taxation. Lost.

The question recurring upon Mr. Anderson's motion, it was adopted.

The President laid before the Senate the 4th Biennial Report of the Iowa Institution for the Education of the Blind. Read and referred to the Committee on Charitable Institutions.

Message from the Governor.

EXECUTIVE OFFICE,
JANUARY, 21, 1860.

Gentlemen of the Senate:

I herewith transmit to you a copy of a memorial forwarded to me by the Washington National Monument Society, with the request that it should be laid before the General Assembly.

SAMUEL J. KIRKWOOD.

To the Legislature of the State of Iowa :

Under a resolution adopted by the Washington National Monument Society, the subscribers were appointed a committee to address the several states of the Union, with the view of obtaining their aid in the completion of the National Monument, now in the course of erection in the metropolis of the Union, to the memory of Washington.

In the performance of their duty the undersigned would respectfully state that on the 4th day of July 1848, in the city of Washington, upon public ground, granted by Congress, the corner stone of this monument was laid under favorable auspices in the presence of the President of the United States, and a large concourse of citizens, civil and military. From that day the work has progressed surely and rapidly, till the 22d day of Feb., 1855, when it reached the elevation of one hundred and seventy feet.

The means were furnished from individual contributions from American citizens. On the 22d day of February, 1855, by an unfortunate event, the work was wrested from the possession and management of the present Board of Managers, since that date little or nothing has been accomplished. In October, 1858, the present Board was re-instated in the trust, and they have again undertaken the management, confiding in the patriotism and liberal-

ity of their fellow citizens, to complete this National Memorial.

The Congress of the United States on Feb. 22d, 1859, incorporated them by a public charter, one of the provisions of which constituted the Governors of the several States, Ex-officio Vice Presidents of the Society; without going further into the details appertaining to the subject, the undersigned beg leave to refer your honorable body to the pamphlet containing the address of the Society to the American people, and an appendix, from which the history of the Society may be gathered. We would add that the Society would be pleased to submit all of its transactions to the investigations of your honorable bodies. The Society is now without funds for the accomplishment of its object, and it feels that it would be wanting in its duty, did it fail to make the statement to the sovereign States of the Union, and submit to them its respectful appeal for aid. The undersigned would deem it presumptuous in them, and derogatory to the sensibilities of your honorable bodies, to enlarge upon the merits of Washington, or his claims to the gratitude of America. The fame of his virtues fills the world. The cheek of every American glows with pride, and his heart throbs with gratitude at the mention of his name. But that cheek also blushes with shame, and that heart sinks with mortification at the reflection that no fit memorial has yet been erected to testify that pride and gratitude. The object of the Society is to erect that memorial, and make it the loftiest work of art in the world; grand, simple and colossal, commemorative as it is intended to be of a grandeur, simplicity and colossal proportion, of character, unknown except in Washington, in the history of man.

As in duty bound we have the honor to be

Your respectful servants,

J. B. H. SMITH, M. F. MAUREY. } Committee.

On motion of Mr. Bowen, the memorial was referred to the Committee on Federal Relations.

INTRODUCTION OF BILLS.

Mr. Taylor obtained leave to introduce Senate File No. 37, a bill for an act for the disposition of the Saline Fund. Read first and second time, and referred to the committee on Schools and University.

Mr. Taylor obtained leave to introduce Senate File No. 38, a bill for an act concerning the assignment of Judgments and Decrees. Read first and second time, and referred to the Committee of Judiciary.

Mr. Bowen obtained leave to introduce Senate File No. 39, a bill for an act for the relief of schools, colleges and colonies. Read first and second time, and referred to the Committee on Schools and University.

Mr. Bowen obtained leave to introduce Senate File No. 40, a bill for an act for the relief of purchasers of school lands. Read first and second time, and referred to the Committee on Schools.

Mr. Ainsworth obtained leave to introduce Senate File No. 41, a bill for an act to amend an act entitled an act, providing for the election of District Attorneys, prescribing their duties, and fixing their compensation. Read a first and second time, and referred to the Judiciary Committee.

Mr. Bussey obtained leave to introduce Senate File No. 42, a bill for an act to amend section 12, of chapter 152, of the laws of the 7th General Assembly, to provide for the assessment of real property each year. Read first and second time, and referred to the Committee on Ways and Means.

Mr. Johnson obtained leave to introduce Senate File No. 43, a bill for an act fixing the times of holding courts in the second Judicial District. Read a first and second time, and on motion of Mr. Johnson, referred to a committee consisting of the Senators of the 2d Judicial District.

On motion of Mr. Bowen, House File No. 52, a bill for an act to change the times of holding courts in the 8th Judicial District, was taken up and read a first and second time.

Mr. Bowen offered the following amendment:

Section 4. This act shall take effect from and after its publication in the Iowa Weekly Republican, published at Iowa City, and Iowa Weekly Citizen, published at Des Moines, and shall be in force from the day of such publication; section 21, of chapter 3, of the Code, to the contrary notwithstanding.

On motion of Mr. Mann, the bill was referred to a special committee, consisting of the Senators of the 8th Judicial District.

Mr. Scott moved to take up House File No. 33, an act relating to the organization of new counties. Agreed to.

Mr. Duncombe moved to refer the bill to a special committee

of three, and called for the yeas and nays upon the question, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Drummond, Duncombe, English, Green, Hammer, Henderson, Johnson, Neal, Pattison of Marshall, Udell, Williams —17.

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Gray, Hagans, Hastings, Kent, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Powers, Rankin, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque, Wilson of Jefferson—26.

So the motion to refer was lost.

Message from the House.

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed substitute for House File No. 52, an act to change the times of holding courts in the 8th Judicial District, in which the concurrence of the Senate is asked.

CHAS. ALDRICH, Chief Clerk.

Mr. Duncombe moved to indefinitely postpone the bill under consideration, and demanded the yeas and nays upon the question, which were ordered, and were as follows:

The yeas were—Senators Bailey, Bussey, Buechel, Duncombe, English, Green, Neal, Patterson of Muscatine, Taylor, Udell, Williams—11.

The nays were—Senators Anderson, Angle, Ainsworth, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Gray, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Wilson of Dubuque, Wilson of Jefferson—31.

Not voting—Mr. Watson. So the indefinite postponement was not agreed to.

Message from the House, by Mr. Aldrich, Chief Clerk.

MR. PRESIDENT:—I herewith present for your signature, House File No. 2, an act fixing the terms of Court in the Fourth Judicial District, the same having passed both Houses of this General Assembly, and been duly enrolled in the House.

CHARLES ALDRICH, Chief Clerk.

Mr. Duncombe moved to strike out the last section, which motion was not agreed to.

Mr. Hagans moved to amend by adding the words, "or any two of the above mentioned papers;" which motion p revailed.

On motion of Mr. Wilson of Jefferson, the 11th Rule was suspended, the bill read a third time, and put upon its final passage; upon which the yeas and nays were taken, with the following result:

The yeas were—Senators Angle, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Gray, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Wilson of Dubuque, Wilson of Jefferson—31.

The nays were—Senators Anderson, Ainsworth, Bailey, Buechel, Duncombe, English, Green, Neal, Taylor, Udell, Williams —11.

Not voting—Mr. Bussey. So the bill was passed and title agreed to.

On motion of Mr. Neal, Senate adjourned.

SENATE CHAMBER,
January 24th, 1860—9 o'clock A. M.

Senate met persuant to adjournment.

Prayer by Rev. Mr. Teeter.

Journal of yesterday read and approved.

Mr. Mann presented the petition of B. K. Bronson, and 100 others, citizens of Jones county, praying for the abolition of the County Judge system, and the establishment of the Supervisor system in lieu thereof, which was read, and on motion of Mr. Mann, referred to the Committee on Township and County Organization.

Mr. Sherradden presented the petition of G. D. Wooden, and fifty others, citizens of Keokuk county, praying for the passage of an act authorizing the County Judge of said county, to pay the sum of $126 25 to N. L. Witcher, as expenses in bringing one

John Dunbar from the State of Ohio, to said county, for trial for the crime of larceny, which was read, and on motion of Mr. Sherradden, was referred to the Committee on Claims, with instructions to report by bill or otherwise.

NOTICES OF BILLS.

Mr. Kent gave notice that he would, on some subsequent day of the session, introduce a bill for an act providing for the construction of Railroads.

RESOLUTIONS.

By Mr. Neal :

Resolved, That the Committee on Ways and Means, be required to report back to the Senate, Senate File No. 22, a bill for an act to abolish the offices of State Printer and Binder, pursuant to the instruction of the Senate, before the election of State Printer and Binder.

Mr. Wilson of Jefferson, moved to lay the resolution on the table, upon which motion Mr. Neal called for the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—20.

The nays were—Senators Angle, Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—21.

Absent—Messrs. Anderson and Saunders. So the motion to lay on the table was lost.

Mr. Rankin offered the following amendment: Strike out the words "before the election of State Printer and Binder," and insert "on or before the first day of February next."

Mr. Johnson moved to lay the amendment on the table.

Mr. Davis of Polk, moved a call of the House, which was ordered. Absent, Mr. Saunders.

Mr. Scott moved that further proceedings under the call be dispensed with, which motion was lost.

Mr. Drummond moved that the Sergeant-at-Arms be sent for the absentee. Carried.

Message from the House, by Mr. Aldrich, Chief Clerk.

MR. PRESIDENT:—I herewith present for your signature House File No. 12, a bill for an act entitled an act to repeal part of section four, of chapter 148, of the laws of the Seventh General Assembly, the same having passed both Houses of the General Assembly, and been duly enrolled in the House, and signed by the Speaker.

CHAS. ALDRICH, Chief Clerk.

On motion of Mr. Coolbaugh, further proceedings under the call were dispensed with.

The question being upon the motion to lay on the table, Mr. Duncombe called for the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—20.

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—22.

Absent, Mr. Saunders. So the motion to lay on the table did not prevail.

The question being upon the amendment offered by Mr. Rankin, Mr. Neal demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—22.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—20.

Absent, Mr. Saunders. So the amendment was adopted.

Mr. Bailey offered the following substitute for the resolution and amendments:

WHEREAS, There are responsible parties in this city, who pro-

pose to do the State Printing at rates forty per cent lower than the rates now allowed; therefore,

Be it resolved, That the Committee on Ways and Means be instructed to report a bill reducing the Public Printing forty per cent below the present rates charged by the present State Printer.

Mr. Scott moved to refer the substitute to the Committee on Ways and Means.

Mr. Neal moved to amend the motion to refer, by instructing the Committee to report a bill reducing the present rates of printing.

Mr. Brown moved to lay the original resolution, with the pending amendments, on the table. Upon which motion, Mr. Johnson demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—22.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—20.

Absent, Mr. Saunders. So the motion to lay on the table prevailed.

Mr. Drummond offered the following resolution:

Resolved, The Senate and House concurring, That the Senate will meet the House of Representatives in Joint Convention, in the Hall of the House, at 11 o'clock, A. M., of this day, for the purpose of electing a State Printer and Binder, for the official terms commencing at the expiration of the terms of the present incumbents.

On which Mr. Drummond moved the previous question.

Mr. Johnson called for the yeas and nays on the question to sustain the call, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—21.

The nays were—Senators Angle, Ainsworth, Bailey, Bussey,

Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—21.

Absent, Mr. Saunders.

The President voted yea, so the ordering of the previous question was sustained.

Mr. Bussey moved to adjourn, which motion was not agreed to.

The question being upon putting the "main question," Mr. Neal called for the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—22.

The nays were—Senators Angle, Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—21.

So the main question was ordered to be put.

Mr. Johnson moved to adjourn. Lost.

Mr. Duncombe moved to adjourn, to meet to-morrow morning at 10 o'clock, which motion the President decided to be out of order.

Mr. Neal appealed from the decision of the President.

Mr. Johnson demanded the yeas and nays upon the appeal, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Wilson of Jefferson—26.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Johnson, Neal, Pusey, Patterson of Muscatine, Udell, Williams, Wilson of Dubuque—16.

Not voting, Mr. Taylor. So the decision of the President was sustained.

The question recurring upon the adoption of the resolution offered by Mr. Drummond. The yeas and nays were ordered, and were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—22.

The nays were—Senators Angle, Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—21.

So the resolution was adopted.

INTRODUCTION OF BILLS.

Mr. McPherson introduced Senate File No. 44, a bill for an act to fix the times of holding Courts in the 3d Judicial District. Read a first and second time, and on motion of Mr. McPherson, referred to a select committee consisting of the Senators of the third Judicial District.

Mr. Powers introduced Senate File No. 45, a bill for an act relating to County Organization. Read first and second time, and referred to the Committee on Township and County Organization.

Mr. Powers obtained leave to introduce Senate File No. 46, a bill for an act establishing a Board of Supervisors, and defining their duties. Read a first and second time, and referred to the Committee on Township and County Organization.

Mr. Hagans obtained leave to introduce Senate File No. 47, a bill for an act defining the duties of the successor of the late School Fund Commissioners. Read the first and second time, and referred to the Committee on Schools and University.

Mr. Mann, from the committee to which was referred substitute for House File No. 52, a bill for an act to change the times of holding courts in the 8th Judicial District, reported the same back to the Senate, with the following amendments: "At Iowa City, in Johnson county, on the 1st Monday in March, fourth Monday in June, and first Monday in November; *Provided*, that the first term in said county after the passage of this act, shall be held on the third Monday in March.

At Vinton, in Benton county, on the third Monday in February and September; *Provided*, that the first term held in said county, after the passage of this act, shall be held on the first Monday in March, as is now provided by law.

Strike out section 4, and insert section 4, that this act shall take effect from and after its publication in the Iowa Weekly Citizen, and Iowa State Journal, published at Des Moines, and the Iowa Weekly Republican, published at Iowa City, and shall be in force from the date of such publication, section 21, of chapter 3, of the Code to the contrary notwithstanding.

Mr. Angle moved to amend the last section of the amendment, by striking out the words, "Iowa City Republican," which motion prevailed.

On motion of Mr. Bowen, the amendments were adopted.

Mr. Mann moved to suspend the 11th Rule, and put the substitute as amended upon its final passage. Agreed to.

The yeas and nays were taken, and were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Henderson, Kent, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson--36.

The nays were—none.

So the bill was passed and title agreed to.

Mr. Rankin, from the Judiciary Committee, reported back a substitute for Senate File No. 34, a bill for an act to amend chapter 43, of the Code of Iowa, and recommended its adoption. Adopted. And on motion of Mr. Hagans, the bill was ordered engrossed for its third reading on to-morrow.

Mr. Patterson of Muscatine, offered the the following resolution:

Resolved, That all persons be precluded from the privilege of entering the Senate Chamber during the hours of its session—except officers of the State, members of the House of Representatives, Commissioners on revising laws, Judges of the State of Iowa, Ladies, Ministers of the the Gospel, and Reporters.

Mr. Angle moved to amend by adding the words, "unless by special invitation of a member of the Senate."

Mr. Hammer moved to lay the resolution and amendment on the table. Not agreed to.

The question being upon the adoption of Mr. Angle's amendment. It was adopted.

Mr. Udell, moved to add the words "or farmers." Lost.

Mr. Angle moved to add the words, "and accompanied by some member of the Senate. Which was adopted. The resolution as amended was adopted.

On motion of Mr. Coolbaugh, the Senate took a recess, subject to the call of the President.

12 o'clock, A. M.

President called the Senate to order, and on motion of Mr. Johnson, the Senate adjourned.

SENATE CHAMBER,
January 25, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Teeter.

Journal of yesterday, read, corrected and approved.

Message from the House.

Mr. President:—I am directed to inform your honorable body that the House has concurred in the resolution passed by the Senate yesterday, to meet the House in Joint Convention, for the election of a State Printer and Binder: having first amended it, by substituting 11 o'clock to day, as the hour of said meeting, in which the concurrence of the Senate is asked.

CHARLES ALDRICH, Chief Clerk.

PETITIONS.

Mr. Udell presented the petition of G. W. Fisher, and 60 others, citizens of Appanoose county, praying for the passage of a special act, enabling the County Judge of said county to appropriate $15,000 of the Swamp Land Fund, for the erection of County Buildings Read, and on motion of Mr. Udell, referred to a special committee of three.

The President appointed as such committee, Senators Udell, Brown and Mann.

Mr. Lewis presented the petition of John A. Knoll, and 100 others, citizens of Washington county, praying for the repeal of all laws relating to prohibition of the sale of Liquors in the State, and the adoption in their stead of a judicious License Law. Referred to a special committee.

NOTICES OF BILLS.

Mr. Duncombe gave notice that he would on to-morrow, or some subsequent day of the session, introduce a bill providing for the regulating of taxation in unorganized counties.

Mr. Mann gave notice that he would on to-morrow, or some subsequent day of the session, introduce a bill changing and defining the duties of County Courts.

REPORTS OF COMMITTEES.

Mr. Rankin, from the Judiciary Committee, to whom was referred Senate File No. 27, a bill for an act for the relief of W. W. Williamson, submitted the following report:

The Committee on the Judiciary, to which their bill was referred, beg leave to report the following facts: An election took place for Judge of the 5th Judicial District, of the State of Iowa, on the first Monday of April, 1855. The candidates were W. W. Williamson, and C. J. McFarland. On the 3d day of May, 1855, W. W. Williamson was formally notified by the Secretary of State, George W. McClary, that he was elected Judge of the aforesaid District, for five years, as shown by the official returns from the counties in the District. On the 11th day of April, 1855, that is previous to the service of this notice, the oath of office was administered to said Williamson, which was filed in the office of Secretary of State, May 16th, 1855.

The testimony tends to show that said Williamson immediately turned over his business to another, or other attorneys, quit the practice, and informed his clients, resident and non-resident, of the facts. He did not resume practice until January 10th, 1856. A notice that C. J. McFarland contested the right of said Williamson to a seat on the bench of the aforesaid District, was served on said Williamson, on the 5th day of June, 1855. July 9th, 1855, the case was continued on the application of the contestant; again by the same party, August 22d, 1855; again by the Judges,

November 28th, 1855; and it was determined in favor of the contestant, at Iowa City, on the 10th day of January, 1856—George W. Woodward, William Smith, and ———————— being the Judges.

It does not appear what amount of business said Williamson lost, or whether he regained it after the resumption of his profession, but it is stated that in the aggregate, the real loss to him could not have been less than $1,000. His compensation for the time, eight months, that is, from the 10th of May to 10th of January, would have been $666 66, had he been commissioned.

It appears that a mistake was made in canvassing the votes of the District; that McFarland was really elected Judge, having received a majority of all the legal votes cast; and such was the judgment of the tribunal to which the case was submitted. The Committee find that said Williamson has no legal claims on the State, and they are, therefore, from this fact, and all the circumstances presented, unable to recommend to the Senate the passage of any bill providing any compensation. After having presented the facts, and any legal conclusion at which it was proper for them to arrive, they report back the bill, and ask that it may be referred to the Committee on Ways and Means.

Mr. Johnson moved to lay the report on the table, which motion prevailed.

Mr. Wilson of Jefferson, moved that the 19th Rule be suspended, and the Message from the House relating to the election of State Printer and Binder, be now taken up. Agreed to.

Mr. Neal moved to reconsider the vote, and called the yeas and nays upon the question, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hagans, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—21.

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—22.

So the motion to reconsider did not prevail.

Mr. Wilson of Jefferson, moved that the Senate concur in the

House amendment to the resolution passed by the Senate, relating to election of State Printer and Binder.

Mr. Neal having the floor, the President decided his remarks out of order. Mr. Duncombe appealed from the decision of the President; upon which question, Mr. Neal demanded the yeas and nays, which were ordered.

Mr. Duncombe asked to be excused from voting; upon which question, Mr. Wilson of Dubuque, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bailey, Bussey, Buechel, Coolbaugh, Drummond, Green, Hagans, Hastings, Henderson, Neal, Pusey, Patterson of Muscatine, Rankin, Reiner, Scott, Trumbull, Taylor, Williams, Wilson of Dubuque—20.

The nays were—Senators Angle, Ainsworth, Bowen, Brown, Davis of Clinton, Davis of Polk, Hammer, Kent, Lewis, Mann, McPherson, Pattison of Marshall, Powers, Saunders, Sherradden, Thompson, Udell, Watson, Wilson of Jefferson—19.

Not voting—Messrs. Duncombe, English, Gray and Johnson.

So the motion to excuse, not receiving a two-thirds vote, was lost.

The question being upon the appeal of Mr. Duncombe; those voting to sustain the decision of the President:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Dubuque, Wilson of Jefferson—24.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Gray, Green, Hammer, Mann, Pusey, Patterson of Muscatine, Trumbull, Taylor, Udell, Williams,—15.

Not voting—Messrs. Duncombe, English, Johnson, and Neal.

So the decision of the President was sustained.

Mr. Wilson of Dubuque, moved the re-consideration of the vote just taken; upon which motion, Mr. Johnson demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bussey, Green, Hammer, Mann, Pusey, Trumbull, Udell, Wilson of Dubuque—9.

The nays were—Senators Anderson, Angle, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Gray, Hagans, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Pattison of Marshall, Powers,

Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Taylor, Watson, Wilson of Jefferson—29.

Not voting—Messrs. English, Johnson, Neal, Patterson of Muscatine, and Williams. So the motion to reconsider was lost.

Mr. Pusey moved a call of the House, which was sustained and ordered, and all the Senators found to be present.

Mr. Drummond offered the following amendment to the House amendment to the resolution under consideration: "Strike out the words, 11 o'clock A. M., and insert 3 o'clock P. M.

Mr. Wilson of Jefferson, moved the previous question on the amendment.

Mr. Neal demanded the yeas and nays on seconding the call, which were ordered and were as follows:

The yeas were—Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—23.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Green, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Taylor, Udell, Williams, Wilson of Dububue—19.

Not voting—Mr. Gray. So the call was sustained.

The question being, shall the main question be put, Mr. Ainsworth called for the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—23.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Green, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque.—19.

Not voting—Mr. Gray. So the main question was ordered to be put.

The question being upon the amendment, offered by Mr. Drummond, it was adopted.

Mr. Wilson of Jefferson, moved that the Senate now concur in

the House amendment, as amended to the resolution under consideration. Which motion prevailed.

On motion of Mr. Coolbaugh, the Senate took a recess until half past 2 o'clock P. M.

SENATE CHAMBER,
Half past 2 o'clock P. M.

Mr. Davis of Clinton, from committee to which was referred House File No. 17, an act fixing the terms of Court in the 7th Judicial District, reported the same back, with sundry amendments, and recommended their adoption and the passage of the bill. On motion, the amendments were adopted.

The question then being upon the passage of the bill as amended, the yeas and nays were as follows:

Yeas—Messrs. Anderson, Ainsworth, Bailey, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, and Wilson of Jefferson—41.

Nays—None.

Not voting—Messrs. Angle, Bowen, Hastings, and Neal. So the bill was passed and title agreed to.

Mr. Udell obtained leave to introduce Senate File No. 48, a bill for an act to amend chap. 112, of the 4th General Assembly, entitled an act allowing and regulating the stay of execution on judgment of the District and Justice Courts. Read first and second time, and on motion of Mr. Scott, referred to the Committee on Judiciary.

On motion of Mr. McPherson, House File No. 80, a bill for an act to punish the makers of chattel mortgages, in certain cases, was taken up and read a first and second time, and referred to the Judiciary Committee.

Mr. Hastings, from the Engrossing Committee, reported that they had examined substitute for Senate File No. 34, and found the same correctly engrossed.

Mr. Rankin moved to lay the bill on the table. Agreed to.

Message from the House, by Messrs. Wright and Sabin, informing the Senate that the House was now ready to go into Joint Convention, for the purpose of electing a State Printer and Binder.

On motion of Mr. Saunders, the Senate proceeded to the Hall of the House, to go into Joint Convention for that purpose.

At 3 o'clock, the Joint Convention was called to order by the President of the Senate, and the roll was called.

The President then announced that the Convention would proceed to the election of a State Printer. Mr. Saunders, Teller on the part of the Senate, and Mr. Gurley on the part of the House.

Mr. Drummond nominated Francis W. Palmer, of Dubuque.

Mr. Baker nominated Stilson Hutchins, of Des Moines.

The roll was called, when it appeared that Mr. Palmer had 73 votes, and Mr. Hutchins 36 votes.

Mr. Palmer having a majority of all the votes cast, was declared duly elected State Printer.

The Convention then proceeded to the election of State Binder.

Mr. Davis, of Polk, nominated F. M. Mills.

Mr. Baker nominated Mr. Wm. Lee.

Mr. Mills received 78 votes, and Mr. Lee 37 votes.

Mr. Mills having a majority of all the votes cast, was declared duly elected State Binder.

The certificates of election were then signed by the President of the Senate and Speaker of the House, and the Tellers, and read to the Convention.

On motion, the Convention was dissolved.

The members of the Senate then returned to their Chamber, and on motion of Mr. Coolbaugh, the Senate adjourned.

SENATE CHAMBER,
January 26, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Young.

Journal of yesterday read.

Mr. Neal moved to amend the Journal of yesterday's proceedings, by inserting the motion made by him, and the decision of the Chair thereon, when the concurrent resolution for the election of State Printer and Binder was under consideration, viz: "to strike out the words 'to-day,' and insert 'the first day of February next,' which motion the President ruled out of order."

Upon which motion, Mr. Johnson called for the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Brown, Bussey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Henderson, Johnson, Mann, Neal, Patterson of Muscatine, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—20.

The nays were—Senators Anderson, Angle, Bailey, Bowen, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—22.

Excused, Mr. Pusey. So the motion was lost, and the Journal approved.

Message from the House, by Mr. Aldrich, Chief Clerk.

Mr. President:—I herewith present for your signature, House File No. 1, a bill for an act to amend chapter 150 of the acts of the Seventh General Assembly, the same having passed both Houses of the General Assembly, and been duly enrolled in the House, and signed by the Speaker.

CHAS. ALDRICH, Chief Clerk.

Mr. Scott presented the petition of J. J. Wadsworth, and 75 others, citizens of Hamilton county, praying for the abolition of the present County Judge system. Read, and on motion, referred to the Committee on Township and County Organization.

Mr. Taylor offered the following resolution:

Resolved, That the Secretary be directed to ascertain on what day copies of the Revised Code, and the report of the Commissioners, will be furnished for the use of the Senate. Adopted.

Mr. Rankin moved that Senate File No. 34, a bill for an act to amend section 43 of the Code of Iowa, be taken up. Which motion was agreed to.

Mr. Rankin offered the following amendment to the bill:

Provided, That such incorporation shall be restricted in its operations, to agricultural and horticultural pursuits, and such mechan-

ical business as shall be necessary for the manufacture of their own clothing, products or materials, or implements for the use, exclusively, of such corporation, or the members thereof.

On motion of Mr. Taylor, the bill and amendment were referred to the Judiciary Committee.

Mr. Udell called up Senate File No. 14, a bill for an act authorizing County Judges to sell the Saline Lands.

Mr. Scott moved to amend the bill by striking out section two.

Mr. Taylor moved to refer the bill and amendment to a special committee, of which Mr. Udell should be Chairman. Which motion prevailed.

The President appointed as said Committee, Messrs. Udell, Bussey, Taylor, Bailey and Anderson.

Mr. Rankin offered the following resolution:

Resolved, That the Committee on Schools and University be instructed to inquire into the expediency of amending the proceedings of the Board of Education of the State of Iowa, so as to leave the recommendation of text books to the Secretary alone, or to the District Boards, and of repealing the recommendation made by the State Board at their late session.

Resolution adopted.

Mr. Wilson, of Dubuque, obtained leave to introduce Senate File No. 49, a bill for an act for the organization and government of the Militia of the State of Iowa. Read first and second time, and referred to the Committee on Military Affairs.

On motion of Mr. Mann, the Senate adjourned.

SENATE CHAMBER,
FRIDAY, JAN. 27, 1860—9 o'clock A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Young.

Journal of yesterday read and approved.

The President presented the following communication from the Secretary of State:

OFFICE OF SECRETARY OF STATE,
DES MOINES, Jan. 24, 1860.

To the General Assembly of the State of Iowa:

In compliance with chap. 6, sec. 48, of the Code of Iowa, I have the honor to report to you an abstract of the returns of the criminal convictions for the years 1858 and 1859, embracing all the counties from which returns have been received.

Respectfully submitted,

ELIJAH SELLS, Sec'y of State.

On motion, the report was referred to the Judiciary Committee.

Also, the President presented the following communication from the Secretary of State:

OFFICE OF SECRETARY OF STATE,
DES MOINES, Jan. 25, 1860.

Hon. N. J. Rusch, President of the Senate.

SIR:—In compliance with a resolution of the Senate as follows:

Resolved, That the Secretary of State be required to report to the Senate, the number of sets of Geological Survey, Reports of the Supreme Court, and Debates of the Constitutional Convention, remaining on hand. I have the honor to inform the Senate that there are

600	copies of	Geological Survey.
180	"	of Constitutional Debates.
60	"	of Clarke's 1st vol. S. C. R.
65	"	" 2d " "
115	"	" 3d " "
225	"	" 4th " "
215	"	" 5th " "
225	"	" 6th " "
20	"	Greene's 1st " "
175	"	" 3d " "
180	"	" 4th " "

Now in possession of the State.

ELIJAH SELLS, Sec'y of State.

The President presented the following communication from the Secretary of the Board of Education:

OFFICE OF THE SEC. OF THE BOARD OF EDUCATION,
DES MOINES IOWA, Jan. 25th, 1860.

Gentlemen of the Senate and House of Representatives:

I am informed by the Secretary of the Board of Trustees of the

State University, that a portion of the University Lands in Hardin County, have been sold for taxes. The terms upon which these lands were sold, were one fourth of the purchase money in cash, and the balance on a credit of ten years, with interest at the rate of ten per cent, per annum, payable annually, on the first day of January, the title to remain in the State till the whole amount of principal and interest should be paid; and a written contract was entered into between the purchaser and the agent of the State, authorized to sell the lands, embracing the foregoing stipulations:

These contracts have been transferred from one party to another, until it is difficult to ascertain the present owners. In the meantime, the lands have been sold for taxes as the property of non-residents, and purchased by other parties, who have filed a bill against the unknown contractors with the State, and obtained a decree in the District Court, and are now desirous of paying up the whole amount due, in order that they may receive a title from the State.

The authority of the Agent of the State to accede to their wishes is questioned, and hence it is deemed proper to refer the whole subject to you for your consideration, and in doing so, I beg leave to submit whether any additional legislation is necessary in this and similar cases that may hereafter arise.

I am, very respectfully,

Your obedient servant,

THOMAS H. BENTON, Jr.,

Secretary of the Board of Education.

On motion, the communication was referred to the Judiciary Committee.

Mr. Duncombe presented the petition of William Skinner, and 75 others, citizens of Carroll county, asking for the transfer of the Land Grant from the Iowa Central Air Line Railroad Company. Read, and referred to the Committee on Railroads.

Mr. Pusey presented the petition of James W. Brown, and 75 others, citizens of Cass county, praying for the passage of a law attaching all that part of Pottawattamie county, Iowa, in township 74, 75, 76 and 77, north of range 38, west, to Cass county. Read and referred to the Committee on County Boundaries.

Mr. Saunders obtained leave to introduce Senate File No. 50, a bill for an act concerning apprentices. Read first and second time, and referred to the Judiciary Committee.

Mr. Watson offered the following resolution:

Resolved, That the Secretary of State be directed to distribute to each member of the Senate, four copies of the Geological Reports, two copies of the Constitutional Debates, and one copy of Clarke's Reports; also, a copy of Geological Reports to each officer of the Senate, and also to the Secretary of the Board of Education, Governor of the State, and Secretary of the Agricultural Society, each, four copies of the Geological Reports and one copy of the Constitutional Debates.

Mr. Anderson moved to amend by striking out the words, "Clarke's Reports."

Mr. Mann moved to amend by striking out "Clarke's Reports," and inserting the words "Supreme Court Reports," and also, add the words, provided the same are now the property of the State.

The question first being taken upon the motion to strike out, Mr. Anderson demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—52.

The nays were—Senator Scott—1.

So the motion to strike out prevailed.

The question then being on inserting as moved by Mr. Mann, Mr. Anderson demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Mann, Pusey, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Trumbull, Taylor, Udell, Watson, Wilson of Dubuque—28.

The nays were—Senators Anderson, Ainsworth, Bailey, Coolbaugh, Gray, Kent, Lewis, McPherson, Neal, Patterson of Muscatine, Rankin, Saunders, Thompson, Williams, Wilson of Jefferson—15.

The motion to insert prevailed.

Mr. Anderson moved to refer the resolution as amended to the Judiciary Committee.

Mr. Johnson moved to lay the motion to refer on the table. Which motion prevailed.

The question then being upon the adoption of the resolution as amended, Mr. Anderson called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Bowen, Brown, Bussey, Davis of Polk, Duncombe, English, Green, Hastings, Henderson, Johnson, Mann, Pusey, Pattison of Marshall, Powers, Sherradden, Scott, Trumbull, Taylor, Udell, Watson, Wilson of Dubuque—22.

The nays were—Senators Anderson, Ainsworth, Bailey, Buechel, Coolbaugh, Davis of Clinton, Drummond, Gray, Hagans, Hammer, Kent, Lewis, McPherson, Neal, Patterson of Muscatine, Rankin, Reiner, Saunders, Thompson, Williams, Wilson of Jefferson—21.

So the resolution as amended was adopted.

Mr. Davis of Clinton, offered the following resolution:

Resolved, That the Committee on Ways and Means, be instructed to report a bill, making the notes of circulation of the Branches of the State Bank of Iowa, receivable for Revenue.

Mr. Angle moved to refer the resolution to a select committee of five, of which Mr. Davis of Clinton, should be Chairman. Adopted.

The President appointed as such committee, Messrs. Davis of Clinton, Udell, Hammer, Scott, and Wilson of Dubuque.

Mr. Wilson of Dubuque, moved to reconsider the vote by which the resolution was passed, directing the Secretary of State to furnish the members of the Senate, its officers, the Governor of the State, and Secretaries of the Board of Education and Agricultural College, with copies of the Geological Survey, Constitutional Debates, and Supreme Court Reports.

Mr. Brown moved to lay the resolution to reconsider on the table, upon which motion, Mr. Johnson demanded the yeas and nays, which were ordered, and were as follows:

Yeas—Bowen, Brown, Bussey, Davis of Clinton, Davis of Polk, Drummond, Mann, Neal, Pusey, Pattison of Marshall, Powers, Sherradden, Trumbull, Taylor, Udell, and Watson—16.

Nays—Anderson, Angle, Ainsworth, Bailey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, McPherson, Patterson of

Muscatine, Rankin, Reiner, Saunders, Williams, Wilson of Dubuque, and Wilson of Jefferson—26.

Not voting—Mr. Scott. So the motion to lay on the table was lost.

The question being upon the motion to reconsider, Mr. Johnson called for the yeas and nays, which were taken, with the following result:

The yeas were—Senators Anderson, Ainsworth, Bailey, Buechel, Coolbaugh, Duncombe, English, Gray, Hammer, Henderson, Johnson, Kent, Lewis, McPherson, Neal, Patterson of Muscatine, Rankin, Reiner, Saunders, Thompson, Williams, Wilson of Dubuque, Wilson of Jefferson—23.

The nays were—Senators, Angle, Bowen, Brown, Bussey, Davis of Clinton, Davis of Polk, Drummond, Green, Hagans, Hastings, Mann, Pusey, Pattison of Marshall, Powers, Sherradden, Scott, Trumbull, Taylor, Udell, Watson—20.

So the motion to reconsider prevailed.

Message from the House, by Mr. Aldrich, Chief Clerk.

MR. PRESIDENT:—I herewith present for your signature, House File No. 17, an act fixing the terms of Court in the Seventh Judicial district; also substitute for House File No. 52, an act to change the times of holding Courts in the Eighth Judicial District, the same having passed both Houses of the General Assembly, and duly enrolled in the House, and signed by the Speaker. I am also directed to present to the Senate, House File No. 79, an act making appropriations for the furniture and improvements on the Capitol Building, the same having passed the House, and in which the concurrence of the Senate is asked.

CHARLES ALDRICH, Chief Clerk.

Mr. Johnson moved to indefinitely postpone the resolution under consideration.

Mr. Scott moved to lay the resolution (and motion to indefinitely postpone) on the table; which motion was agreed to.

On motion, the Senate adjourned.

SENATE CHAMBER,
Saturday, January 28, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Young.

Journal of yesterday read and approved.

RESOLUTIONS.

By Mr. Rankin:

Resolved, That the Committee on the Judiciary, be instructed to examine as to the expediency of the States paying the Reporter of the Supreme Court, a fair and adequate salary, and receiving the avails of sales of the Reports, together with the copy-right.

Resolution adopted.

By Mr. Scott:

Resolved, By the Senate, (the House of Representatives concurring) that the Governor is hereby authorized to appoint a special agent, whose duty it shall be to report to the Executive, what arrangements, if any, can be made with the Des Moines Navigation and Rail Road Company, for the relief of bona fide settlers on, and purchasers of those lands of said Company, which have been sold as School Lands by School Fund Commissioners.

Resolved, That said agent be, and he hereby is authorized to complete with the parties interested therein, such arrangements on behalf of the State, as may be just and equitable; *Provided*, That such arrangement shall be of no force, unless approved by the Governor and Auditor of State.

On motion of Mr. Bailey, the resolutions were referred to a select committee of three.

The President appointed as such committee, Messrs. Scott, Duncombe, and McPherson.

By Mr. Pusey:

Resolved, That a committee of eleven, consisting of one Senator from each Judicial District, be appointed by the President, whose duty it shall be, at as early day as is possible, to bring in a bill for an act to re-district the State into Judicial Districts, forming an additional District, as is contemplated in the Constitution.

The resolution was adopted.

INTRODUCTION OF BILLS.

Mr. Taylor obtained leave to introduce Senate File No. 51, a bill for an act, entitled an act to amend section 9, of chapter 158, of the acts of the 7th General Assembly. Read 1st and 2d time, and referred to the Committee on Schools and University.

Mr. Rankin obtained leave to introduce Senate File No. 52, a bill for an act relative to the Keokuk, Fort Des Moines and Minnesota Rail Road Company. Read 1st and 2d time, and referred to the Committee on Rail Roads.

REPORTS OF COMMITTEES.

Mr. Ainsworth, from the Judiciary Committee, reported a substitute for Senate File No. 10, a bill for an act to amend section 1240, of the Code of Iowa, and recommended its adoption.

Report adopted, and on motion of Mr. Powers, the words, "Des Moines Journal," were stricken out, and the words, "North Iowa Times," inserted.

Mr. Wilson of Jefferson, moved that the bill be engrossed for its third reading on Monday next, which was agreed to.

Mr. Anderson, from the Committee on Agriculture, reported Senate File No. 53, a bill for an act to amend section 8, chapter 104, of the Session Laws, 1853. Read the 1st and 2d time, and on motion of Mr. Mann, ordered engrossed for its third reading on Monday next.

Mr. Udell, from the select committee, to which was referred Senate File No. 14, a bill for an act authorizing the County Judge to sell the Saline Lands, reported a substitute for the same, and recommended its adoption and passage. Report adopted.

Mr. English offered the following amendment to section second: Strike out the words, "320 acres," and insert "160 acres." Carried.

Mr. English offered the following to section 3: Strike out "near by," and insert "adjoining," which was lost.

Message from the House.

Mr. President:—I am directed to inform your honorable body that the House has passed House substitutes for House Files Nos. 14 and 51, a bill for an act allowing bounty upon the scalps of certain animals.

CHARLES ALDRICH, Chief Clerk.

Mr. Bowen offered the following amendment: Strike out the words, "on the 4th day of July, 1858," and insert the words, "on the 31st day of January, 1855," when it occurs in the bill.

Mr. Duncombe demanded the yeas and nays upon the amendment, which were ordered, and were as follows:

The yeas were—Senators Angle, Ainsworth, Bowen, Buechel, Drummond, English, Gray, Hammer, Hastings, Kent, Lewis, McPherson, Patterson of Muscatine, Saunders, Thompson, Wilson of Jefferson—16.

The nays were—Senators Anderson, Bailey, Brown, Bussey, Davis of Clinton, Davis of Polk, Duncombe, Green, Hagans, Mann, Neal, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—23.

Not voting—Coolbaugh, Henderson, Johnson and Watson. So the amendment was lost.

Mr. Kent moved to amend section 3d, by striking out "eighty acres," and inserting "40 acres." Lost.

Mr. Brown offered the following amendment, which was adopted:

Provided, That no person who now owns timber land, to the amount of 40 acres, shall be deemed entitled to the benefits of section three.

Mr. Angle moved to strike out section three of the bill.

Mr. Duncombe moved to lay the motion to strike out on the table, upon which Mr. Angle demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bailey, Brown, Bussey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hagans, Johnson, Kent, Lewis, Mann, Neal, Pusey, Patterson of Muscatine Pattison of Marshall, Powers, Mankin, Sherradden, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque—28.

The nays were—Senators Angle, Ainsworth, Bowen, Davis of Clinton, Davis of Polk, Drummond, Hastings, Reiner, Saunders, Scott, Thompson, Wilson of Jefferson—13.

Not voting—Hammer and Henderson. So the motion to lay on the table prevailed.

Mr. McPherson moved to amend section 3d, by striking out the words, "in the discretion of the County Judge and Treasurer," which was agreed to.

Mr. Davis of Polk, moved to re-commit the bill, which motion prevailed.

Mr. Rankin, from the Judiciary Committee, reported back the petition of John Dobson and others, praying for the passage of a law allowing hogs and sheep to run at large, in Millford township, in Crawford county, with the opinion that the law prayed for would be unconstitutional, and, therefore, ought not to be passed. Report adopted.

Mr. Rankin, from same committee, reported back Senate File No. 34, a bill for an act to amend chapter 43 of the Code of Iowa, and recommended its passage.

On motion of Mr. Johnson, the bill was ordered to be engrossed, and made the special order for Monday next.

Mr. Rankin, from same committee, reported a substitute for Senate File No. 32, a bill for an act to amend chapter 156, of the 7th General Assembly, entitled "Pre-emptors of School Lands," approved March 23, 1858.

Mr. Pusey moved that the 11th Rule be suspended, and the substitute read a third time, and put upon its final passage, which was agreed to.

Upon its final passage,

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—42.

The nays were—none.

Absent—Mr. Henderson. So the bill was passed. Title agreed to.

Mr. Brown obtained leave to introduce Senate File No. 54, a bill for an act for the election of one additional Justice of the Peace, in Big Creek township, in Black Hawk county. Read first and second time, and referred to Judiciary Committee.

Mr. Saunders from the Committee on Ways and Means, reported back House File No. 89, a bill for an act providing for the payment of the pro tem. officers of the 8th General Assembly, with the recommendation of the majority that the bill be passed.

Mr. Neal gave notice that he should bring in a Minority Report.

On motion of Mr. Bailey, the bill was laid on the table.

Mr. Bowen, from the Committee on Schools and University, reported back Senate File No. 39, an act for the relief of Schools, Colleges, Incorporations and Colonies, and recommended that the same be indefinitely postponed.

On motion of Mr. Bussey, the report was adopted.

Mr. Bowen, from the same committee, reported back Senate File No. 40, a bill for an act for the relief of purchasers of School Lands, and recommended that the same be indefinitely postponed.

On motion, the bill was laid on the table.

Mr. Johnson offered the following resolution:

Resolved, That on and after Monday next, the Senate hold two sessions per day, commencing at 9 o'clock A. M., and 2 o'clock P. M., of each day.

Mr. Davis, of Polk, moved to lay the resolution on the table. Upon which motion, Mr. Coolbaugh called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Davis of Polk, Drummond, Hastings, Mann, McPherson, Rankin—6.

The nays were—Senators Anderson, Angle, Ainsworth, Brown, Bussey, Coolbaugh, Davis of Clinton, English, Gray, Green, Hammer, Johnson, Kent, Lewis, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—31.

Not voting, Senators Bailey, Bowen, Buechel, Duncombe, Hagans and Henderson.

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

Mr. Davis, of Polk, moved to strike out 9 o'clock, and insert 10 o'clock in lieu thereof. Which motion was lost.

Mr. Scott moved to amend by inserting the words, "on Wednesdays and Fridays," after the words, "per day."

Mr. Johnson moved to lay the amendment on the table. Not agreed to.

On motion of Mr. Angle, the Senate adjourned.

SENATE CHAMBER,
Monday January 30, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Drake.

Journal of Saturday read and approved.

Message from the House.

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed the following concurrent resolutions:

1st—In relation to regulating the prices of State Printing; and

2d—In relation to an Investigation of the condition and affairs of the Penitentiary at Fort Madison.

Both of which I herewith present, and in which the concurrence of the Senate is asked.

CHARLES ALDRICH, Chief Clerk H. of R.

The President laid before the Senate the following communication from the Secretary of State:

CONTINGENT FUND.

In compliance with the 22d section, of chapter 161, of the laws of the 7th General Assembly of the State of Iowa, I herewith report the condition of the Contingent Fund of the Secretary's office.

By balance of appropriation of the 6th General Assembly unexpended, Nov. 1st, 1857	$640.60
Appropriation of 7th General Assembly	2000.00
Total Contingent Fund	$2640.60
Paid Clerks from Nov. 1, 1857, to Nov. 1, 1859:	
John M. Davis, Deputy Secretary	$1374.97
D. M. Sells, Clerk	695.10
Joseph Swan, "	65.00
C. L. Shotwell, "	15.00
Joseph C. Stickney	30.00
George N. Mathews	48.00
Geo. Lunn	1.00
	$2229.07
Leaving unexpended, Nov. 1, 1859, a balance of	$411.53

CAPITOL SQUARE.

There was placed at my disposal by chapter 130, of the laws of the 7th General Assembly, the sum of fifteen hundred dollars, for the purpose of fencing and otherwise improving the plat of ground known as the Capitol Square, in the City of Des Moines.

The amount expended under said appropriation for which I hold vouchers is.....$1492.57
Leaving a balance in my hands..... 7.43

There is one small bill which has not been presented, and remains unpaid, which will about cover the balance in my hands.

Respectfully Submitted,

ELIJAH SELLS Sec'y of State.

On motion, the communications were referred to the Committee on Ways and Means.

The Secretary presented the following communication from the State Printer, to the Senate:

CITIZEN OFFICE, JAN. 27, 1860.

J. H. Sanders, Secretary Senate:—Your note of inquiry, directed by Senate, was this day received.

In reply I would State, the Report on Civil Practice, is printed and in the hands of the State Binder. The Report on Criminal Practice will be delivered to the Binder by the middle of next week; which completes the work so far as I am concerned.

Yours Truly,

J. TEESDALE.

House File 79, an act making appropriations for furniture and improvements in the Capitol building, was taken up, read 1st and 2d time, and referred to the Committee on Ways and Means.

By consent, the following concurrent resolution passed by the House, was taken up and read.

Resolved, (The Senate concurring,) That a special committee of three from the House, and two from the Senate, be appointed to investigate all matters and expenditures, all contracts for materials, buildings, &c., and all matters connected with the management of the Iowa State Penitentiary. That said committee be empowered to send for persons and papers, and in case said committee shall deem it necessary, for a full understanding of the case,

they are hereby authorized to visit said Institution and report thereon to this General Assembly: *Provided*, That no member of that committee who is a member of the General Assembly, shall be allowed per diem compensation as a member of the General Assembly, and of said committee for the same time.

On motion, the resolution was laid on the table.

Resolved, (The Senate concurring,) That the General Assembly of the State of Iowa is not precluded, by the election of State Printer, from amending, altering, or repealing, any and all laws touching the compensation of said Printer, after the election of the same; and that the State Printer is, and shall be bound by such amendments, alterations or repeal, notwithstanding the same are made after the election of State Printer, and during his continuance in office.

Mr. Anderson moved to lay the resolution on the table, upon which question, Mr. Ainsworth called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Hagans, Hastings, McPherson, Pattison of Marshall, Sherradden, Scott, Wilson of Jefferson—13.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Drummond, Duncombe, English, Gray, Green, Hammer, Johnson, Kent, Lewis, Mann, Pusey, Patterson of Muscatine, Powers, Rankin, Reiner, Thompson, Trumbull, Taylor, Udell, Watson, Wilson of Dubuque—26.

Not voting, Messrs. Neal and Saunders. Excused, Messrs. Henderson and Williams. So the motion to lay on the table was lost.

On motion of Mr. McPherson, the resolution was referred to the Committee on Ways and Means, with instructions to report by bill.

Mr. Davis of Polk, presented the petition of Samuel M. Dyer, asking that the law allowing a bounty upon the scalps of certain animals, be made to include Swifts or Red Foxes of the prairies. Read and referred to the Committee on Agriculture.

Mr. Udell presented the petition of John H. Timner, and 170 others, citizens of Appanoose county, praying for the passage of a law enabling the County Judge of said county to appropriate $15,000 of the Swamp Land Fund of said county, to erect a Court

House in and for said county. Read and referred to the special committee heretofore appointed for that purpose.

Mr. Bussey presented the remonstrance of J. W. Ellis, and 41 others, citizens of Davis county, against the abolition of the office of Co. Judge, the passage of a stay law, and the appraisement of all property sold on execution. Read, and referred to the Committee on Judiciary.

Mr. Duncombe presented the petition of S. J. Comfort, and 45 others, citizens of Crawford county, asking for the abolition of the present County Judge system. Read, and referred to the Committee on County and Township Organization.

Mr. Duncombe presented the petition of S. J. Comfort, and 50 others, citizens of Crawford county, praying for the passage of a general law, requiring County officers to pay over certain moneys in their hands. Read, and referred to the Judiciary Committee.

Mr. Rankin presented the remonstrance of John Woodman, Recording Secretary of Des Moines College, in behalf of the Board of Trustees, against the passage of a law "militating against the rights and interest of said Institution of Learning." Read, and referred to the Committee on Schools and University.

Mr. Watson presented the petition of Nicholas Rosenberger, and 58 others, citizens of Iowa county, praying for the abolition of the present County Judge system. Read, and referred to the Committee on Township and County Organization.

Mr. Rankin presented the petition of Burns & Rentgen, and fifteen other business firms of the city of Keokuk, Iowa, praying for the amendment of chapter 92 of the laws of 1858. Read, and referred to the Committee on Commerce.

Mr. Rankin presented the petition of the Mayor and Aldermen of the city of Keokuk, Iowa, praying for the establishment of a State Reform School, for juvenile offenders. Read, and referred to the Committee on Charitable Institutions.

Mr. Wilson of Jefferson, offered the following resolution:

Resolved, That the Committee on Township and County Organizations, be instructed to prepare a bill modifying the powers and duties of the County Judge, as follows:

1st. There shall be organized in every county, a Board, known as the "Board of Supervisors."

Said Board of Supervisors shall consist of the County Judge, and the Clerk of each Township in the county. Said Board shall

meet on the first Mondays of January, April, September, and November, of each year, and shall not continue in session more than three days at a time, with compensation.

2d. Said Board shall audit and allow all claims on the Treasury, not fixed by law.

3d. Said Board shall audit and settle the accounts of the Treasurer, and those of any other Collector or Receiver of county revenue, taxes, or income, payable into the County Treasury, and those of any person entrusted to expend any money of the county, and to require them to render their accounts as directed by law.

4th. Said Board of Supervisors shall keep a distinct account with the Treasurer of the county for each several term for which the Treasurer may be elected, commencing from the day on which the Treasurer becomes qualified, and continuing until the same or another person is qualified as Treasurer, in which account they shall charge the Treasurer with the county tax list, and with all the monies paid him, and so on, as in the 4th sub-division of section 106, chapter 13, of the Code recited.

5th. To keep a book in which shall be entered all matters appertaining to roads, of which they shall have control.

Secondly. To keep books, in which all their acts shall be entered, keeping separate the different classes of county business. Said Board of Supervisors shall make all contracts for the building of bridges, county buildings, or where any county money is to be expended. Said Board of Supervisors shall take the place of the assessing and tax-equalizing Board, as at present provided by law.

Said Board shall have charge of the county property, and shall furnish all things necessary for County Officers, the District Court, &c., as furniture, fuel, &c.

Said Board, except the County Judge, shall receive $1 50 each, per day, for not more than three days at one session, and ——— of said Board shall constitute a quorum to do business.

Said Board shall inspect and pass upon all applications for loans of the school money, and no loan shall be made without the approval of said Board.

The duties and powers imposed on the County Judge, in section 114, of the Code, and in the following sections, having reference thereto, shall henceforth devolve on said Board of Supervisors.

On motion of Mr. Bussey, the resolution was laid on the table.

The President announced the following Senators to constitute the committee on re-districting the State into Jddicial Districts:

1st District, Mr. Coolbaugh.
2d " Mr. Anderson.
3d " Mr. Pusey.
4th " Mr. Duncombe.
5th " Mr. McPherson.
6th " Mr. Wilson, of Jefferson.
7th " Mr. Thompson.
8th " Mr. Mann.
9th " Mr. Wilson, of Dubuque.
10th " Mr. Powers.
11th " Mr. Scott.

Mr. Hagans offered the following resolution:

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of a re organization of the Courts of Justices of the Peace, so as to have the said Courts hold regular sessions, and that no case be heard or tried only in term time—except criminal cases—and report by bill or otherwise, at an early day.

Mr. Powers moved to amend by inserting after the words, "regular sessions," the words, "and that a jury be summoned to attend said sessions." Which motion did not prevail.

On motion, the resolution was laid on the table.

Mr. Davis, of Clinton, offered the following resolution:

Resolved, That the office of County Judge should be abolished, and that the Committee on Township and County Organization be instructed to report a bill for that purpose.

Mr. Wilson, of Dubuque, offered the following substitute for the resolution:

Resolved, That the Committee on Township and County Organization be instructed to inquire which is the best system of county government; to retain the County Judge, as a Judge of Probate, but to take away from him financial matters, and all discretion over the laying out of roads, or to abolish the office of Co. Judge, and substitute in lieu thereof, either County Commissioners or a Board of County Supervisors, and to report a bill in accordance with their views.

Mr. Angle moved the previous question, which was seconded, and the main question ordered to be put.

The question being upon the adoption of the substitute, Mr. Davis, of Clinton, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Mann, Trumbull, Wilson of Dubuque—4.

The nays were—Senators Angle, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Green, Hagans, Hammer, Hastings, Johnson, Kent, Lewis, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Thompson, Taylor, Udell, Watson, Wilson of Jefferson—35.

Absent, Messrs. Gray and Scott. Excused, Messrs. Henderson and Williams. So the substitute was lost.

The question recurring upon the resolution offered by Mr. Davis, of Clinton, Mr. Drummond demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Davis of Clinton, Davis of Polk, Drummond, English, Hammer, Kent, Lewis, Mann, Powers, Saunders, Thompson, Taylor—14.

The nays were—Senators Anderson, Angle, Bowen, Brown, Bussey, Buechel, Coolbaugh, Duncombe, Gray, Green, Hagans, Hastings, Johnson, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Rankin, Reiner, Sherradden, Trumbull, Udell, Watson, Wilson of Dubuque, Wilson of Jefferson—26.

Not voting, Mr. Scott. Excused, Messrs. Henderson and Williams. So the resolution was not adopted.

Mr. Davis of Polk, offered the following resolution, which was adopted.

Resolved, That the Committee on Agriculture be requested to enquire into the propriety of exempting sheep, to a limited number, from taxation, and report by bill or otherwise.

Mr. Johnson, from the special committee consisting of the Senators of the 2nd Judicial District, reported back Senate File No. 43, a bill for an act fixing the times for holding Courts in the 2nd Judicial District, and recommended its passage.

On motion of Mr. Johnson, the 11th Rule was suspended, the bill read a third time, and put upon its final passage.

The yeas and nays were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bowen,

Bussey, Buechel, Davis of Polk, Drummond, English, Gray, Green, Hagans, Hammer, Johnson, Kent, Lewis, Mann, Neal, Patterson of Muscatine, Pattison of Marshall, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Wilson of Dubuque, Wilson of Jefferson—32.

The nays were—none.

Not voting—Senators Bailey, Coolbaugh, Davis of Clinton, Duncombe, Hastings, McPherson, Pusey, and Watson. Excused, Messrs. Henderson and Williams. So the bill was passed, and the title was agreed to.

Mr. Johnson moved a call of the House, which was ordered; and Messrs. Coolbaugh, Davis of Clinton, and Pusey, were found to be absent. Messrs. Henderson and Williams being excused.

Mr. Powers moved that further proceedings under the call be dispensed with, which motion prevailed.

On motion of Mr. Rankin, Senate File No. 34, a bill for an act to amend chapter 43, of the Code of Iowa, of 2851, was taken up, read a third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Polk, Drummond, Hagans, Hastings, Kent, McPherson, Pattison of Marshall, Powers, Rankin, Sherradden, Scott, Watson, Wilson of Jefferson—16.

The nays were—Senators Angle, Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Lewis, Mann, Neal, Pusey, Patterson of Muscatine, Reiner, Saunders, Thompson, Trumbull, Taylor, Udell, Wilson of Dubuque—24.

Not voting, Mr. Davis of Clinton. Excused, Messrs. Henderson and Williams. So the bill was lost.

On motion of Mr. Coolbaugh, Senate adjourned.

SENATE CHAMBER,
Tuesday, Jan. 31, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Chamberlain.

Journal of yesterday read and approved.

Mr. Thompson offered the following resolution:

Resolved, That the Committee on Incorporations be instructed to inquire whether any additional legislation is necessary in relation to the law for the incorporation of cities and towns, and report by bill, or otherwise.

Resolution adopted.

On motion of Mr. McPherson, the report of the Code Commissioners was taken up, and referred to the Judiciary Committee.

Mr. Taylor moved to re-consider the vote by which Senate File No. 34, a bill for an act to amend chapter 43, of the Code of Iowa, of 1851, was passed; which motion prevailed.

Mr. Wilson of Jefferson, moved to re-commit the bill to the Judiciary Committee, which was agreed to.

Mr. Taylor offered a substitute to Senate File No. 34, a bill for an act to amend chapter 43, of the Code of Iowa, of 1851, which was read and referred to the Judiciary Committee.

Message from the House.

Mr. President:—I am directed to present to your honorable body, the following bills:

Substitute for House File No. 6, a bill for an act to repeal an act to authorize Paul C. Jeffries to transcribe and index certain records of Wapello county.

House File No. 53, a bill for an act making appropriations to meet the expenses of the Deaf and Dumb Asylum.

Substitute for House File No. 57, a bill for an act to repeal part of sec. 6, chap. 93, acts of the 7th General Assembly.

House File No. 66, an act to declare the Little Sioux River navigable.

House File No. 81, an act authorizing the District Courts, or the Judge thereof, to change the venue in criminal prosecutions, in certain cases.

Substitute for House File No. 84, an act to prevent counties, cities and towns from taking stocks in works of internal improvement and banking institutions.

House file No. 92, joint memorial requesting our Senators and Representatives in Congress, to secure the passage of a homestead law.

House File No. 98, a joint resolution No. 1, instructing the Gov-

ernor to withhold all further certifictes for land from rail road companies, in certain contingencies.

House File No. 28, an act to legalize the acts of Geo. S. Dorr, as Notary Public, in Scott county, Iowa.

House Substitute for House File No. 34, an act to encourage the growth and cultivation of timber.

House File No. 60, a bill for an act to pay Maj. William Williams, and others, for services and supplies, Spirit Lake expedition, 1857.

House File No. 91, a bill proposing to amend sec. 10, of the 5th article of the Constitution.

All of which, having passed the House, the concurrence of the Senate is asked.

CHAS. ALDRICH, Chief Clerk.

Mr. Drummond offered the following resolution:

Resolved, (The Senate and House concurring,) That the State Printer and State Binder, be required to deliver all documents ordered by either of its branches, or for the use of the Assembly to the Secretary of State, who shall give his receipt for the same, and deliver said documents to the Secretary and Clerk of the Houses, respectively; and it shall be the duty of the Secretary and Clerk to have such documents equally distributed, and laid on the desks of members, at the earliest possible moment.

Resolution was adopted.

Mr. Davis of Polk, offered the following resolution:

Resolved, That the Judiciary Committee be instructed to report a bill for an act to exempt from execution for debt, a Press and Printing material in the possession of a person engaged in the business of printing to the amount of five hundred dollars.

Mr. Bailey offered the following substitute to the resolution:

Resolved, That the Judiciary Committee be requested to inquire into the expediency of abolishing all laws for the collection of debts, and report by bill or otherwise.

On motion of Mr. Bussey, the resolution and substitute were laid on the table.

Message from the House.

Mr. President:—I am directed to inform your honorable body that the House has passed House File No. 13, an act to amend section 12, of chapter 157, of the acts of the Seventh General

Assembly, in which the concurrence of the Senate is asked.

CHARLES ALDRICH, Chief Clerk.

Mr. Bussey moved to take up the resolution offered by Mr. Johnson, with the pending amendment offered by Mr. Scott, relating to the holding of two sessions per day, which was agreed to.

The question being upon the amendment offered by Mr. Scott, it was lost.

Mr. Johnson moved to amend by striking out the words, "on and after Monday next," and inserting in their stead the word, "hereafter," which was agreed to.

The resolution as amended was adopted.

Mr. Bowen offered the following resolution, which was adopted:

Resolved, That the Secretary of State be requested to inform the Senate whether the various Rail Road Companies intended to be benefitted by an act of the Legislature, approved July 14th, 1856, have accepted the provisions of said act, as required by the 13th section: Also, whether said Companies have made their annual reports to said Secretary's Office, as required by the 15th section of said act, and whether the Secretary has, in his possession, any official information of said Companies having completed 75 miles, on, or before the 1st day of December last, of their respective roads.

Mr. Scott moved to take from the table the resolution relating to the distribution of books among the members of the Senate, which motion prevailed.

Mr. Neal offered the following amendment, which was lost: "And one copy of the Geological Reports to each of the Chaplains of the 8th General Assembly."

Mr. Anisworth offered the following amendment, which was lost: Add the words, "one copy of each publication, mentioned, for each of the Reporters of the Senate, and also one for each constituent of the members."

Mr. Johnson moved to postpone the resolution indefinitely, and called the yeas and nays upon the question, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Coolbaugh, Gray, Hammer, Johnson, Kent, Lewis, Pusey, Patterson, of Muscatine, Wilson of Jefferson—13.

The nays were—Senators Bowen, Brown Bussey, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English

Green, Hagans, Hastings, Henderson, Mann, Neal, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Wilson of Dubuque—28.

Not voting; Mr. McPherson. Excused, Mr. Williams. So the motion to indefinitely postpone, was lost.

Mr. Bussey moved that the resolution be divided, and that that part relating to the Geological Reports and Constituional Debates, be first put, and then, that the question be upon that part relating to the Supreme Court Reports, which was agreed to.

The question being upon the first division of the resolution, it was adopted.

Mr. Davis, of Clinton, offered the following amendment: *Provided*, That no Senator who has heretofore received any volume or volumes of Supreme Court Reports, under any similar resolution passed by any former Senate, shall be entitled to receive any copy of such volumes heretofore received by him.

On motion of Mr. Duncombe, the amendment was laid on the table.

The question being upon the second division of the resolution under consideration, Mr. Ainsworth demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bowen, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Green, Hagans, Hastings, Henderson, Johnson, Kent, Mann, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Trumbull, Taylor, Watson, Wilson of Dubuque—25.

The nays were—Senators Anderson, Angle, Ainsworth, Bailey, Coolbaugh, Gray, Hammer, Lewis, McPherson, Neal, Pusey, Patterson of Muscatine, Rankin, Saunders, Thompson, Udell, Wilson of Jefferson—17.

Excused, Mr. Williams. So the resolution was adopted.

On motion of Mr. Bowen, the Senate went into Executive Session.

The Executive Session closed at 11½ o'clock.

Mr. Pusey, moved a call of the House, which was not sustained.

Mr. Saunders from the Committee on Ways and Means, roported back House File No. 79, "a bill for an act making appropriations for furniture and improvements in the Capitol Buildings, and recommended its passage.

On motion of Mr. Saunders, the 11th Rule was suspended, and

the bill read a third time and put upon its passage; upon which the yeas and nays were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Gray, Green, Hagans, Hammer Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison, of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Wilson of Dubuque, Wilson of Jefferson—36.

The nays were—Senators Ainsworth, Bailey, Bussey, English, Taylor, Udell—6.

Excused, Mr. Williams. So the bill was passed and the title agreed to.

Mr. Patterson of Muscatine, offered the following resolution:

Resolved, That the Secretary of State be required to furnish to the Senate a report of the amount of land certified by the Governor, to the Secretary of the Interior, according to the acts of Congress, and of the Legislature of this State, granting the same, and the time when furnished to the following Roads, to wit: To the Burlington and Missouri Rail Road, Mississippi and Missouri Rail Road, Dubuque and Pacific R. R., and the Iowa Central Air Line Railroad.

The resolution was adopted.

Mr. Scott, from the committee on elections, introduced Senate File No. 55, "a bill for an act for a General Registry of voters in Iowa," which was read the first and second time, and on motion of Mr. Wilson of Dubuque, was laid on the table, and 500 copies ordered printed.

Mr. Saunders, from the Committee on Ways and Means, reported back Senate File No. 4, a bill for an act in regard to the interest of delinquent taxes, and recommended that the same be passed.

Mr. Bailey moved that the bill be made the special order for 2 o'clock, P. M., of this day, which motion prevailed.

On motion of Mr. Neal, Senate adjourned until 2 o'clock, P. M.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Davis of Polk, moved a call of the House, which was ordered,

and the following Senators found to be absent: Anderson, Angle, Ainsworth, Bowen, Brown, Bussey, Drummond, English, Gray, Green, Johnson, Powers, Rankin, Sherradden, Scott, Trumbull, and Taylor. Excused, Mr. Williams.

Most of the absent members coming in, Mr. Coolbaugh moved that the absentees be excused, which motion prevailed.

Mr. Coolbaugh obtained leave to introduce the following resolution, which was adopted:

Resolved, That the Attorney General be requested to communicate to the Senate, at as early a day as convenient to him, whether in his opinion it is competent for the General Assembly, at its present session, to re-district the State for Judicial purposes, or to re-organize the Judicial Districts, and increase or diminish their number, or change their present boundaries.

The special order for 2 o'clock, P. M., Senate File No. 4, a bill for an act in regard to the interest of delinquent taxes, was taken up.

Mr. Wilson of Jefferson, moved to amend section 1, by inserting after the words 1860, the words, "except the taxes for 1859," which motion did not prevail.

Mr. Davis of Clinton, moved to amend by striking out the words 4th day of July, and inserting the words, "1st day of May." Motion lost.

On motion of Mr. Duncombe, the 11th Rule was suspended, and the bill read a third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bowen, Brown, Bussey, Buechel, Coolbaugh, Davis of Polk, Duncombe, Green, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Trumbull, Taylor, Udell, Watson, Wilson of Dubuque —28.

The nays were—Senators Bailey, Davis of Clinton, Drummond, English, Gray, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Scott, Thompson, Wilson of Jefferson—14.

Excused, Mr. Williams. So the bill was passed, and the title agreed to.

On motion of Mr. Hammer Senate adjourned.

SENATE CHAMBER,
Wednesday, February 1st, 1860, 9 o'clock A. M.

Senate met persuant to adjournment.

Prayer by the Rev. Mr. Chamberlain.

Journal of yesterday read and approved.

Mr. Saunders, from the Committee on Ways and Means, reported back Senate File No. 5, a bill for an act to amend section 48 of the laws of 1858, entitled an act in relation to revenues, approved March 23, 1858, and recommended that the same be indefinitely postponed. Which was agreed to.

Mr. Udell, from the special committee to which was referred the petitions of A. Harris, John H. Timmer, and many others, citizens of Appanoose county, praying for the passage of a law authorizing the County Judge of said county to appropriate $15,000 of the Swamp Land Fund for the erection of county buildings in said county, reported by bill—Senate File No. 56, an act authorizing the County Judge of Appanoose county to appropriate a portion of the proceeds of the Swamp Land Fund for the erection of a Court House. Read first and second time, and on motion of Mr. Udell, the bill was referred to the Judiciary Committee.

Mr. Rankin, from Judiciary Committee, reported back Senate File No. 30, a bill for an act to legalize the acts of the Trustees of the Literary Fund, Grinnell, Iowa, and recommended that the same be indefinitely postponed. Report concurred in.

Mr. Rankin, from the Judiciary Committee, reported back Senate File No. 53, a bill for an act to provide for the election of an additional Justice of the Peace in Big Creek Township, in Black Hawk county, Iowa, and recommended that the same be indefinitely postponed. Which, on motion, was agreed to.

Mr. Rankin, from same committee, reported back the petition of S. J. Comfort, and fifty others, citizens of Crawford county, asking for the passage of a general law requiring county officers to pay over certain moneys in their hands, and recommended that the same be not granted. Which was agreed to.

Mr. McPherson obtained leave to present the petition of J. S. Myers, and fifty others, citizens of Adair county, asking for the abolition of the present County Judge system. Which, on motion of Mr. McPherson, was referred to the Committee on Township and County Organization.

Mr. McPherson, from the Committee on Railroads, reported back Senate File No. 52, a bill for an act relative to the Keokuk, Fort Des Moines & Minnesota Railroad Company, and recommended that the same be passed, with the following amendment to section 4: add the words, "without expense to the State."

On motion, the amendment was adopted, and the bill ordered to be engrossed for its third reading on to-morrow.

Mr. Watson, from the Committee on Library, reported Senate File No. 57, a bill for an act for the improvement of the State Library, and recommended its passage. Read first and second time, and referred to the Committee on Ways and Means.

Mr. Bowen, from the Committee on Schools and University, reported a substitute for Senate File No. 47, a bill for an act for the collection of School and Saline Funds and interest, and recommended the adoption of the substitute. Which was agreed to, and the bill ordered to be engrossed for its third reading on to-morrow.

Mr. Wilson, of Jefferson, from the Judiciary Committee, reported back Senate File No. 33, a bill for an act to amend chapter 107 of the acts of the 6th General Assembly, entitled "an act to legalize the sale of School Lands made by John Jordan, School Fund Commissioner of Decatur county, Iowa," with the recommendation that section 2 be stricken out, and the bill then passed. Amendment adopted.

On motion of Mr. Johnson, the 11th Rule was suspended, the bill read a third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Ainsworth, Bailey, Bowen, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Wilson of Dubuque, Wilson of Jefferson—37.

The nays were—Senators Angle and Drummond—2.

Not voting, Messrs. Brown, Lewis and Rankin. Excused, Mr. Williamson. So the bill was passed. Title agreed to.

Message from the House.

Mr. President:—I am directed to inform your honorable body that the House has passed Substitute for House File No. 22, a bill

for an act regulating interest on delinquent taxes, in which the concurrence of the Senate is asked.

CHARLES ALDRICH, Chief Clerk.

Mr. Wilson, of Dubuque, from the Judiciary Committee, reported back Senate File No. 50, a bill for an act concerning apprentices, and recommended its passage.

On motion of Mr. Wilson, of Dubuque, the 11th Rule was suspended, the bill read a third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Wilson of Dubuque, Wilson of Jefferson—41.

The nays were—None.

Not voting, Mr. Watson. Excused, Mr. Williams. So the bill was passed, and title agreed to.

Mr. Wilson of Jefferson, from the Judiciary Committee, reported back House File No. 80, a bill for an act to punish the makers of Chattel Mortgages in certain cases, with the recommendation of the majority of the Committee, that the bill be passed.

On motion, the majority report was adopted.

Mr. Thompson moved to amend by inserting after the word valid, in section 1, the words "before maturity," upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Ainsworth, Davis of Clinton, Drummond, English, Gray, Green, Hastings, Henderson, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Thompson, Watson—17.

The nays were—Senators Bailey, Bowen, Brown, Bussey, Buechel, Coolbaugh, Davis of Polk, Duncombe, Hagans, Hammer, Kent, Lewis, Mann, Neal, Pusey, Patterson of Muscatine, Sherradden, Scott, Trumbull, Taylor, Udell, Wilson of Dubuque, Wilson of Jefferson—23.

Not voting—Messrs. Anderson, and Johnson. Excused, Mr. Williams. So the amendment was not agreed to.

On motion, the bill was ordered to be engrossed for its third reading, on to-morrow.

Mr. Hastings, from the Committee on Engrossed Bills, reported Senate File No. 10, a bill for an act to amend section 1240 of the Code of Iowa; also Senate File No. 34, a bill for an act to amend section 8, chapter 104, Session Laws, 1853, correctly engrossed.

On motion of Mr. Hammer, Senate File No. 10, a bill for an act to amend section 1240 of the Code of Iowa, was taken up, read a third time, and put upon its final passage. The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Brown, Bussey, Coolbaugh, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Pattison of Marshall, Powers, Reiner, Trumbull, Taylor, Udell, Wilson of Dubuque—30.

The nays were—Senators Bowen, Rankin, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—8.

Not voting—Messrs. Buechel, Davis of Clinton, Hastings, Patterson of Muscatine. Excused, Mr. Williams. So the bill was passed; title agreed to.

Mr. Saunders, from Committee on Ways and Means, reported back Senate File No. 42, a bill for an act to amend section 12, of chapter 152, of the 7th General Assembly, an act to provide for the assessment of real property each year, and recommended that the same be indefinitely postponed.

On motion of Mr. Bussey, the bill was laid on the table.

The Secretary read the following communication from the Attorney General, in reply to a resolution passed by the Senate, relating to re-districting the State into Judical Districts:

ATTORNEY GENERAL'S OFFICE.

To the Hon. N. J. Rusch, President of the Senate:

SIR:—I am of the opinion that the General Assembly have no power, during the present session, to increase the number, re-organize, or change the boundaries of the Judicial Districts of this State. By section 14, article 12, of the Constitution, it is provided that the 1st General Assembly should district the State into

eleven Judicial Districts. This duty was performed by the last General Assembly, as required by this section. By section 10, article 5, it is provided, "that after the year 1860, the General Assembly may re-organize the Judicial Districts, and increase or diminish the number of Districts. Such re-organization of the Districts, or change in the boundaries thereof, shall take place four years thereafter, if necessary, and at no other time."

From the foregoing, it will be seen that you have no power, *during* the year 1860, to re-district the State for Judicial purposes, but only *after* that year.

The Constitution having fixed a time when you may act in the premises by implication; the power to act at any other time is excluded.

Respectfully submitted,

SAMUEL A. RICE, Att'y General.

Mr. Anderson moved to lay the communication on the table, which was agreed to.

On motion of Mr. Udell, House File No. 22, a bill for an act regulating interest on delinquent taxes, was taken up.

On motion of Mr. Wilson of Jefferson, the bill was laid on the table.

Mr. Angle moved to reconsider the vote by which Senate File No. 4, a bill for an act in regard to the interest of delinquent taxes, was passed.

Mr. Johnson moved a call of the House, which was not sustained.

Mr. Wilson of Dubuque, demanded the yeas and nays on the motion to reconsider, which were ordered, and were as follows:

The yeas were—Senators Angle, Bailey, Davis of Clinton, Davis of Polk, Drummond, English, Gray, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Powers, Thompson, Wilson of Jefferson —16.

The nays were—Senators Anderson, Ainsworth, Bowen, Bussey, Coolbaugh, Green, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Rankin, Reiner, Saunders, Sherradden, Scott, Trumbull, Taylor, Udell, Watson, Wilson of Dubuque—23.

Not voting—Messrs. Brown, Buechel and Duncombe. Excused, Mr. Williams. So the motion to reconsider was lost.

On motion of Mr. Saunders, House File No. 39, a bill for an act

providing for the payment of the pro tem. officers of the two Houses of the 8th General Assembly, was taken from the table.

The question being on the amendment offered by Mr. Neal, to strike out the words, "ten dollars," in section 2, and inserting, "eight dollars."

Mr. Powers moved to lay the amendment on the table, upon which question, Mr. Neal demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bowen, Davis of Polk, Hastings, Powers, Rankin, Reiner, Saunders, Sherradden, Thompson, Wilson of Jefferson—10.

The nays were—Senators Anderson, Angle, Ainsworth, Bailey, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Drummond, English, Green, Gray, Hagans, Hammer, Henderson, Johnson, Kent, Lewis, McPherson, Neal, Pusey, Pattison of Marshall, Scott, Trumbull, Taylor, Udell, Wilson of Dubuque—28.

Not voting—Messrs. Duncombe, Mann, Patterson of Muscatine and Watson. Excused, Mr. Williams. So the motion to lay on the table was lost.

The question being upon Mr. Neal's amendment, he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Bussey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Henderson, Johnson, Neal, Pusey, Taylor, Udell, Wilson of Dubuque—18.

The nays were—Senators Anderson, Angle, Bowen, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Wilson of Jefferson—21.

Not voting—Messrs. Mann, Patterson of Muscatine, and Watson. Excused, Mr. Williams. So the amendment was lost.

On motion of Mr. Drummond, the 11th Rule was suspended, the bill read a third time, and put upon its final passage; the yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hammer, Henderson, Kent, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers,

Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Wilson of Dubuque, Wilson of Jefferson—30.

The nays were—Senators Bailey, Bussey, Buechel, Duncombe, English, Gray, Green, Johnson, Neal, Taylor, Udell—11.

Not voting—Mr. Watson. Excused, Mr. Williams. So the bill was passed, and title agreed to.

Mr. Trumbull obtained leave to introduce Senate File No. 58, a bill for an act to amend chapter 1, of the acts of the extra session of the General Assembly, which commenced July 2nd, 1856. Read 1st and 2nd time, and referred to the Committee on Rail Roads.

Mr. Wilson of Jefferson obtained leave to introduce Senate File No. 59, a bill for an act for the regulation of Railroad Corporations. Read 1st and 2nd time, and referred to Committee on Railroads.

Mr. Pusey introduced Senate File, No. 60, a bill, for an act to amend an act entitled an act authorizing General Banking in the State of Iowa, approved March 22nd, 1858. Read a 1st and 2nd time, and referred to Committee on Banks.

Mr. Anderson, from the Committee on Agriculture, reported without recommendation, Senate File No. 61, a bill for an act to provide for the publication and distribution of the annual Reports of the Iowa State Agricultural Society. Read 1st and 2d time

Mr. Angle moved to amend the bill as follows:

Insert after section one, the following:

SEC. 2. It shall be the duty of the Secretary of said Society, to give three weeks public notice in the cities of Davenport, Muscatine and Iowa City, of the time and place of letting the contracts for printing and binding said reports, at which time said contracts shall be let to the lowest responsible bidder, for doing said work at Davenport, Muscatine or Iowa City, taking into consideration the quality of said work.

SEC. 3. The Secretary of said Society shall keep a list of the bids and samples of the work submitted by each bidder, which shall be submitted to next meeting of the Agricultural Board.

Mr. Bailey moved to refer the bill with amendment to the Committee on Ways and Means. Which was agreed to.

Mr. Pusey obtained leave to introduce Senate File No. 62, a bill for an act making appropriations for selecting Swamp Lands. Read 1st and 2d time and referred to the Committee on Claims.

Mr. Powers introduced Senate File No. 63, a bill for an act for

the protection of fish. Read 1st and 2d time, and on motion of Mr. Powers, referred to a select committee of three.

President appointed as said committee: Messrs. Powers, Pattison of Marshall and Duncombe.

Mr. Scott presented the memorial of E. W. Eastman and others, in reference to University Lands sold for delinquent taxes. Read and referred to the Judiciary Committee.

Mr. Bailey offered the following resolution:

Resolved, That the Committee on Federal Relations be instructed to enquire into the expediency of passing a law for the arrest and punishment of parties who may be found organizing within the limits of this State, for the purpose of invading any of the States or Territories of this Union, for objects of pillage, or any other unlawful purpose, and report by bill or otherwise.

Mr. Drummond moved the following amendment: "Also into the expediency of a law to protect the citizens of this State when traveling through other States of this Union.

Mr. Johnson moved to amend by adding the following words, "for the avowed purpose of colonizing Central or South America.

On motion of Mr. Coolbaugh, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question being upon the resolution offered by Mr. Bailey, and the pending amendment, Mr. Wilson of Jefferson, moved that the same be laid on the table, which motion prevailed.

On motion of Mr. Anderson, the concurrent resolution of the House, in relation to the appointment of a committee to investigate the affairs of the Penitentiary, was taken up.

Mr. Rankin moved to strike out all that part giving the committee power to visit the Penitentiary, which motion was agreed to.

The resolution as amended was then agreed to.

The President appointed as said committee, Messrs. Anderson and Coolbaugh, on the part of the Senate.

Mr. Duncombe, in behalf of those whose names are thereto affixed, presented the following protest, and demanded that it be spread upon the Journals:

"We, the undersigned, members of the Senate of the State of Iowa, regarding the resolutions of this body, authorizing the printing of 7500 copies of the Inaugural Message of Gov. Kirkwood, injurious both to the public and individuals, and firmly impressed with a conviction that a portion of the said message is calculated to impair the harmonious relations which exist between the citizens of the several States, do, under the right secured to us, by Art. 3, section 10, of the Constitution *earnestly* but *respectfully* PROTEST against the said resolution, and the passage thereof, for the following reasons, viz:

First—We PROTEST against the resolution calling for the publication of this message, for the reason that a great portion of the message relates to the Harper's Ferry invasion, by John Brown, and details at length the private opinions of the Governor as to the causes thereof, which we believe to be a direct departure from the plain duty of the Executive, as prescribed by the Constitution, which defines that duty in this respect to be—"to communicate to the General Assembly, at every regular session, *the condition of the State, and recommend such measures as he shall deem expedient.*" The obvious intent of this provision is, that the suggestions and recommendations of the Executive shall be restricted and confined to the internal affairs and "condition of the State"—to those matters, and those matters alone, which the General Assembly can regulate or remedy by legislation. The conduct of John Brown, and the individual opinion of the Governor, as to the causes which prompted that conduct, can have no possible connection with the duties of the General Assembly. The omission of the Governor to suggest or recommend any action by that body, in respect to that part of his message, assures us that he regarded it as not within the range of State legislation. We therefore, most respectfully insist that we can only view the discussion of these topics in his message as an attempt to circulate among the people a political speech, *at the expense of the State*, under the cover of a Public Document; an object unworthy of his dignified and responsible position, and an example which no consideration of political policy can justify.

Second—We protest against the resolution, for the further reason that we are constrained to regard the message to which it relates, as a palliation of the course pursued by Brown, and as an attempt to extenuate and excuse his conduct. He expressly de-

clares that, "The mass of our Northern people feel and express admiration and sympathy for the disinterestedness of *purpose* by which they believe he was governed." While it may be true that this sympathy is cherished by the Governor, and a fraction of his party, we have the strongest assurance that it finds no response in the feelings and sentiments of the large body of conservative and patriotic men of all parties, both North and South, who deeply regret and bitterly condemn alike the furious madness of Northern Abolitionists and the unreasonable and disloyal fanaticism of Southern fire-eaters. We cannot believe that the "mass of our Northern people, entertain the slightest "admiration and sympathy" for that "purpose" which Brown himself declared to be "to free the negroes of the Southern States by *force*, and put arms into their hands to protect them against their masters; or, when properly interpreted, to incite internal war and insurrection among a servile population, and bring on a crisis in the "irrepressible conflict" by treason and murder. We cannot believe that any such "admiration and sympathy for the disintestedness of purpose" of a man who, at the dead hour of night, with his myrmidons, had called from their slumbers defenceless and unsuspecting citizens, and murdered them, can never exist among the "mass of our Northern people." And we do sincerely believe that the same *lawless* "*purpose*" which prompted his incursions upon the property of the citizens of Missouri, dictated his foray into Virginia; and the "mass of our Northern people" do not hesitate to condemn the spirit which inspired the one, no less than they censure and reprobate the purpose which instigated the other.

Third—We protest, for the further reason, that a portion of the message, instead of being devoted to the "condition of the State," as required by the Constitution, arraigns an Ex-President of the United States, and the members of Congress who supported the Kansas Nebraska Bill, as being "faithless to the pledges they had given," and "little less criminal in men in their position, than would have been the expectation and desire by them that the struggle should be, as it was, a hostile and bloody one;" and that, too, when it is well known that the people of this Union, in the election of the present Executive of the nation, endorsed and approved that measure, now urged by our State Executive as the cause of the civil war in Kansas, the insurrection in Virginia, and the treason and bloodshed of John Brown.

Fourth—We protest, for the further reason, that this message declares, that "it was insisted in substance, by our Southern brethren and either openly or tacitly approved of by many in the North, that if our people should find upon our borders a weak and helpless nation, who could be attacked with comparative safety, and whose form of government did not attain to our standard of perfection, it was not only the privilege but the mission of such of our people as desired to engage in the laudable undertaking, to invade her territory with fire and sword, and to bring upon her peaceful inhabitants, men, women and children, all the horrors of war; which declaration we sincerely believe to be an unjust charge against our Southern brethren, and conservative men of the North, without foundation, and such a declaration as does not become the high and responsible position of our executive.

Fifth—We protest, for the further reason that the message accuses the prominent men of the North, "who do know better," (as it alleges,) of "falsifying for a purpose," when they interpret "admiration and sympathy for the disinterestedness of purpose" of old John Brown, (as the Governor expresses it,) as excusing his acts.

Sixth—We protest, for the further reason, that the dissemination of the sentiments contained in said message, tends to kindle anew that blind fanaticism, North and South, which has already shaken the foundations of the Union, and threatens to blast the brightest hopes of every true friend of American Liberty.

As a duty we owe to our fellow citizens and ourselves, we enter this, our SOLEMN PROTEST against the resolution referred to, upon the Journals of the Senate.

JOHN F. DUNCOMBE,	D. HAMMOND,
HARVEY W. ENGLISH,	L. L. AINSWORTH,
H. H. WILLIAMS,	J. MANN,
CYRUS BUSSEY,	W. F. COOLBAUGH,
GEO. F. GREEN,	DAVID S. WILSON,
JARIUS E. NEAL,	A. O. PATTERSON,
W. E. TAYLOR,	WM. H. M. PUSEY,
NATHAN UDELL,	V. BUECHEL,
J. A. JOHNSON,	G. S. BAILEY,
G. W. Gray,	G. W. TRUMBULL.

Mr. Rankin moved to lay on the table.

Mr. Drummond rose to a point of order, that the protest should go upon the Journal without any action on the part of the Senate.

The President decided that it was competent for the Senate to determine whether the document presented was, or was not a protest.

Mr. Drummond appealed from the decision of the Chair.

The question being, shall the decision of the Chair be sustained, the yeas and nays were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Hagans, Hastings, Lewis, McPherson, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Wilson of Jefferson—17.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Drummond, Duncombe, English, Gray, Green, Hammer, Henderson, Johnson, Kent, Mann, Neal, Pusey, Pattison of Marshall, Trumbull, Taylor, Udell, Watson, Wilson of Dubuque—23.

Absent—Patterson. Excused, Williams. So the decision of the Chair was overruled.

On motion, Senate adjourned.

SENATE CHAMBER,
Thursday, February 2d, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Nash.

Journal of yesterday read and approved.

Message from the House, by Mr. Hammer, Assistant Clerk.

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

J. A. HAMMER, Assistant Clerk.

Resolved, (The House and Senate concurring,) That the Secretary of State be, and is hereby instructed to deliver to the Code Commissioners, fifty copies of their "report on Civil Practice.

On motion of Mr. Wilson of Dubuque, the resolution was concurred in.

Message from the House, by Mr. Aldrich, Chief Clerk.

MR. PRESIDENT:—I am directed to inform your honorable body, that the House has concurred in the concurrent resolution from the Senate, in relation to the delivery of documents ordered from the State Printer and Binder, for the use of this General Assembly.

CHAS. ALDRICH, Chief Clerk.

Bills from the House:

House File No. 13, "a bill for an act to amend section 12, of chapter 157, of the acts of the Seventh General Assembly." Read first and second time, and referred to Committee on Incorporations.

House Substitute for House Files Nos. 14 and 51, "a bill for an act allowing bounty on the scalps of certain animals." Read first and second time, and referred to Committee on Agriculture.

House File No. 60, "a bill for an act to pay Maj. Wm. Williams, and others, for services and supplies, Spirit Lake expedition, of 1857." Read first and second time, and referred to Committee on Claims, with Mr. Duncombe added thereto.

House File No. 98, Joint Resolution No. 1, instructing the Governor to withhold all further certificates for land from the Railroad Companies in the State, in certain contingencies." Read first and second time, and referred to Committee on Judiciary.

House File No. 28, "a bill for an act to legalize the acts of Geo. S C. Dow, as Notary Public, in Scott county, Iowa." Read first and second time, and referred to Committee on Judiciary.

House File No. 91, "a bill proposing to amend section ten of the fifth Article of the Constitution." Read first and second time, and referred to Committee on Judiciary.

House Substitute for House File No. 34, "a bill for an act to encourage the growth and cultivation of timber." Read first and second time, and referred to Committee on Ways and Means.

House File No. 92, "Joint Memorial requesting our Senators and Representatives in Congress, to secure the passage of a Homestead Law." Read twice, and referred to Committee on Federal Relations.

House Substitute for House File No. 84, "a bill for an act to prevent counties, cities and towns, from taking stock in works of internal improvement, and banking institutions." Read twice, and referred to Committee on Incorporations.

House File No. 81, "a bill for an act authorizing the District

Courts, or the Judges thereof, to change the venue in certain cases." Read twice, and referred to Committee on Judiciary.

House File No. 66, "a bill for an act to declare the Little Sioux River navigable." Read twice, and referred to a special committee, consisting of Senators Duncombe, Angle, and Davis of Polk.

House Substitute for House File No. 57, "a bill for an act to repeal part of section 6, chapter 93, of the acts of the 7th General Assembly." Read twice, and referred to special committee consisting of Senators Duncombe, Angle, and Davis of Polk.

House File No. 53, "a bill for an act making appropriations to meet the expenses of the Deaf and Dumb Asylum." Read twice, and referred to Committee on Ways and Means.

House Substitute for House File No. 6, "a bill for an act to repeal an act entitled an act to authorize Paul C. Jeffries to transcribe and index certain records of Wapello county." Read twice, and referred to special committee, consisting of Senators Johnson, Ainsworth and Anderson.

BILLS ON THIRD READING.

Senate File No. 54, a bill for an act to amend section 8, chapter 104, of Session Laws of 1853.

The yeas and nays were ordered on the passage of the bill, and were as follows:

The yeas were—Senators Anderson, Ainsworth, Angle, Bailey, Bowen, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Wilson of Dubuque, Wilson of Jefferson—42.

The nays were—None.

Excused, Mr. Williams. So the bill was passed, and the title agreed to.

Mr. Duncombe obtained leave to introduce Senate File No. 64, "a bill for an act relating to the payment of State taxes into the State Treasury." Read twice, and referred to Committee on Ways and Means.

Mr. Wilson of Jefferson, obtained leave to introduce Senate

File No. 65, an act concerning appeals of causes, from the District Court, of Jefferson county, Iowa, to the Supreme Court. Read twice, when, on motion of Mr. Wilson, of Jefferson, the 11th Rule was suspended, the bill read a third time, and put upon its passage.

The yeas and nays were ordered, and were as follows:

The yeas were—Senators Anderson, Ainsworth, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Drummond, Duncombe, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden Scott, Thompson, Trumbull, Taylor, Udell, Watson, Wilson of Dubuque and Wilson of Jefferson—36.

The nays were—None.

Excused, Mr. Williams. So the bill was passed and the title agreed to.

Mr. Sherradden obtained leave to introduce Senate File No. 66, "a bill for an act to protect freedom in the State of Iowa." Read twice and referred to Committee on Judiciary.

Mr. Pusey obtained leave to introduce Senate File No. 67, "a bill for an act to change the time of holding courts in the third Judicial District." Read twice and referred to committee of Senators from the third Judicial District, with Senators McPherson and Taylor, added.

Mr. Johnson obtained leave to introduce Senate File No. 68, a bill for an act to repeal all existing laws for the suppression of intemperance. Read twice and referred to a select committee heretofore appointed, of which Mr. Bailey was Chairman.

Mr. Hagans obtained leave to introduce Senate File No. 69, "a bill for an act creating the office of County Auditor and Register, and defining the duties of the same." Read twice, and referred to Committee on Judiciary.

Mr. Wilson of Dubuque, obtained leave to introduce Senate File No. 70, an act concerning Rail Road Companies. Read twice, and referred to Committee on Rail Roads.

PETITIONS.

Mr. Rankin presented a Memorial from the Mayor and Aldermen of the city of Keokuk, in relation to the establishment of an

Auditor's office. Referred to Committee on Township and County Organizations.

Mr. Powers presented a petition from Chambers, English, and others, of Mitchell county, asking for an act to legalize certain Rail Road Bonds of said County. Referred to special committee heretofore appointed for a similar petition.

Also, one from Charles Wordall, and others, citizens of Worth county, asking for an act to legalize certain elections held in Hartland and Northwood Townships, in said county. Referred to Committee on County Boundaries.

Mr. Duncombe presented the petition of 90 citizens of Northern Iowa, asking for relief from fraudulent taxation in new counties. Referred to Committee on Ways and Means.

Mr. Pusey presented the petition of N. T. Spoor, and others, citizens of Pottawattamie county, asking that certain portions of said county be attached to Cass county. Referred to Committee on County Boundaries.

Mr. Anderson presented the petition of John C. Atcheson, and others, citizens of Monroe county, asking for the transfer of certain lands to the North Missouri, Iowa and St. Paul Rail Road Co. Read and referred to the Committee on Rail Roads.

Mr. Buechel presented the petition of Conrad B. Vangent, of Wapello county, asking for relief. Read and referred to Committee on Claims.

Mr. Reiner, presented the petition of sundry citizens of Louisa county, asking for the vacation of the town plat of the town of Burris. Referred to the Committee on Judiciary.

NOTICES OF BILLS.

Mr. Davis of Polk, gave notice that he would on to-morrow, or some subsequent day, present a bill for an act to re-imburse the State Treasury for money advanced to State Penitentiary.

Mr. Patterson of Muscatine, gave notice that he would on to-morrow, or some subsequent day, introduce a bill providing for the election of a State Printer and Binder, by the people at the general election.

RESOLUTIONS.

Mr. Drummond, offered the following:

Resolved, That Reporters for newspapers, who are allowed desks on the floor of the Senate, be required to furnish the Secretary with a list in writing, of all newspapers for which they report or correspond. Adopted.

Mr. Taylor offered the following:

Resolved, That the Committee of Ways and Means be instructed to enquire into the expediency of providing by law, that the contract for furnishing all stationery and fuel for the use of the State, be let to the lowest responsible bidder, and that they report by bill or otherwise.

Mr. Drummond offered the following amendment: "Also to enquire into the expediency of letting out the State Government, to be run under contract by the "lowest responsible bidder."

Mr. Rankin called the yeas and nays upon the amendment, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bailey, Brown, Davis of Clinton, Drummond, Duncombe, Hagans, Hammer, Johnson, Neal, Scott, Thompson, Taylor—13.

The nays were—Senators Angle, Ainsworth, Bowen, Bussey, Buechel, Coolbaugh, Davis of Polk, English, Gray, Green, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Trumbull, Udell, Watson, Wilson of Dubuque, Wilson of Jefferson—29.

Excused, Mr. Williams. The resolution was then adopted.

Mr. Thompson offered the following resolution:

Resolved, That the Secretary of State be directed to deliver, of the report, the Geological Survey, one copy each to the Revising Commissioners and their Clerk, one copy each to the Iowa Instructor, Literary Advertiser and School Journal, and one each to such Chaplains of the Senate as have not heretofore been supplied.

Mr. Davis of Polk moved to amend by adding, "one copy each to the Libraries of the Blind Asylum, Penitentiary, and to the President of the State University, which was lost.

Mr. Wilson of Jefferson, moved that the resolution be laid on the table. Carried.

Mr. Bowen offered the following:

Resolved, That the Committee on the Judiciary, be requested to inquire whether the property of Railroads, should not be taxed

like that of other individuals, under 2d section of the 8th Article of the Constitution; if so, that said committee be requested to report a bill accordingly.

The resolution was adopted.

Mr. Bussey offered the following, which was adopted:

Resolved, That the Judiciary Committee, be instructed to enquire into the expediency of giving the Clerk of the District Court the power to issue a fee bill for the collection of costs in said Court, and report by bill or otherwise.

Mr. Mann, offered the following:

Resolved, That a committee of three be appointed for the purpose of drafting and reporting a bill, giving to the County Court limited civil and criminal jurisdiction, in addition to probate matters. Adopted.

The President appointed as said committee, Messrs. Mann, Wilson of Jefferson, and Powers.

Mr. Sherradden offered the following, which was adopted:

Resolved, That the Committee on the Judiciary, enquire into the expediency of the present system of imprisoment in County Jails, and report by bill or otherwise.

Mr. Patterson of Muscatine, offered the following:

Resolved, That the Committee on Judiciary, enquire whether the 7th Vol. of Iowa Reports complies with the law in regard to its publication.

The resolution was adopted.

REPORTS OF COMMITTEES.

Mr. Rankin, from the Judiciary Committee, reported back the report, of the Secretary of State in relation to criminal prosecutions, with a recommendation that it be printed.

Mr. Powers moved to lay on the table, and print five hundred copies.

Mr. Rankin moved to lay the report and motion to print on the table, which motion prevailed.

Mr. Thompson, from Judiciary Committee, submitted the following: "The Committee on the Judiciary to whom was referred Senate File No. 8, a bill for an act to amend chapter 147, of the acts of the 7th General Assembly, having had the same under consideration, instruct me to report the same back, with the accompanying substitute, and recommend the adoption of the substitute.

Mr. Sherradden moved to refer the substitute to the Committee on Agriculture, which motion prevailed.

Mr. Bowen, moved to instruct the committee to insert a provision, that no person shall be permitted to enter upon the enclosure of any other person, without the consent of the owner, in the pursuit of game. Lost.

Mr. Wilson of Jefferson, moved that when the Senate adjourn, it be to meet at 9 o'clock to-morrow morning, which motion prevailed.

On motion of Mr. Wilson of Jefferson, the Senate adjourned.

SENATE CHAMBER,
FRIDAY, FEB. 3, 1860—9 o'clock A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Peet.

Journal of yesterday read and approved.

REPORTS OF COMMITTEES.

Mr. Hastings, from the Committee on Engrossed Bills, reported Senate File No. 52, a bill for an act relative to the Keokuk, Fort Des Moines & Minnesota Railroad Company, also, House File No. 80, a bill for an act to punish the makers of chattel mortgages, in certain cases, correctly engrossed.

Mr. Rankin, from the Committee on Judiciary, reported back House File No. 28, a bill for an act to legalize the acts of Geo. S. C. Dow, as Notary Public, in Scott county, Iowa, and recommended its passage. Report adopted.

On motion of Mr. Rankin, the 11th Rule was suspended, the bill read a third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Duncombe, English, Green, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Mar-

shall, Powers, Rankin, Reiner, Saunders, Sherradden, Trumbull, Taylor, Udell, Wilson of Dubuque, Wilson of Jefferson—32.

The nays were—Senators Drummond and Gray—2.

Not voting, Senators Angle, Hagans, Hammer, Pusey, Scott, Thompson and Watson. Excused, Davis of Polk, and Williams. So the bill was passed. Title agreed to.

Mr. Rankin, from the same committee, reported back House File No. 81, a bill for an act authorizing the District Court, or the Judge thereof, to change the venue in criminal prosecutions, in certain cases, with the recommendation that the same be passed. Report adopted.

On motion of Mr. Rankin, the 11th Rule was suspended, the bill read a third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Trumbull, Taylor, Udell, Watson, Wilson of Dubuque, Wilson of Jefferson—39.

The nays were—Senator Drummond—1.

Not voting, Messrs. Angle and Thompson. Excused, Mr. Williams. So the bill was passed. Title agreed to.

Mr. McPherson gave notice that he would, on some subsequent day of the session, introduce a bill "to more fully carry into effect section 18, of Article 1, of the Constitution of this State."

Mr. Saunders obtained leave to introduce Senate File No. 71, a bill for an act making a further appropriation for the State Insane Asylum. Read a first and second time, and referred to the Committee on Ways and Means.

Mr. Wilson, of Dubuque, offered the following resolution:

Resolved, That the Judiciary Committee be authorized to employ a competent clerk during their examination of the new Code.

Message from the House.

Mr. President:—I am directed to inform your honorable body that the House has reconsidered the vote upon the passage of House File No. 22, and ask that the same be returned to the House.

CHAS. ALDRICH, Chief Clerk.

Mr. Powers moved to take from the table, House File No. 22, a

bill for an act regulating interest on delinquent taxes, and deliver the same to the Chief Clerk of the House.

Mr. Brown moved to lay the motion on the table. Which motion did not prevail.

The question recurring upon the motion of Mr. Powers, it was adopted.

Mr. Bowen presented the petition of Walter Terrell, a citizen of Johnson county, asking for the passage of a general law making all navigable streams a lawful fence; also, a law defining the duties, and particularly the plan, of sub-dividing sections according to the system adopted by the Commissioner of the General Land Office, in estimating the contents of said sections; and further: for the repeal of that part of section 48, chapter 152, laws of 1859, which reads, "25 per cent," and put in lieu thereof, "10 per cent."

On motion of Mr. Bowen, that portion relating to streams, was referred to the Committee on Agriculture; that portion relating to County Surveyors, to a select committee of three; and that portion to delinquent taxes, to the Committee on Ways and Means.

Mr. Saunders offered the following resolution:

Resolved, That (the House of Representatives concurring) the Senate will meet the House of Representatives in their Hall, in Joint Convention, at 9½ o'clock, A. M., of Monday, 6th inst., for the purpose of electing three Directors of the State Bank of Iowa, as provided in an act to incorporate the State Bank of Iowa, approved March 20th, 1858.

Mr. Scott moved to substitute Tuesday, the 7th inst., in place of Monday, the 6th inst. Which was not agreed to.

The question being upon the adoption of the resolution, it was adopted.

Mr. McPherson moved to take up Senate File No. 52, a bill for an act relative to the Keokuk, Fort Des Moines & Minnesota Railroad Company. Which motion was agreed to.

The bill being on its third reading, the yeas and nays were taken, with the following result:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Henderson, Johnson, Kent, Lewis, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Sher-

radden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Wilson of Dubuque, Wilson of Jefferson—37.

The nays were—None.

Not voting, Messrs. Coolbaugh, Hastings, Mann, Pusey and Saunders. Excused, Mr. Williams. So the bill was passed. Title agreed to.

On motion of Mr. Neal, the following resolution was taken from the table, and adopted:

Resolved, That the Governor be requested to submit to the Senate, the report of the Commissioners appointed to examine the accounts of the State officers, pursuant to chapter 160 of the acts of the 7th General Assembly, and an account of the expenses of said Commission, in detail; provided, that the same has not been submitted.

On motion of Mr. Scott, Senate File No. 55, a bill for an act for a general registry of voters in the State of Iowa, was made the special order for Monday next, at 10 o'clock, A. M.

On motion of Mr. McPherson, the Senate went into a Committee of the Whole on the Governor's Inaugural.

At 12 o'clock, M., the committee rose, reported progress, and asked leave to sit again to-morrow morning at 9 o'clock. Leave was granted.

Message from the House.

MR. PRESIDENT:—I herewith present for your signature, House File No. 79, "a bill for an act making appropriation for furniture and improvements in the Capitol Buildings," the same having passed both branches of the General Assembly, and been duly enrolled in the House, and signed by the Speaker.

CHARLES ALDRICH, Chief Clerk.

The following communication, in response to a resolution passed by the Senate, was read by the Secretary:

SENATE CHAMBER,
DES MOINES, IOWA, FEB. 3, 1860.

Hon. Nicholas J. Rusch,

President of the Senate of Iowa:

HON. SIR:—In compliance with the resolution of yesterday, requiring a list of papers with which correspondents or reporters may communicate, I desire it expressly understood that, upon written request made to the President *pro tem.* of the Senate, I am favored

with a seat on the floor, as editor of the "*Literary Advertiser*," a paper exclusively devoted to educational affairs and interests, but I am not, at present, a correspondent of any paper in the State.

Should I become a regular correspondent of the press of Iowa, I shall take pleasure in giving the required list to the Secretary of the Senate, as well as my *nom de plume*, although I cannot be held responsible for all that may be written over my signature, assumed by others; for, just before leaving home, I was presented with an intercepted letter addressed to JOHN BROWN, the noted chief of the Harper's Ferry affair, the same being *forged* in my name, while I never had the happiness of any epistolary or personal communication with him.

With high consideration and respect,

Your obedient servant,

SAM'L STORRS HOWE,

Of Iowa City.

On motion of Mr. Davis, of Clinton, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Duncombe, Senate adjourned.

SENATE CHAMBER,
Saturday, Feb. 4th, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Peet.

Journal of yesterday read and approved.

The Senate then went into Committee of the Whole on the Governor's Inaugural; Mr. Bowen in the Chair.

After some time, the committee arose, and reported the Inaugural back to the Senate, with the following recommendations:

That so much of the Address as relates to Schools and University, be referred to Committee on Schools and University.

That part relating to Elections and a Registry Law, to Committee on Elections.

That part relating to Invasion of Virginia, Homestead Law, Pacific Rail Road, Slavery, and Colonization, to Committee on Federal Relations.

That part relating to the State Asylums, to Committee on Charitable Institutions.

That part relating to Agricultural College, to Committee on Agriculture.

That part relating to Revenue, and a rigid Economy, to Committee on Ways and Means.

That part relating to School and University Fund, to Committee on Schools and University.

That part relating to State Penitentiary, to Committee on Public Buildings.

That part relating to a failure of crops, to Committee on Agriculture, with instructions to report a bill to prevent such failures hereafter.

On motion of Mr. Rankin, the report of the committee was adopted.

Mr. Pusey presented the remonstrance of Aaron Saber, and some 200 others, citizens of Cass county, against the passage of a law attaching four townships in Pottawattamie county, adjoining Cass county, to Cass county. Referred to the Committee on County Boundaries.

RESOLUTIONS.

Mr. Drummond offered the following resolution:

Resolved, That the Secretary and Messengers of the Senate, in the distribution of bills or reports, be authorized to furnish correspondents, reporters, and editors, allowed the privileges of the floor, copies of the same, as a means of diffusing correct information through the press.

Resolution adopted.

By Mr. Patterson, of Muscatine:

Resolved, That the Committee on Judiciary, be instructed to inquire into the expediency of repealing section 2528, chapter 136, or as much thereof as requires the payment of fees of Clerk of District Court, to be paid in advance, and also of paying Clerks

by fees, instead of salaries; also of reducing the fees of Sheriff.

The resolution was adopted.

By. Mr. Bussey:

Resolved, That the Secretary of State be required to furnish each member of the Senate with one bound copy of reports of State officers, and other reports printed for the use of the General Assembly, the same having been ordered bound by the House of Representatives.

Resolution adopted.

By Mr. Davis of Polk:

Resolved, That the Committee on Township and County Organization, be instructed to report a bill for an act allowing a certain per cent on the amount of revenue collected, as compensation for services of Treasurer of counties.

Resolution adopted.

By Mr. Powers:

Resolved, That the Committee on Township and County Organization be authorized to procure the services of the Engrossing Clerk, to transcribe their report.

Resolution adopted.

Mr. Anderson, from the Committee on Agriculture, reported back House Substitute for House File Nos. 14 and 51, a bill for an act allowing bounty upon the scalps of certain animals, without amendment, and recommended its passage.

Mr. Kent moved to amend section 1, by paying 25 cents for the scalps of gophers. Not agreed to.

Mr. Udell moved to strike out of section 1, the names of all animals except wolves. Lost.

Mr. Taylor moved to amend by inserting after the word killed, in section 2, the words, "within 20 days after the same shall have been taken;" which motion did not prevail.

Mr. Brown moved to amend section 1, by adding the following words: *Provided*, That it shall not be lawful to kill any of the animals mentioned herein, except upon a fair and impartial trial by a jury of its peers; which amendment was lost.

On motion of Mr. Duncombe, the 11th Rule was suspended, the bill read a third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Bowen,

Brown, Bussey, Coolbaugh, Davis of Polk, Duncombe, Gray, Green, Hagans, Hammer, Johnson, Kent, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Scott, Thompson, Udell, Watson, Williams, Wilson of Dubuque—29.

The nays were—Senators Ainsworth, Buechel, Davis of Clinton, Drummond, English, Hastings, Lewis, Mann, Sherradden, Trumbull, Taylor, Wilson of Jefferson—12.

Not voting—Messrs. Henderson and Rankin. So the bill passed, title agreed to.

Mr. Bussey, from the Committee on Schools and University, reported Senate File No. 72, a bill for an act authorizing School Districts, or Sub-Districts, to levy taxes for school purposes. Read a 1st and 2d time, and on motion of Mr. Powers, laid on the table, and 400 copies ordered printed.

Mr. Angle, from the Committee on Claims, reported back House File No. 60, a bill for an act to pay Major William Williams, and others, for services, and supplies, for the Spirit Lake Expedition, 1857, and recommended that the same be passed.

Mr. Scott moved to strike out the word "assignee," wherever found in the bill, which motion did not prevail.

Mr. Scott moved to amend as follows:

Provided, That no money shall be paid out of this appropriation, except upon the personal application of the parties for whose benefit the same is made, or their legally authenticated power of attorney, of date subsequent to the taking effect of this act; *Provided*, also, That any "bona fide" assignee of such claims, may, by filing his claim under the oath of such assignee, receive the amount paid by him to the original claimant, with ten per cent interest.

Message from the House.

Mr. President:—I am directed to inform your honorable body, that the House has concurred in the Joint Resolution in relation to the election of Directors, for the State Bank of Iowa, but has failed to concur in the Senate amendment to House resolution, in relation to special committee on Iowa State Penitentiary.

I also present for your signature, House File No. 39, an act providing for the payment of the pro tem. officers of both Houses of this General Assembly; the same having passed both Houses of

the General Assembly, and having been duly enrolled with the House.

CHAS. ALDRICH, Chief Clerk.

Mr. Davis of Polk, offered the following amendment to the amendment: *Provided*, That if the claim shall have been transferred for less than its amount, the difference shall be paid the assignor.

Mr. Davis of Clinton, moved to refer the bill and amendments to the Judiciary Committee, which motion was lost.

The question being upon the amendment to the amendment, it was not adopted.

The question then recurring upon the amendment offered by Mr. Scott, he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Andersen, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hastings, Kent, Lewis, Powers, Rankin, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—17.

The nays were—Senators Angle, Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, English, Gray, Green, Hagans, Hammer, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Reiner, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—23.

Not voting—Messrs. Henderson and Johnson. Excused, Mr. Duncombe. So the amendment was lost.

Mr. Ainsworth, asked leave of absence for Gr. Gray, for one week. Leave granted.

Mr. Anderson, asked leave of absence for Mr. Taylor, for one week. Leave granted.

Mr. Coolbaugh, asked leave of absence for Mr. Johnson, for four days. Leave granted.

Mr. McPherson, asked leave of absence for Mr. Anderson, for seven days. Leave granted.

Mr. Bussey moved that the 11th Rule be suspended, the bill read a third time, and put upon its final passage, which motion prevailed.

The yeas and nays were taken with the following result:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Bussey, Buechel, Coolbaugh, Davis of Polk, Drummond, English, Gray, Green, Hagans, Hammer, Hastings, Johnson,

Kent, Lewis, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Rankin Reiner, Thompson, Trumbull, Taylor, Udell. Williams, Wilson of Dubuque—31.

The nays were—Senators Brown, Davis of Clinton, Mann, Pusey. Powers, Saunders, Sherradden, Scott, Watson, Wilson of Jefferson—10.

Not voting—Mr. Henderson. Excused, Mr. Duncombe. So the bill was passed, and title agreed to.

Mr. Powers moved to adjourn, which motion did not prevail.

Mr. Bussey moved to reconsider the vote by which House File No. 60, a bill for an act to pay Major Wm. Williams, and others for services and supplies for the Spirit Lake Expedition, 1857, was passed.

Mr. Coolbaugh moved to lay the motion to reconsider on the table, on which question Mr. Johnson demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, English, Gray, Green, Hammer, Johnson, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Reiner, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—21.

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Kent, Lewis, Pattison of Marshall, Powers, Rankin, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—20.

Not voting—Mr. Henderson. Excused, Mr. Duncombe. So the motion to reconsider was laid on the table.

On motion, the Senate adjourned

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Johnson moved a call of the House, which was sustained and ordered. The following Senators were found to be absent, but not excused: Angle, Ainsworth, Bailey, Brown, Bowen, Duncombe, Hammer, Henderson, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Rankin, Reiner, Sherradden, Scott, Thompson, Wilson of Dubuque, and Wilson of Jefferson.

On motion of Mr. Powers, the Sergeant-at-arms was dispatched for the absentees.

Most of the absentees coming in, Mr. Davis of Polk, moved that

further proceedings under the call be dispensed with, which motion prevailed.

The message from the House, relating to the appointment of a committee to investigate the condition of the Penitentiary, was taken up.

The question being upon receding from the Senator's amendment to the House resolution, the motion to recede was lost.

Mr. Saunders, from the Committee on Ways and Means, reported back Senate File No. 71, a bill for an act making further appropriation for the Insane Asylum, with the recommendation that an appropriation be made without naming the amount.

Mr. Sherradden moved to make the bill the special order for Thursday of next week, at 10 o'clock, A. M.

Mr. Udell moved to make it the special order for Tuesday, the 21st inst., at 10 o'clock, A. M., which motion was lost.

Mr. Taylor moved to make it the special order for Monday, the 13th inst., at 10 o'clock, A. M., which motion was lost.

The question being upon the motion of Mr. Sherradden, Mr. Ainsworth demanded the yeas and nays, which were ordered, and were as follows:

The nays were—Senators, Anderson, Angle, Bailey, Bowen, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Hagans, Hastings, Johnson, Kent, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Williams, Wilson of Jefferson—27.

The nays were—Senators Ainsworth, Duncombe, English, Gray, Green, Hammer, Mann, Neal, Pusey, Taylor, Udell, Watson, Wilson of Dubuque—13.

Not voting, Messrs. Henderson and Lewis. Excused, Mr. Drummond. So the motion prevailed.

Communication from the Governor.

EXECUTIVE OFFICE,
February 4th, 1860.

Gentlemen of the Senate:

I have received the resolution passed by you, requesting me to submit to the Senate the report of the Commissioners appointed to examine the accounts of the State Officers, pursuant to chapter 160 of the Acts of the 7th General Assembly, and an account of

the expense of said commission in detail; *Provided*, The same has not been submitted heretofore.

Neither said report nor a copy thereof is in this office, but the same was, as I am informed, placed by my predecessor in the hands of the State Printer, in order that it might be printed for the use of the General Assembly. There are not any books or papers in this office, from which I could make out an account of the expense of said commission in detail.

Upon application to the Auditor of State, he furnished the required information, which I herewith transmit.

SAMUEL J. KIRKWOOD.

Communication from the Auditor.

AUDITOR'S OFFICE, IOWA,
February 4th, 1860.

To His Excellency, the Governor of the State of Iowa:

In reply to your inquiry of this date, I submit the following statement in detail of the expenses of the Commission to examine the accounts of the State Officers, as taken from the books of this office:

Commission to examine State Affairs.

1858. June 1,	To Thomas Seeley,	for	16⅔	days	service,	...	$ 50.00
" 11,	J. M. Griffith,	"	45	"	"	...	135.00
Aug. 17,	Thomas Seeley,	"	12½	"	"	...	37.00
" 28,	Thomas Seeley,	"	40	"	"	...	120.00
Sept. 3,	J. M. Griffith,	"	22	"	"	...	66.00
Oct. 29,	J. A. Kasson,	"	50	"	"	...	150.00
1859. Jan. 22,	J. M. Griffith,	"	15	"	"	...	45.00
Dec. 23,	J. M. Griffith,	"	15	"	"	...	45.00
Total,						...	$648.00

The foregoing are all the items of accounts for such services yet presented at this office for allowance.

Respectfully,

J. W. CATTELL, *Auditor of State.*

Mr. Davis of Clinton, obtained leave to introduce Senate File No. 73, a bill for an act giving rights to redeem property sold under special execution, issued on judgments rendered for the foreclosure of mortgages. Read a 1st and 2d time, and referred to the Committee on Ways and Means.

Mr. Hastings, from the Committee on Engrossed Bills, reported

Senate File, No. 47, a bill for an act for the collection of School and Saline Funds, and interest, correctly engrossed.

Mr. Kent, from the Committee on Ways and Means, reported back Senate File No. 61, a bill for an act to provide for the publication and distribution of the annual reports of the Iowa State Agricultural Society. On motion, the bill was laid on the table.

Mr. Angle, from the Committee on Claims, reported back the petition of George D. Wooden, and others, of Keokuk county, asking a law granting an appropriation to N. L. Witcher, for arresting a criminal, with a recommendation that the prayer be granted, and the Judiciary Committee instructed to report a bill.

On motion of Wilson of Dubuque, it was re-committed to Committee on Claims, with instructions to report by bill.

Mr. Angle, from the same committee, reported back the petition of William McHargue, with a bill, Senate File No. 74, for an act to pay the claim of William McHargue.

On motion of Mr. Angle, the 11 Rule was suspended, the bill read a third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Hagans, Hammer, Hastings, Kent, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—35.

The nays were—None.

Not voting—Messrs. Green, Henderson, Johnson, Lewis, Neal, Powers, and Watson. Excused, Mr. Drummond. So the bill passed, title agreed to.

Mr. Bailey moved to adjourn, which motion was lost.

On motion of Mr. Kent, Senate File No. 61, a bill for an act to provide for the publication and distribution of the annual reports of the State Agricultural Society, was taken up.

Mr. Davis of Polk, moved to strike from section 2, the words, Muscatine, Davenport, and Iowa City.

On motion of Mr. Hammer, Senate adjourned.

SENATE CHAMBER,
Monday February 6, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Summerbell.

Journal of Saturday read and approved.

Message from the House, by Mr. Aldrich, Chief Clerk.

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

Resolved, By the House of Representatives, (the Senate concurring,) that the Joint Convention, to convene at 9½ o'clock this day, for the purpose of electing three State Bank Directors, shall, immediately after said election, proceed to elect three Bank Commissioners, as required by section 38, of chapter 114, of the acts of the 7th General Assembly.

CHAS. ALDRICH, Chief Clerk.

On motion of Mr. Wilson of Jefferson, the message from the House just received, was taken up and concurred in.

UNFINISHED BUSINESS.

The question being upon the amendment offered by Mr. Polk, to section 2, of the amendment offered by Mr. Angle, to the bill under consideration, it was concurred in.

The question then being upon the amendment to strike out 5,000 and insert 3,000, in section 1, it was adopted.

Mr. Davis of Polk, moved to re-commit the bill to the Committee on Ways and Means, wrich motion prevailed.

Message from the House, by Messrs. Wright and Bennett, informing the Senate that the House was ready to go into Joint Convention, for the purpose of electing Bank Directors and Bank Commissioners.

The President appointed Mr. Davis of Polk, Teller of the Joint Convention, on the part of the Senate.

On motion of Mr. Wilson of Jefferson, the Senate proceeded to the Hall of the House to go into Joint Convention, for the election of three Bank Directors and three Bank Commissioners.

The Senate preceded by the President, Sergeant-at-arms, and Secretary, entered the Hall of the House after being duly announced, and took the seats assigned them.

The President of the Senate acting as President of the Joint Convention, and the Chief Clerk of the House, acting as Secretary.

The President announced the object of the meeting of the Joint Convention, to be the election of three Directors and three Commissioners for the State, and Free Banks of Iowa, for the term of two years from and after the expiration of the term of the present incumbents, and until their successors are elected and qualfied.

The Secretary was directed to call the roll, whereupon the following named gentlemen were found to be absent, viz: Messrs. Anderson, Gray, Gurley, Haskel, Hastings, Jennings, Johnson, McCullough of Jackson, Peet, Ruddick, Taylor of Wayne, Witter.

On motion, the absentees were excused.

Mr. Davis of Polk, was appointed Teller on part of the Senate.

Mr. Williamson of Warren, was appointed Teller on part of the House.

The President announced that the Joint Convention would now proceed to the election of three Directors for the State Bank of Iowa, and that nominations were in order.

Mr. Mitchel nominated E. T. Edgington, of Lucas county.

Mr. Baker nominated R. Bonson, of Dubuque county.

Mr. Merrill nominated R. G. Noble, of Clayton county.

Whereupon, the Joint Convention proceeded to vote, when it appeared that Messrs. E. T. Edgington, R. Bonson and R. G. Noble, each had a majority of all the votes cast, and were declared duly elected Directors of the State Bank of Iowa, for the term of two years, from and after the expiration of the term of their predecessors in office, and until their successors are elected and qualified.

Those gentlemen voting for Messrs. Edgington, Noble and Bonson, were:

Messrs. Angle, Ainsworth, Baker, Bailey, Barnes, Beal, Bemis, Bereman, Bennett, Blackford, Bowen, Bowdoin, Bracewell, Bremner, Brown, Bussey, Buechel, Caldwell, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Coolbaugh, Cottell, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Clinton, Davis of Jasper, Davis of Johnson, Davis of Polk, Dennison, Drummond, Duncombe, Dunlavey, Edwards, English, Ellis, Gillett, Glasgow, Gniffke, Green, Goodrell, Gue,

Hall, Hagans, Harris, Hammer, Hedges, Hoag, Hotchkiss, Henderson, Hunt, Jennings, Johnson, Jones, Kent, Kellogg, Lambert, Lewis, LeLacheur, Lynch, Macomber, Mann, Mangold, McPherson, McCullough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Neal, Parker, Paulk, Pusey, Patterson of Muscatine, Peet, Price of Lee, Pattison of Marshall, Price of Muscatine, Powers, Quinn, Reed, Rankin, Rees, Riddle, Reiner, Robinson, Rosenkrans, Robb, Sabin, Saunders, Shipman, Sherradden, Stanton, Stevens, Streeter, Thompson, Taylor of Jones, Tompkins, Trumbull, Udell, Watson, Whitaker, Williams of Mahaska, Williams of Dubuque, Williamson of Louisa, Williamson of Warren, Wilson of Dubuque, Wilson of Jefferson, Withrow, Witter, Wright.

Those voting only for Bonson, were Green and Neal. Voting for Bonson and Noble only—Hall. Absent—Gurley, Haskell, Hastings, McCullough of Jackson, Ruddick and Scott. Excused—Anderson, Gray, Johnson and Taylor of Wayne.

E. T. Edgington had	114	votes.
R. G. Noble had	116	"
Richard Bonson had	117	"

Mr. Ellis voted for J. H. Saunders,	1	vote.
" " C. Aldrich,	1	"
" " W. W. Maynard,	1	"

The President announced that the Joint Convention would now proceed to the election of three Bank Commissioners, for the Free Banks of the State of Iowa, and that nominations were in order.

Mr. Drummond nominated Thomas A. Graham, of Tama county.

Mr. Wilson of Jefferson, nominated William Bickford of Jefferson Co.

Mr. Baker nominated John W. Ellis, of Davis Co.

The Convention proceeded to vote, when it appeared that John W. Ellis and Thomas A. Graham had each 120 votes, William Bickford had 119 votes.

Jesse Sheboin had 1 vote, by Patterson of Muscatine.

Messrs. Ellis, Graham and Bickford, having received a majority of all the votes cast, were declared duly elected Commissioners of the Free Banks of Iowa, for the term of two years from and after

the expiration of the term of the present incumbents, and until their successors are elected and qualified.

Those gentlemen voting were:

Messrs. Angle, Ainsworth, Baker, Bailey, Barnes, Beal, Bereman, Bennett, Blackford, Bowen, Bowdoin, Bracewell, Bremner, Brown, Bussey, Buechel, Campbell, Clark of Johnson, Clark of Jefferson, Clark of Des Moines, Claggett, Conner, Coolbaugh, Cottell, Cowing, Crawford, Curtis, Doggett, Darling, Davis of Clinton, Davis of Jasper, Davis of Johnson, Davis of Polk, Dennison, Drummond, Duncombe, Dunlavey, English, Ellis, Gillett, Glasgow, Gniffke, Green, Goodrell, Gue, Gurley, Hall, Hagans, Haskell, Harris, Hammer, Hedges, Hoag, Hotchkiss, Henderson, Hunt, Jennings, Johnson, Jones, Kent, Kellogg, Lambert, Lewis, LeLachuer, Lynch, Macomber, Mann, Mangold, McPherson, McCollough of Jackson, McCollough of Lee, McQuinn, Millard, Mitchell, Merrill, Morehead, Moser, Noble, Neal, Parker, Paulk, Pusey, Patterson of Muscatine, Price of Lee, Pattison of Marshall, Price of Muscatine, Powers, Quinn, Reed, Rankin, Rees, Riddle, Reiner, Robinson, Rosenkrans, Robb, Ruddick, Sabin, Saunders, Shipman, Sherradden, Stanton, Stevens, Scott, Streeter, Thompson, Taylor of Jones, Taylor of Wayne, Tompkins, Udell, Watson, Whitaker, Williams of Mahaska, Williams of Dubuque, Williamson of Louisa, Williamson of Warren, Wilson of Dubuque, Wilson of Jefferson, Withrow, Witter, Wright, Mr. Speaker.

The following certificates were then signed, in presence of the Joint Convention, by the President of the Senate, the Speaker of the House of Representatives, and attested by the Tellers of the Joint Convention:

HALL OF HOUSE OF REPRESENTATIVES,
Des Moines, Feburary 6, 1860.

This will certify that, at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled, at the Capitol, on Monday, February 6th, A. D. 1860, for the purpose of electing three Bank Directors for the State Bank of Iowa, E. S. Edgington, having a majority of all the votes cast for said office, was declared duly elected Director of the State Bank of 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, the day and year first above written.

NICHOLAS J. RUSCH,
President of Joint Convention.
JOHN EDWARDS,
Speaker of the House of Representatives.

Attest: W. P. DAVIS,
Teller on part of Senate.
J. E. WILLIAMSON,
Teller on part of the House of Representatives.

HALL OF HOUSE OF REPRESENTATIVES,
Des Moines, February 6, 1860.

This will certify that, at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled, at the Capitol, on Monday, February 6th, 1860, for the purpose of electing three Directors of the State Bank of Iowa, Reuben G. Noble, having received a majority of all the votes cast for said office, was declared duly elected Director of the State Bank of Iowa, for the term of two years from and after the expiration of the term of his predecessor, and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, the day and year first above written.

NICHOLAS J. RUSCH,
President of Joint Convention.
JOHN EDWARDS,
Speaker of House of Representatives.

Attest: W. P. DAVIS,
Teller on part of the Senate.
J. E. WILLIAMSON,
Teller on part of the House of Representatives.

HALL OF HOUSE OF REPRESENTATIVES,
Des Moines, February 6, 1860.

This will certify that, at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled, at the Capitol, on Monday, February 6th, 1860, for the purpose of electing three Directors of the State Bank of Iowa, R.

Bonson, having received a majority of all the votes cast, was declared duly elected Director of the State Bank of Iowa, for the term of two years from and after the expiration of the term of his predecessor, and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, the day and year first above written.

NICHOLAS J. RUSCH,
President of Joint Convention.
JOHN EDWARDS,
Speaker of House of Representatives.

Attest: W. P. DAVIS,
Teller on part of the Senate.
J. E. WILLIAMSON,
Teller on part of the House of Representatives.

HALL OF HOUSE OF REPRESENTATIVES,
Des Moines, February 6, 1860.

This will certify that, at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled, at the Capitol, on Monday, February 6th, A. D. 1860, for the purpose of electing three Bank Commissioners, under the law authorizing General Banking in the State of Iowa, John W. Ellis, having received a majority of all the votes cast for said office, was declared duly elected one of said Commissioners, for the term of two years from and after the expiration of the term of his predecessor, and until his successor is elected and qualified.

Signed in the presence of the Joint Convention, the day and year first above written.

NICHOLAS J. RUSCH,
President of Joint Convention.
JOHN EDWARDS,
Speaker of House of Representatives.

Attest: W. P. DAVIS,
Teller on part of Senate.
J. E. WILLIAMSON,
Teller on part of House of Representatives.

HALL OF HOUSE OF REPRESENTATIVES,
Des Moines, February 6, 1860.

This will certify that, at an election by the Senate and House of

Representatives of the State of Iowa, in Joint Convention assembled, at the Capitol, on Monday, February 6th, A. D. 1860, for the purpose of electing three Bank Commissioners, under the law authorizing General Banking in the State of Iowa, Thomas A. Graham, having received a majority of all the votes cast for said office, was declared duly elected one of said Commissioners, for the term of two years from and after the expiration of the term of his predecessor, and until his successor shall be elected and qualified.

Signed in the presence of the Joint Convention, the day and year first above written.

NICHOLAS J. RUSCH,
President of Joint Convention.
JOHN EDWARDS,
Speaker of House of Representatives.

Attest: W. P. DAVIS,
Teller on part of the Senate.
J. E. WILLIAMSON,
Teller on part of House of Representatives.

HALL OF HOUSE OF REPRESENTATIVES,
Des Moines, February 6, 1860.

This will certify that, at an election by the Senate and House of Representatives of the State of Iowa, in Joint Convention assembled, at the Capitol, on Monday, February 6th, A. D. 1860, for the purpose of electing three Bank Commissioners, under the law authorizing General Banking in the State of Iowa, William Bickford, having received a majority of all the votes cast for said office, was declared duly elected one of said Commissioners, for the term of two years from and after the expiration of the term of his predecessor, and until his successor is elected and qualified.

Signed in presence of the Joint Convention, the day and year first above written.

NICHOLAS J. RUSCH,
President of the Joint Convention.
JOHN EDWARDS,
Speaker of the House of Representatives.

Attest: W. P. DAVIS,
Teller on part of the Senate.
J. E. WILLIAMSON,
Teller on part of the House of Representatives.

The President announced that the object for which the Joint Convention had met, was now accomplished; whereupon, on motion of Mr. Curtis, the Convention dissolved.

At half past ten o'clock the Senate again returned to its chamber.

Mr. Mann obtained leave to introduce Senate File No. 75, a bill for an act for the regulation of State and County roads within towns and cities.

On motion of Mr. Mann, the bill was referred to the Committee on Incorporations.

Mr. Bowen obtained leave to introduce the following resolution:

Resolved, That a committee of three be appointed to procure for each member of the Senate, the President, and each Secretary of the Senate a Pen Knife and Gold Pen, *Provided*, The same can be procured at a reasonable price, and of good quality.

Mr. Thompson moved to amend the resolution by inserting the words, "a knife for each of the other officers of the Senate." The amendment was lost.

Mr. Wilson of Dubuque, moved to lay the resolution on the table, which motion was lost.

The question being upon the resolution offered by Mr. Bowen, Mr. Drummond demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bowen, Brown, Bussey, Green, Hastings, Henderson, McPherson, Patterson of Muscatine, Pattison of Marshall, Saunders, Scott, Udell, Wilson of Dubuque—13.

The nays were—Senators Angle, Ainsworth, Bailey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Hagans, Hammer, Kent, Lewis, Mann, Neal, Pusey, Powers, Rankin, Reiner, Sherradden, Trumbull, Watson, Williams, Wilson of Jefferson—25.

Not voting—Mr. Thompson. Excused, Messrs. Anderson, Gray, Johnson, and Taylor. So the Resolution was lost.

Communication from the Secretary of the Agricultural College.

OFFICE OF SECRETARY OF STATE AGRICULTURAL COLLEGE AND FARM,
Des Moines, February 8d, 1860.

To the Honorable President of the Senate of the State of Iowa:

Herewith I lay before your honorable body, the *first annual*

report of the transactions of the office entrusted to me as Secretary of the Agricultural College of this State, for the years 1858 and 1859. The number printed for the use of both Houses, is 1,000 copies, all of which will be ready for delivery by Wednesday next.

The report required by law, in regard to the administration of the trust imposed upon the Board of Trustees of the State Agricultural College and Farm, will be presented to the Legislature in a few days, from the hands of a committee, of their number, who have been entrusted with that duty.

I have the honor to be,

Very respectfully, your ob't serv't.

WM. DUANE WILSON,

Sec'y Agricultural College.

On motion of Mr. Wilson of Jefferson, the communication and report were referred to the Committee on Agriculture.

Mr. Davis of Polk, introduced Senate File No. 76, a bill for an act making appropriations for general support of the Iowa Penitentiary, to supply deficiency in the appropriation made by the 7th General Assembly. Read the 1st and 2d time, and referred to the Committee on Ways and Means.

Mr. Coolbaugh offered the following resolution, which was adopted:

Resolved, That the Auditor of State be requested to inform the Senate whether any of the agents appointed by the Governor to examine the books, securities, &c., of the several School Fund Commissioners, according to chapter 162, of the acts of the 6th General Assembly, collected or received any moneys belonging to the School Fund, from any of the School Fund Commissioners, and if so, by what authority; and whether the said moneys, so collected, if any, have been paid over to the proper officers.

Mr. McPherson presented the petition of Louis Stracke, and 140 others, citizens of Madison county, praying for the repeal of all laws prohibiting the sale of intoxicating liquors, and the passage of a stringent license law.

On motion, the petition was referred to the special committee heretofore appointed for a like purpose, of which Mr. Bailey is Chairman.

Mr. Rankin presented the petition of 1500 Germans, citizens of Iowa, praying for the release of the sureties of Dr. Eads.

On motion of Mr. Rankin, the petition was referred to a select committee of five.

The President appointed as said committee, Messrs. Rankin, Ainsworth, McPherson, Scott and Thompson.

Mr. Ainsworth asked to be excused from serving on the committee.

The question being upon excusing Mr. Ainsworth, he was not excused.

Mr. Bussey presented the petition of D. J. McConnell, and some 50 others, citizens of Davis county, asking for the passage of an appraisement law. Referred to the Judiciary Committee.

Mr. English presented the petition of A. Leitch, and 36 others, asking for the passage of a law vacating a part of Cass Street, in the town of Sidney, and county of Fremont. Referred to the Judiciary Committee.

Mr. Powers, from a special committee, reported back Senate File No. 63, "a bill for an act for the protection of fish," with the recommendation that the bill be passed.

On motion of Mr. Scott, the bill was laid on the table.

Mr. Scott moved to take from the table the motion to re-consider the vote by which House File No. 60, "a bill for an act to pay Major William Williams, and others, for services and supplies for the Spirit Lake Expedition, 1857;" upon which motion, Mr. Ainsworth demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson —21.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, English, Green, Hammer, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Udell, Williams, Wilson of Dubuque—15.

Not voting—Messrs. Coolbaugh, Drummond. Excused, Messrs. Anderson, Duncombe, Gray, Johnson, and Taylor. So the motion prevailed.

On motion of Mr. Drummond, Senate adjourned.

2 O'CLOCK, P. M.

The President being absent, the Secretary called the Senate to order.

Mr. Scott moved a call of the Senate, which call was sustained.

The following Senators were found to be absent: Messrs. Angle, Ainsworth, Drummond, Mann, McPherson, Rankin, Saunders.

Mr. Powers moved that the Sergeant-at-Arms be sent for absentees, which motion prevailed.

Mr. Duncombe moved that further proceedings, under the call, be dispensed with. Motion lost.

Mr. Ainsworth coming in, Mr. Duncombe renewed his motion to dispense with further proceedings, under the call, which motion prevailed.

The Senate then proceeded to elect a President, pro tem.

Mr. Powers nominated Mr. Wilson of Jefferson.

Mr. Wilson of Dubuque, nominated Mr. Coolbaugh.

Those voting for Mr. Wilson of Jefferson, were:

Senators Angle, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson—21.

Those voting for Mr. Coolbaugh were:

Senators Ainsworth, Bailey, Bussey, Buechel, Duncombe, English, Green, Hammer, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—17.

Not voting—Mr. Hagans. Excused—Messrs. Anderson, Gray, Johnson and Taylor.

Mr. Wilson of Jefferson, having received a majority of all the votes cast for President, pro tem., was declared duly elected.

Mr. Coolbaugh was appointed to conduct the President, pro tem., to the chair.

The question being upon the motion to re-consider the vote by which House File No. 60, a bill for an act to pay Maj. Wm. Williams, and others, for services and supplies for the Spirit Lake Expedition, 1857, Mr. Wilson of Dubuque moved to indefinitely postpone the motion to re-consider, which motion did not prevail.

The question then being upon the re-consideration, Mr. Ains-

worth demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—20.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, English, Green, Hagans, Hammer, Mann, Neal, Pusey, Patterson of Muscatine, Rankin, Trumbull, Udell, Williams, Wilson of Dubuque—18.

Excused—Messrs. Anderson, Duncombe, Gray, Johnson, and Taylor. So the motion to reconsider prevailed.

Mr. Scott moved the commitment of the bill to a special committee of three.

Mr. Neal moved its commitment to the Committee on Claims, which motion was lost.

The question being upon the motion of Mr. Scott, it was concurred in.

The President appointed as said committee, Messrs. Scott, Coolbaugh and Thompson.

On motion of Mr. Rankin, the Senate adjourned.

SENATE CHAMBER,
Tuesday, February 7, 1860, 9 o'clock A. M.

Senate met persuant to adjournment.

Prayer by the Rev. Mr. Summerbell.

Journal of yesterday read and approved.

PETITIONS.

Mr. Green presented the petition of E. G. Potter, and 12 others, citizens of Jackson county, asking for a change in the present road laws. Referred to the Committee on Roads.

Mr. Lewis presented the remonstrance of O. H. Prizee, and 90 others, against the passage of any law conferring upon the coun-

ties the power to aid in the construction of Railroads. Referred to the Committee on Judiciary.

Mr. Drummond obtained leave to introduce Senate File No. 77, a bill for an act making appropriation for the Blind Asylum. Read 1st and 2nd time, and referred to the Committee on Ways and Means.

Messages from the House.

MR. PRESIDENT:—I am directed to inform your honorable body that the House adheres to its disagreement to the Senate's amendment of the Joint Resolution in regard to the investigation of the affairs of the Iowa State Penitentiary, and asks a committee of conference; and that Messrs. Rosenkrans, Hedges and Shipman have been appointed as such committee on the part of the House.

CHARLES ALDRICH, Chief Clerk.

MR. PRESIDENT:—I herewith present for your signature, House File No. 28, an act to legalize the acts of Geo. S. C. Dow, as Notary Public, of Scott county, Iowa; and

House File No. 81, an act authorizing the District Courts, or the Judge thereof, to change the venue in criminal prosecutions in certain cases. The same having passed both houses of the General Assembly, and been duly enrolled in the House, and signed by the Speaker.

CHAS. ALDRICH, Chief Clerk.

The Message from the House relating to the disagreement between the Senate and House of Representatives, in regard to the Investigation of the affairs of the State Penitentiary, was taken up and a committee of conference concurred in.

The President appointed as said committee, Messrs. Bailey and Wilson of Jefferson.

Mr. Neal offered the following resolution, which was adopted:

Resolved, That a special committee of three be appointed to investigate any alterations made in any act or resolution of the 7th General Assembly after the same was passed, and that said committee be authorized to send for persons and papers, and administer oaths, if necessary to a full and thorough investigation.

Mr. Hagans offered the following resolution:

Resolved, That the Committee on Ways and Means be instructed to inquire into the expediency of an entire revision of the Revenue Law, and requiring Real Estate to be sold for delinquent tax annually for the tax of the previous year, and requiring the purchaser

to foreclose the right of redemption, by suit in the District Court similar to the provisions of the Code; also, for a system of County Assessment in place of the township system.

The resolution was adopted.

The President appointed as the special committee contemplated in Mr. Neal's resolution, Messrs. Neal, Drummond and Scott.

Mr. Watson moved to reconsider the vote by which the resolution relating to the purchase of knives and pens for the members of the Senate was lost. The motion prevailed.

Mr. Henderson moved the adoption of the resolution.

Mr. Kent moved a division of the question, which motion was lost.

Mr. Ainsworth moved to amend the resolution, by adding the words, "and to each of the other officers of the Senate a knife." The amendment was concurred in.

The question being upon the passage of the resolution as amended, Mr. Rankin demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bowen, Brown, Green, Hastings, Henderson, Mann, McPherson, Patterson of Muscatine, Pattison of Marshall, Udell, Wilson of Dubuque—12.

The nays were—Senators Bailey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Hagans, Hammer, Kent, Lewis, Neal, Pusey, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Trumbull, Watson, Williams, Wilson of Jefferson—23.

Not voting—Messrs. Angle, Bussey, Drummond and Thompson. Excused, Messrs. Anderson, Gray, Johnson and Taylor. So the resolution was not adopted.

Mr. Neal moved a re-consideration of the vote just taken, which motion prevailed.

Mr. Neal moved to refer the resolution to a special committee of three, of which Mr. Bowen should be Chairman. The motion was concurred in.

The President appointed as said committee, Messrs. Bowen, Bussey and Wilson of Dubuque.

Mr. Neal offered the following:

Resolved, That the Secretary of State be requested to submit to the Senate the special report of the Auditor of State, made in response to a resolution of the Senate of the 7th Session of the Gen-

eral Assembly, directing said Auditor to report to the Senate the names of all persons employed as Clerks in the several State offices during the previous year, with the amount paid to each.

Also, the disposition of any contingent fund that he or the other State officers may have expended during said year, and the date, number, page and amount of each warrant issued between the fourth day of November, 1856, and that date specifying particularly for what each warrant was drawn," which said report the Secretary of the Senate was instructed by a resolution of the Senate to deposit in the office of said Secretary of State.

And also, to report whether said report has ever been taken from his office; if so, by whom, how long kept away, and when returned. Journal pages, 279 and 596.

Resolution was adopted.

Mr. Brown offered the following resolution:

Resolved, That from and after this day, each member of the Senate be required to purchase at his own expense, all paper, envelopes, &c., without any expense to the State; and that the Secretary of State be, and he is hereby directed not to furnish any member with the same hereafter.

Mr. Patterson of Muscatine, moved to amend by adding the words, "and furnish his own coal and heating apparatus," which amendment was adopted.

Mr. Drummond moved to lay the resolution as amended on the table, which motion was lost.

Mr. Powers moved to indefinitely postpone the resolution as amended, which motion was lost.

Mr. Drummond moved its reference to a special committee of three, whose duty it should be to report the last night of the session, which motion was concurred in.

The President appointed as such committee, Messrs. Drummond, Pusey and Neal.

On motion of Mr. Rankin, Mr. Patterson of Muscatine, was added to the committee.

Mr. Bussey offered the following resolution, which was adopted:

Resolved, That the Judiciary Committee, be instructed to inquire into the expediency of giving the County Treaurer the same power to collect the interest on the school fund, that he has to collect the delinquent taxes.

Mr. Scott, from the Committee on Incorporations, reported

House File No. 13, a bill for an act to amend section 12, of chapter 157, of the acts of the 7th General Assembly, with the recommendation that the same be passed.

Mr. Powers moved the reference of the bill to the Judiciary Committee, which motion prevailed.

Mr. Hagans, from the special committee, to which was referred Senate Files Nos. 47 and 64, bills for an act to fix the times of holding Courts in the 3d Judicial District, reported a substitute for the same, and recommended its passage. The report was concurred in.

On motion of Mr. Hagans, the 11th Rule was suspended, the bill read a third time, and put upon its final passage. The yeas and nays were as follows:

The yeas were—Senators Angle, Bowen, Brown, Bussey, Buechel, Duncombe, English, Green, Hagans, Hammer, Henderson, Kent, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Rankin, Reiner, Saunders, Sherradden, Thompson, Trumbull, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—29.

The nays were—None.

Not voting—Messrs. Ainsworth, Bailey, Coolbaugh, Davis of Polk, Davis of Clinton, Drummond, Hastings, Lewis, Powers and Scott. Excused, Messrs. Anderson, Gray, Johnson, Taylor. So the bill was passed. The title was agreed to.

Mr. Henderson, from the Committee on County Boundaries, reported back the petition of Charles Wardall, and 77 others, citizens of Worth county, praying for the legalization of the organization of the township of Hartland, and also of the subsequent election held in said township, and also in the township of Northwood, in said county, and recommended that the same be referred to the Committee on Judiciary. So referred.

Mr. Saunders, from the Committee on Ways and Means, reported back Senate File No. 57, a bill for an act for the improvement of the State Library, with the recommendation that the same be indefinitely postponed.

Mr. Powers moved a call of the House, which was sustained.

Several Senators coming in while the call was being made, Mr. Neal moved that further proceedings under the call be dispensed with, which motion was lost.

The following Senators were found to be absent, but not ex-

cused: Messrs. Brown, Buechel, Drummond, Sherradden, Scott and Watson.

On motion of Mr. Mann, further proceedings under the calls, were dispensed with.

The question being upon concurring in the committees report, Mr. Rankin demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Bailey, Bussey, Coolbaugh, Davis of Clinton, English, Green, Hammer, Hastings, Kent, Lewis, Pusey, Patterson of Muscatine, Powers, Reiner, Saunders, Sherradden, Scott, Trumbull, Williams—20.

The nays were—Senators, Ainsworth, Bowen, Brown, Davis of Polk, Duncombe, Hagans, Henderson, Mann, Mc Pherson, Neal, Pattison of Marshall, Rankin, Thompson, Udell, Watson, Wilson of Dubuque, Wilson of Jefferson—17.

Not voting—Messrs. Buechel and Drummond. Excused, Messrs. Anderson, Gray, Johnson and Taylor. So the motion to indefinitely postpone, was concurred in.

Mr. English offered the following resolution:

Resolved, That from and after this day, the Senate hold but one session per day, beginning at 9 o'clock, A. M.

Mr. Bussey moved to lay the resolution on the table, which motion was lost.

The question being on the adoption of the resolution, Mr. Coolbaugh demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bowen, Buechel, Davis of Polk, Drummond, Duncombe, English, Henderson, Mann, Mc-Pherson, Neal, Pattison of Marshall, Rankin, Scott, Thompson, Trumbull, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—20.

The nays were—Senators Bailey, Brown, Bussey, Coolbaugh, Davis of Clinton, Green, Hagans, Hastings, Kent, Lewis, Pusey, Patterson of Muscatine, Powers, Reiner, Saunders, Sherradden—16.

Not voting—Messrs. Angle, Hammer and Udell. Excused—Messrs. Anderson, Gray, Johnson and Taylor.

So the resolution was adopted.

Senate adjourned.

2 O'CLOCK, P. M.

Mr. Hammer offered the following resolution:

Resolved, That the Judiciary Committee be requested to report, immediately, on the report of the Code Commissioners, and said committee be discharged from further consideration of said report.

Mr. Rankin moved to make the resolution the special order tomorrow morning at 9 o'clock.

Mr. Drummond moved to lay the resolution on the table, which motion prevailed.

Mr. Drummond moved to re-consider the vote, by which the resolution to hold but one session per day, was passed.

Mr. Rankin moved a call of the Senate, which was sustained.

The following Senators were found to be absent, but not excused: Angle, Brown, Davis of Clinton, Duncombe, Hastings and Neal.

Mr. McPherson moved that the Sergeant-at-Arms be dispatched for the absentees, which motion was adopted.

On motion of Mr. Drummond, further proceedings under the call were dispensed with.

The question being upon the motion to re-consider, it was concurred in.

On motion of Mr. Drummond, the resolution was laid on the table.

Senate adjourned.

SENATE CHAMBER,
Wednesday, February 8, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Summerbell.

Journal of yesterday read and approved.

Mr. Bowen, from the special committee, appointed under a resolution to purchase knives and pens for the members and officers of the Senate, reported that they had found knives and pens of good quality, and at reasonable prices, and recommended their

purchase for the members and officers of the Senate. The report was concurred in.

Mr. McPherson moved that the Secretary be instructed to take substitute for Senate Files Nos. 44 and 67, bills for an act to fix the times of holding Courts in the 3d Judicial District, to the House without delay. The motion prevailed.

Mr. Bowen, from the Committee on Schools and University, made the following report, accompanied by Senate File No. 78, a bill for an act to amend an act entitled "an act for the government and regulation of the State University of Iowa," passed by the Board of Education, and approved December 24th, 1858. The bill was read the 1st and 2nd time.

Mr. Udell moved to lay on the table and print. Lost.

On motion of Mr. Mann, it was tabled.

The Committee report—That they have examined the laws in relation to the University, and find that certain amendments are necessary, in order to complete the law passed by the Board of Education, in December, 1858.

The Board of Education had, by the Constitution, no power to create corporate bodies, or make enactments for the donation of property to the University, or for the disposal and regulation of the same. The Committee, therefore, deemed it important to incorporate with the University law of the Board of Education, that portion of the law passed by the Legislature, in 1858, which creates the University a corporate body, and donates to it the public buildings in Iowa City and the lands given by Congress, and prescribes the manner in which the same shall be held and disposed of.

The Committee have retained all the main features of the law of the Board, amending it only in such particulars as were necessary for the successful management of the University.

The 3d section is proposed to be amended, by making the Governor of the State and the President of the University ex-officio members of the Board of Trustees, and by fixing, definitely, the term of service for the other members of the Board.

Since the University is the property of the State, it was thought best that the Government of the State should be represented in the Board of Trustees, and as the President is supposed to have a better knowledge of the wants and interests of the University than any one else, and also the greatest responsibility for its proper

management, it is proper that he should be allowed to participate in the direction of its affairs.

In the 9th section is incorporated a provision requiring the Trustees always to have a normal department, for the education of teachers, in the University.

The 11th section is proposed to be amended by fixing the meetings of the Board in the University buildings, at Iowa City, and also to allow them to fix the time of their annual meeting, after the meeting in June next. The reason for this amendment is, that the meeting of the Board should always be held at the term of the annual commencement of the University, and it may be necessary to change that time; but this section of the law fixes the annual meeting of the Board on the last Tuesday in June. This section is also amended by making it the duty of the President to call special meetings of the Board, at the written request or consent of three members, on the principle that the President and the members of the Board are better judges when such meetings shall be necessary, than the President of the Board of Education, who may reside at a distance from the University, and have no further knowledge of its affairs than what may be communicated to him by members of the Board. Meetings of the Board should not be frequent, for they are expensive, and no officer has so deep an interest in the economical administration of its affairs, as the President of the University.

The amendments proposed will, together with the provisions of the Board of Education, make a complete code for the University, and it is here proposed to incorporate the whole in a single law, repealing all laws inconsistent with the same.

Respectfully submitted,

JESSE BOWEN, Chairman.

Mr. Pusey, from the minority of the Committee on Township and County Organization, reported Senate File No. 79, a bill for an act establishing a County Court, and defining the duties of the County Judge, and his associates. Read first and second time, and tabled and ordered printed.

Mr. Rankin, from the Judiciary Committee, reported Senate File No. 80, a bill for an act to release to Martin McHugo, the right of the State by escheat, to a parcel of land in Henry county, Iowa. Read a first and second time, and on motion of Mr. Bussey,

the 11th Rule was suspended, the bill read a third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Angle, Ainsworth, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—37.

The nays were—Mr. Bailey—1.

Not voting—Mr. Coolbaugh. Excused—Messrs. Anderson, Gray, Johnson and Taylor. So the bill was passed. The title was agreed to.

Mr. Angle, from the Committee on Claims, reported back the petition of N. L. Witcher, with a bill for his relief—Senate File No. 81, a bill for an act authorizing the County Judge of Keokuk county to pay the claim of N. L. Witcher, with the recommendation that the same be passed. The bill was read a first and second time.

On motion of Mr. Mann, the 11th Rule was suspended, the bill read a third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Angle, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Henderson, Kent, Mann, Patterson of Muscatine, Pattison of Marshall, Reiner, Saunders, Sherradden, Williams, Wilson of Dubuque—16.

The nays were—Senators Ainsworth, Bailey, Bowen, Bussey, Buechel, English, Green, Hagans, Hammer, Hastings, Lewis, McPherson, Pusey, Powers, Rankin, Scott, Thompson, Trumbull, Udell, Watson, Wilson of Jefferson—21.

Not voting—Messrs. Brown and Neal. Excused—Messrs. Anderson, Gray, Johnson and Taylor. The bill, not receiving a constitutional majority, was lost.

Message from the House.

Mr. President:—I am directed to return Substitute for Senate File No. 32, a bill for an act to amend chapter 156 of the acts of the 7th General Assembly, entitled pre-emptions of School Lands, approved March 23d, 1858, the same having passed the House without amendment.

I also present herewith, House File No. 30, an act to legalize

the election of the President and Town Council, and other officers, of Chariton, Lucas county, and the official acts of the same, the same having passed the House.

CHARLES ALDRICH, Chief Clerk.

Mr. Rankin, from the Judiciary Committee, reported back House File No. 98, a Joint Resolution, No. 1, instructing the Governor to withhold all further certificates for land from the Railroad Companies in this State, in certain contingencies, with the recommendation of the majority of the committee, that the same be indefinitely postponed.

Mr. Wilson, of Dubuque, moved to lay the resolution and report on the table. Which motion prevailed.

Mr. Rankin, from the same committee, reported back certain petitions of William L. Toole, asking for the passage of an act repealing the act incorporating the town of Burris, and for other purposes, with the recommendation that the prayer be not granted. Report concurred in.

Mr. Rankin, from same committee, reported back Senate File No. 48, a bill for an act to amend chapter 112 of the 4th General Assembly, entitled an act allowing and regulating the stay of execution on judgment of the District and Justices Court, with the recommendation that the same be indefinitely postponed.

Mr. Mann moved to lay the bill and report on the table. Which motion prevailed.

Mr. Powers moved to reconsider the vote by which Senate File No. 57, a bill for an act for the improvement of the State Library, was lost. Upon which motion Mr. Duncombe demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bowen, Davis of Clinton, Davis of Polk, Drummond, Mann, McPherson, Neal, Pattison of Marshall, Powers, Rankin, Sherradden, Scott, Thompson, Udell, Watson, Wilson of Dubuque, Wilson of Jefferson—18.

The nays were—Senators Angle, Bailey, Brown, Bussey, Buechel, Coolbaugh, Duncombe, English, Green, Hammer, Hastings, Henderson, Kent, Lewis, Pusey, Patterson of Muscatine, Reiner, Saunders, Trumbull—19.

Not voting—Messrs. Hagans and Williams. Excused—Messrs. Anderson, Gray, Johnson and Taylor. So the motion to reconsider was lost.

Message from the House.

MR. PRESIDENT:—I herewith present Senate File No. 43, a bill for an act fixing the times of holding Courts in the Second Judicial District, the same having passed the House with sundry amendments, in which the concurrence of the Senate is asked.

J. A. HAMMER, Assistant Clerk.

Mr. Wilson, of Dubuque, from the select committee appointed to consider the propriety of making the State taxes payable in bills of the State Bank and its Branches, submitted the following, as the report of the majority of said committee:

MAJORITY REPORT.

Majority of the special committee, to whom was referred a resolution enquiring into the expediency of making the issue of branches of the State Bank of Iowa, receivable for taxes, beg leave to report against the expediency of such a measure:

The old Constitution of Iowa, which remained in force for eleven years, contained in section 1st, article 8, a direct prohibition against the creation of banking instititutions.

The present Constitution changes the above article in section 6, of article 8, as follows: "Subject to the provisions of the foregoing section, the General Assembly may also provide for the establishment of a State Bank, with branches. Section 7, of same article, requires, "that no amendments thereto, shall take effect, nor in any manner be in force until the same shall have been submitted separately to the people, at a general, or special election," &c.

SEC. 3. "That the State shall not become a stockholder in any corporation, nor shall it assume to pay the debt or liability of any corporation, unless incurred in time of war, for the benefit of the State."

SEC. 4. "No political or municipal corporation shall become a stockholder in any corporation, directly or indirectly."

Section 1, article 7, says, "the credit of the State shall not, in any manner, be given, or loaned to, or in aid of any individual, association, or corporation; and the State shall never assume, or become responsible for the debts or liabilities of any individual, association, or incorporation, unless incurred in time of war, for the benefit of the State."

The Constitution of Iowa contemplates the passage of laws by

the General Assembly, for the collection of taxes due the State. This is her only support, and when the Constitution speaks of the appropriation of money, it means gold and silver, not currency; not the issues of State Bank paper. Such is the general meaning of the term money. It has a standard, a fixed value, not liable to fluctuate nor change.

The Constitution, in section 3, article 8, cited, clearly forbids the State of Iowa from becoming a stockholder in any corporation, and prevents its becoming liable to pay the debts of such corporations. Such is the stern provision of our Constitution, we think it will be found that in those States, where the issues of the State Banks are received as payment for taxes, that the State is the largest stockholder in such institutions, and that she is really receiving that which she has endorsed, or secured, or responsible for, to a great extent. No such reason exists in Iowa. We have an express prohibition against it. In States where their Constitution permits and provides for the receiving of the issues of their State Banks for taxes, they are liable for their proportion of losses; we could not so become under ours.

The effect of a law of the General Assembly, to make the issues of the State branches receivable for taxes, would be to create a new standard, substituting paper for gold and silver, the Constitutional currency of the land. In almost one hundred counties in our State, its value would be materially enhanced. Their issue would be prized, sought for, and preserved; and the credit of the State would be given to such corporations, thus contravening the spirit of the Constitution.

Section 1, article 7, which says that "the credit of the State shall not in *any manner*, be given, or loaned to, or in aid of any individual association, or corporation," &c.; would it be a violation of the spirit of this section, for the State to say that all of the issues of the branches of the State of Iowa, should, in every county in her wide extended country, be received for taxes due, would it be received but for such law? and such paper is received by the credit of the State being pledged to receive it for taxes, making it equal to gold and silver, within her extended limits.

The language of the Constitution, in speaking of the credit of the State, shall not in any manner be given, or loaned to, or in aid of any individual association. The language of the Constitution is broad and comprehensive. The prohibition contemplates

any attempt that shall be made in *any manner*. THE CREDIT of the State shall not in any manner, be given, or loaned to a corporation.

The tendency of such a law as contemplated, would be to increase the monopoly of the State Banks. Many an individual, known to be wealthy, possessed of large landed property, issues paper that is considered entirely good, in not only his own county, but in those adjacent, why not give him the same right that you propose to give to the Bank? gold and silver is too scarce for taxes, then take his paper, also. The State is not as likely to lose any more by individuals, than they are by corporations. The property of the citizens is easily found out, and judgments are readily enforced. The property of corporations is not so readily found, and it is proverbial that corporations commit acts, and are not injured materially in reputation, that would destroy the character of a citizen. The branches of the State Bank have the power, under the present law, to permit their number to be increased until they amount to 30 in number. If they have the right to admit, they also have the right to reject. A law such as contemplated, would, in its tendency, be to shut out all applications for future branches, thus enabling the present branches to effectually monopolize the entire issues, and supply the State with sufficient to cover the whole revenue of the State. The law would also tend to diminish the rights of the citizen, and increase the power of the corporation.

This is not in accordance with the progress of the age. Individual rights are not now trampled upon to increase corporate power and wealth.

The word "credit," as applied in the Constitution, we are aware, does not technically inclose anything to which the faith of the State is not pledged. But if we pass a general law, authorizing the collectors of taxes to receive, the amount shall be good to her under all circumstances. Has she not plighted her faith by the enactment of a solemn law? Hence, although the passage of the contemplated law, would not technically infringe upon the Constitution, it contravenes its expressed spirit.

The Constitution of Iowa, in section 3, article 8, forbids the State becoming a stockholder in any corporation. For what reason? to prevent the State having any connection, as a State, with

banking institutions. She was not to be identified with them under any circumstances.

In section 1, article 7, the Constitution says, credit of the State shall not in any manner, be given or loaned to, or in aid of any individual, association or corporation. Here the term corporation is used, contemplating banking institutions, and used in contradiction with individuals and associations. The object of these provisions was clearly to prevent the State being identified with banking institutions, to keep her funds separate and apart from all corporations, and not to jeopard any of her rights, by permitting her to receive anything for taxes but what was known as money, that which had a fixed, positive known value, not liable to fluctuation, nor dependent upon any contingency.

Again, section 4, article 8, forbids any political or municipal corporation from becoming a stockholder in any banking corporation, directly or indirectly. Why, because the credit should not be coupled with the act of any corporations. Shall she present the spectacle of forbidding smaller corporations from doing what she will by this act permit?

It is contended that the State Bank law having been permitted to pass, that they by that act given to it a credit, and that the State ought therefore, in justice be required to take the money which she has indirectly created. The Constitution after defining the limits of the State as aforesaid, provides for the establishment of a State Bank as contradistinguished from Free Banks. It is treated as a system, separate and distinct from the State, and which she only gives the right to be established, and then only upon the endorsement of the people. What would have become of the law at the election where it was submitted, if contended that the State by permitting its passage, was bound to receive it for all her revenue? It is easy to tell what would have been the fact of the law. If the State is to be held responsible for the acts of the Banks, then we are to be commensurate, but such is not the fact. The State has no control over them. True we have three Directors out of four. They would be in a hopeless minority whenever any question would arise as between the State and the Bank. The interest of the Bank would always carry a majority of the directory. The State has no control whatever over the Banks; can't even regulate them by law; cannot even pass a wholesome re-

striction upon them or correct an acknowledged abuse, without submitting it to the people for their approval; should such a dangerous power be increased by throwing the right of the State in the balance. Mr. Jefferson said that "power is ever stealing from the many to the few," so the right of the many will be stolen to enrich a few, and that too, by an act passed by the representatives of the people. We further object to the proposed law, because it identifies the State with banking institutions, private corporations, the avowed object of which a pecuniary profit to the stockholders. The people share no benefit in the scheme; the State loses her right to receive her specie, and takes in lieu thereof, thepromise, the representative.

It will force gold and silver out of general use, and will create an under monopoly in favor of State Banks, to the prejudice and injury of their Free State Banks that may be created; will be equal or even possibly more monotinous, thus destroying a competion for public favor. The credit that the State gives by receiving its paper alone, and not receiving that of any other Bank, is in affect to say that the State knows that the State Bank is good—possibly others may be—but we don't recognize them, but we do the State Bank; thus creating a sentiment or public opinion in favor of that institution that may be abused to the injury of the credit of the State, and the union of the citizens. Remember, we say *may* be abused. Any injury which is not impending, but is in the future, we are apt to pass by without noticeing, so it would be with this bond. The idea that the State Bank *could* fail in any event, would not be contemplated, and it would only be when their power had increased (by the passage of such laws as this proposed, and others of a similar character,) when money which is so corrupted had lulled the people into fancied security, and they were all sleeping upon their imaginary confidence that the stock would come that would bring union in its train. The history of all corporations at their inception when they are seeking for additional power, is that they ask for nothing for themselves, but it is only for the good of the people. They are gentle and humble, but having succeeded, they then become dictators and masters. When the State Bank shall have become a powerful and rich corporation, its history will be similar to that of other and similar corporations. The main springs of human action are alike the world over. They

will then demand that their Branches shall become the depositories of the public revenue.

Encouraged by their money being taken for taxes, the transition will be an easy and natural one. They will then have control of the entire financial affairs of the State. Their bills having a State sanction, will drive specie out of its legitimate channels of trade. They will regulate the price of exchange, they will be enabled to break down the competition of the Free Banks and individual Bankers. Having a State monopoly, they would regulate the money market, by contracting or expanding their circulation, or their loans and discounts, and in this manner make money plenty or scarce among the people. The Banks could then by shutting down, and withdrawing her circulation, produce hard times; the people could not pay their taxes, County and State Treasuries would be depleted, and the State would become a humble supplicant for money to carry on the affairs of government, the creature would become greater than the creator. The Banks having control of the State, and of all the counties, would control the produce market, the value of all kinds of property within her entire limits.

No officer of our State is permitted to hold money belonging to the State one single moment, without giving bond in double the amount that he is likely ever to receive. The paper of the bank, being merely the representative of specie, the corporation would really be holding large sums of money without any bond or greater security than that which is enjoyed by every citizen. She has now a system that works well except in hard times, like the present one; she cannot loose by one that is tried and found sure; and you are asked to change it for one that is liable to great abuse and ultimate ruin to the credit of the State and her citizens. Is it worth the risk? Pause and consider well before you sanction.

The revenue of the State for the last two years has been .....Dollars. You are asked to establish a system that you cannot change for two years. If it is found to work badly we must endure it for that length of time. Suppose it had been in existence the last several years. Banks, as a general thing, are located and flourish best in commercial points, in cities and large towns, where speculation is most inflated, as our own history proves; suppose then that they had been in existence when the panic came on, what would have been our history? Different from that of other States? Not at all. If they could have existed and not gone

by the board, they would not have differed from those of other States. In the city of New York alone, the banks withdrew in less than two months, over twenty-five millions, having inflated the prices of everything by their enormous issues, at the very moment when their means were needed the worst, they withdrew them from circulation at the rate of over a million a week, and continued that for three or four months.

The present State Bank Law permits them to bank on 50 per ct. of the capital paid in. What security have the people of the State for the other 50 per cent. which has never been paid, if the State takes it for taxes.

One of the brightest laurels that bedecks the brow of the sage of the Hermitage, is his war upon the United States Bank, and his ultimate and glorious triumph over that corrupt, political monetary corporation. It had insinuated itself into all the departments of government; the most powerful advocates in the land were arrayed among its defenders, from the foundation of government down to the lowest and humblest rills of individual life, were found its apologists, advocates and supporters. The most powerful monopoly that has ever existed in our history, had become corrupt with its accumulated strength, until it could brook no perogative and submit to no denial. Such was the institution when the gallant old hero commenced his war upon it, the triumph over the money king adorns the page of history. Experience has sanctioned its defeat. The government gets along better without it than it ever did with it. What is true with regard to the U. S. Government is the same when applied to State Governments. Profit by the wholesome lessons of experience; do not increase corporate power at the expense of the rights of the State. Every addition to corporate power is made at the sacrifice of the rights of the people. In the language of our bill of rights, government is instituted for the protection, security and the benefit of the people, not to increase the rights of corporations at the sacrifice of the rights of both the State and the people, as a matter of expediency or relief it will prove utterly futile.

It is a well established law of currency, that the good and bad cannot circulate together—the bad drives out the good. The notes of the State Bank of Iowa have already measurably, driven specie from circulation in our State. Make those notes receivable for taxes, and it will be equivalent to making them a legal tender, or

equal to gold and silver, and what will be the effect? Why, State Bank of Iowa paper will soon disappear, and less valuable currency of other States will take its place, and then our tax payers will have to submit to as deep a shave, to obtain this, our own valuable paper, as they now do for specie, and it will be equally difficult to get it. Our produce will be paid for in doubtful currency, it being the cheapest. The great argument for establishing Banks of our own, was to keep out unknown paper of other States, over which we had no control. And shall we now prevent that desideratum by adopting a course that, according to the known laws of currency, can bring about no other result? Shall we flood our State with cheap and perhaps worthless paper?

Again, can the State pay her debts with the paper of the State Banks? Most certainly not—nothing but gold and silver will be received by her creditors. Then shall she consent to take, in payment of her dues, that which will not liquidate her own obligations? Shall our State ever be at the mercy of bankers and brokers? Your Committee think not, and would, therefore, recommend the indefinite postponement of the resolution.

D. S. WILSON,
NATHANIEL UDELL,
DAVID HAMMER.

On motion of Mr. Mann, the report was laid on the table.

Mr. Bussey moved to take up Senate File No. 43, a bill for an act fixing the times of holding courts in the 2d Judicial District, which motion prevailed.

Mr. Udell moved to amend section one, by reversing the times of holding courts in Appanoose and Monroe counties, which was concurred in.

Mr. Udell moved to reconsider the vote last taken, which motion prevailed.

Mr. Bussey moved that the Senate disagree to the House amendments to the bill under consideration, which motion prevailed.

Mr. Powers moved to take up Senate File No. 63, a bill for an act for the protection of fish, which was agreed to.

Mr. Mann moved to strike out the word "unnavigable," wherever it occurred in the bill. Carried.

On motion of Mr. McPherson, the bill was re-committed.

Mr. Udell moved to reconsider the vote by which the Senate

disagreed to the House amendments to Senate File No. 43, a bill for an act fixing the times of holding courts in the 2d Judicial District. The motion prevailed.

On motion of Mr. Udell, the House amendments were concurred in; the 11th Rule was suspended, the bill read a third time and put upon its final passage. The yeas and nays were as follows:

The yeas were—Senators Angle, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Green, Hagans, Hammer, Hastings, Henderson, Lewis, Kent, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—39.

The nays were—None.

Excused—Messrs. Anderson, Gray, Johnson, and Taylor.

So the bill passed. The title was agreed to.

Mr. Duncombe, from the select committee, to which was referred House File No. 66, a bill for an act to declare the Little Sioux river navigable, reported the same back, and recommended its passage.

On motion of Mr. Duncombe, the 11th Rule was suspended, the bill read a third time and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators, Ainsworth, Bowen, Bussey, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—32.

The nays were—None.

Not voting—Messrs. Angle, Bailey, Brown, Coolbaugh, Saunders, Trumbull and Watson. Excused—Anderson, Gray, Johnson and Taylor.

So the bill was passed. The title was agreed to.

Mr. Wilson of Dubuque, obtained leave to introduce Senate File No. 82, a bill for an act to amend an act to authorize the Dubuque and Pacific Railroad Company, and others, to bridge the Mississippi River at Dubuque. Read a first and second time, and referred to the Judiciary Committee.

Mr. Bussey obtained leave to introduce Senate File No. 83, a bill for an act to provide for the payment of vacating a certain grave-yard. Read a first and second time, and referred to the Judiciary Committee.

On motion of Mr. Davis of Clinton, the Senate adjourned.

---

2 O'CLOCK, P. M.

Senate called to order by the President.

Mr. Rankin moved to reconsider the vote by which the report of the special committee on purchasing knives and pens for the members and officers of the Senate, was passed.

Mr. Watson moved a call of the House, which was sustained.

The following Senators were found to be absent, and not excused: Messrs. Bailey, Bowen, Davis of Clinton, Drummond, Kent, Neal, Saunders, Sherradden, Scott, Thompson, Wilson of Dubuque, and Wilson of Jefferson.

On motion of Mr. Watson, the Sergeant-at-Arms was sent for the absentees.

Several Senators coming in, Mr. Watson moved to suspend further proceedings under the call. Which motion prevailed.

Mr. Brown moved to lay the motion to reconsider on the table. Upon which question, Mr. Rankin demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bowen, Brown, Buechel, Coolbaugh, Davis of Polk, Duncombe, Green, Hammer, Henderson, Lewis, Mann, McPherson, Patterson of Muscatine, Pattison of Marshall, Thompson, Udell, Watson—17.

The nays were—Senators Ainsworth, Drummond, English, Hagans, Hastings, Pusey, Powers, Rankin, Reiner, Saunders, Sherradden, Trumbull, Williams—13.

Not voting—Messrs. Bailey, Davis of Clinton, Kent, Neal, Scott, Wilson of Dubuque, and Wilson of Jefferson. Excused—Messrs. Anderson, Bussey, Gray, Johnson and Taylor. So the motion to reconsider was laid on the table.

Mr. Powers moved that the Senate adjourn, which motion was lost.

The President laid before the Senate the following communication:

OFFICE OF SECRETARY OF STATE,
DES MOINES, Feb. 7, 1860.

HON. NICHOLAS J. RUSCH,
President of the Senate:

SIR:—In reply to a resolution of the Senate, requesting me to submit the Special Report of the Auditor of State, made to the 7th Session of the General Assembly, and which the Secretary of the Senate was instructed to file in my office, I will state that said report has been submitted, and is now in the possession of the House of Representatives, in compliance with a resolution of that body.

ELIJAH SELLS, Sec'y of State.

Mr. Drummond offered the following resolution:

Resolved, (The Senate and House concurring,) That if the city authorities of Des Moines will have the Plank Sidewalk on Court Avenue continued to the Capitol building, this Assembly will provide in the general appropriation bills for the cost of the same: *Provided*, Said walk be completed as above, within ten days from the adoption by both Houses, of this resolution.

On motion of Mr. Rankin, Senate adjourned.

SENATE CHAMBER,
Thursday, February 9, 1860, 9 o'clock A. M.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Waring.

Journal of yesterday read and approved.

UNFINISHED BUSINESS.

The question being upon the resolution offered by Mr. Drummond, relative to a plank walk, Mr. Neal moved to amend the resolution as follows: "That a special committee of three be appointed to ascertain if suitable rooms can be obtained for this session of the General Assembly in Des Moines City."

Mr. Bowen moved to lay the resolution and amendment on the table, upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bailey, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, English, Green, Hagans, Hastings, Lewis, Powers, Rankin, Reiner, Sherradden, Scott, Udell, Watson, Williams, Wilson of Jefferson—21.

The nays were—Senators Angle, Ainsworth, Coolbaugh, Drummond, Duncombe, Hammer, Henderson, Kent, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Saunders, Thompson, Trumbull, Wilson of Dubuque—18.

Excused—Messrs. Anderson, Gray, Johnson, and Taylor. So the motion to lay on the table prevailed.

Message from the House.

Mr. President:—I am directed to inform your honorable body that the House has ordered 2000 copies of the address of Dr. Totten, to be printed for the use of the House.

I am also directed to return Senate File No. 52, "an act relative to the Keokuk, Fort Des Moines and Minnesota Railroad." The same having passed the House without amendment.

CHAS. ALDRICH, Chief Clerk.

Mr. Brown obtained leave to introduce the following resolution:

Resolved, That the Committee on Schools and Universities be instructed to report to the Senate a bill providing for the full examination of the management of the School Fund by the Commissioners of the several counties in this State. Also, to inquire into the propriety of depositing said funds in the State Treasury, when collected.

Mr. Mann called for a division of the question, which was granted.

The question being upon the first part thereof, it was adopted.

The question then recurring upon instructing the Committee on Schools and University to inquire into the propriety of depositing said funds in the State Treasury, when collected.

Message from the House.

Mr. President:—I herewith present for your signature, substitute for House Files No. 14 and 51, an act allowing bounty on the scalps of certain animals." The same having passed both Houses

of this General Assembly, and duly enrolled in the House and signed by the Speaker.

CHARLES ALDRICH, Chief Clerk.

Mr. Drummond offered the following amendment to the resolution under consideration: "for investment by the proper State officer, in United States or other interest paying securities."

Mr. Bowen moved to lay the resolution and amendment on the table, and make it the special order for Saturday next; which motion prevailed.

On motion of Mr. Coolbaugh, Senate took a recess of 30 minutes.

10 O'CLOCK, A. M.

The special order of this hour, the consideration of Senate File No. 71, a bill for an act making a further appropriation for the State Insane Asylum, was taken up.

Mr. Saunders moved to fill the blank in the sixth line of section 1, with the words, "one hundred thousand dollars.

Pending the discussion of which, on motion of Mr. Bussey, the Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Williams, Mr. Coolbaugh had leave of absence for one week.

Senate File No. 71, a bill for an act making a further appropriation for the State Insane Asylum, was under consideration. Pending which, on motion of Mr. Duncombe, Senate adjourned.

SENATE CHAMBER,
FRIDAY, FEB. 10, 1860—9 o'clock A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Waring.

Journal of yesterday read and approved.

Mr. Sherradden made the following report: "The Committee on Enrolled Bills have examined the following bills, and find them correctly enrolled:

Substitute for Senate File No. 32, a bill for an act to amend chapter 156, of the 7th General Assembly, entitled Pre-emptors of School Lands.

Also, Senate File No. 52, an act relating to the Keokuk, Fort Des Moines and Minnesota R. R. Co.

Also, Senate File No. 43, an act fixing the time of holding Courts in the 2d Judicial District.

O. P. SHERRADDEN, Ch'm.

Mr. Bowen had leave to introduce the following resolution, which was adopted:

Resolved, That the Judiciary Committee be requested to inquire whether it is not competent for the legislature to pass a law constituting Courts to determine whether exhorbitant assessment and taxes may not be reduced in view of the assessment made, and taxes levied by some of the recently organized counties of this State.

Mr. Bowen, from the Committee on Schools and University, had leave to make the following report, accompanied by Senate File No. 84, a bill for an act making further appropriation for the University, which was read the 1st and 2d time:

REPORT.

The committee on Schools and State University, to whom was referred the report of the Trustees of the State University, respectfully report: That they have examined the same, and find it in accordance with the law. From this report and other sources of information, the committee learn that the State University, with the exception of the Normal Department, has been closed since the summer of 1858. The reasons assigned for the closing of the State University by the Trustees then in office, were, first, the pecuniary embarrasment of the country, rendering it difficult to collect the interest on the funds,—and second, the want of suitable buildings for lecture rooms and students' apartments, in consequence of which, the citizens of the State generally, could not avail themselves of the advantages of the University. There were

complaints that it was conducted at an expense of many thousands of dollars per annum, for the sole benefit of Iowa City. That students from abroad could not procure board and suitable rooms for study unless at a great expense, and that the Institution which belonged to the people, was no better than a High School for a single city.

To remove these causes of complaints by providing proper accommodations for students from abroad, an application was made to the General Assembly for the means to repair and fit up the State House which had been given to the University, and also for erecting on the grounds a building called a Boarding Hall, and intended mostly for students' rooms.

A grant of $13,000 was made for these purposes, and $3,000 for repairs, and $10,000 for the erection of a Boarding Hall.

The appropriation proved to be inadequate. More extensive repairs on the State House were required than were anticipated, and the plan adopted for the Boarding House was too large and extensive to be completed with $10,000.

Five thousand were borrowed from the interest fund, to finish the enclosing and roofing of this building, in order to protect it from the weather, and preserve the work already done. It still remains in an unfinished state, and requires a further expenditure to make it of any use to the University, while the State House needs further repairs and alterations.

Under these circumstances the Trustees apply for an appropriation of $20,000; 5,000 to replace the money borrowed from the interest fund; $10,000 for the completion of the new building, and 5,000 for repairs and alterations in the State House, and for the purchase of necessary apparatus.

Believing that the University is of the first importance to the educational interests of the State, and that it should be re-opened at the earliest possible day, your committee would, under ordinary circumstances, cheerfully recommend that the appropriation asked for be made. But such is the straitened condition of our finances, and the pecuniary embarrassment of the people of the State, oppressed with debt and taxes, that they are constrained to recommend the smallest possible appropriation that will put the Institution in a condition to be opened next autumn.

Your committee are of the opinion that, with strict economy, the old State House may be fitted up, and a portion of the new build-

ing, sufficient to answer the purposes of the University for a year or two to come, can be finished at a cost of $10,000.

Your committee would also respectfully represent that, unless this appropriation is made, the University must remain closed until another General Assembly, two years hence, shall make the appropriation, and after that, until the building and repairs can be completed, so that nearly three years must elapse, before the people of the State can reap any advantage from the University. The law restrains the Trustees from applying the income of the University Fund to building purposes, and they are compelled to look to the General Assembly for the means to enable them to execute the trust committed to them.

But while your committee earnestly recommend an appropriation of $10,000 for the relief of the University, they cannot pass over the action of the Trustees in office, when the last appropriation was expended, without notice. The law was explicit; $10,000 were to be expended in the erection and completion of a Boarding Hall. The Trustees laid the foundation of a building which takes more than twice that sum to finish, and whether this was done designedly, or carelessly, it was a breach of the law. That the building was such as the University needed, that when finished it will not be too large for the purpose intended; that it is thus far built in the most substantial manner, and that the money was faithfully expended for the benefit of the University, are freely granted, but all this does not justify a departure from an express law.

But, however much your committee disapprove of the action of the Board of Trustees of 1858, they see no reason why, on this account, the General Assembly should withhold the means necessary to put the University into operation.

The Trustees were not the party for whose benefit the grant was made. They were but the agents of the State, appointed to execute a trust for the benefit of the people of the State. They have relinquished that trust, and a new Board has been appointed in their place. It is our duty to act for the good of the University, and through it, for the benefit of the people of the State, and to make such provision that our young men may be educated, and well educated, upon our own soil, and not be compelled, for three years longer, to resort to the literary institutions of other States, in order to complete their education.

Your committee would further state that, while they have entire

confidence in the present Board of Trustees, they have nevertheless incorporated in the bill which they beg leave to report, a provision which, in their opinion, will effectually prevent the misapplication of the appropriation which they recommend, and also save the University the delay and expense of a special meeting of the Board of Trustees.

J. BOWEN, Chairman.

On motion of Mr. Bowen, the bill was referred to the Committee on Ways and Means. The report was adopted, and 400 copies ordered printed.

Mr. Wilson, of Jefferson, had leave to make the following report:

MR. PRESIDENT:—The Committee of Conference, appointed by the Senate to confer with the Committee on the part of the House, respecting the disagreement between the two Houses on the Joint Resolution, for the appointment of a Joint Committee to investigate the affairs of the Iowa Penitentiary, *Report*—That, upon a free conference being had, the Committee agreed to recommend the House to concur in the Senate amendment to said resolution.

J. F. WILSON,
G. S. BAILEY.

On motion of Mr. Wilson, of Jefferson, the special order of this A. M., was postponed until Friday, the 17th inst.

Mr. Bowen introduced Senate File No. 85, a bill for an act to enable the Board of Trustees of the State University to purchase the so called 'Mechanics' Academy. Read the first and second time, and on motion of Mr. Bailey, referred to the Committee on Ways and Means.

Mr. Petterson, of Muscatine, had leave to offer the following resolution:

Resolved, That a committee of three be appointed, (the House concurring,) one from the Senate and two from the House, to confer with the City Council of Des Moines, and if they can give good and satisfactory security, the Treasurer of State is hereby authorized to loan them, for two years, with ten per cent. interest, an amount, out of the State Treasury, sufficient to build a side-walk from the end of the side-walk now finished, on Court Avenue, to Fifth street, thence north up to Walnut street, thence east to the Capitol building.

The question being upon the adoption of the resolution, Mr.

Bowen demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Ainsworth, Bussey, Buechel, Davis of Polk, Duncombe, Henderson, Pusey, Patterson of Muscatine, Saunders, Trumbull—11.

The nays were—Senators Bailey, Bowen, Brown, Davis of Clinton, English, Green, Hagans, Hastings, Kent, Lewis, Rankin, Reiner, Sherradden, Scott, Udell, Watson, Williams, Wilson of Jefferson—18.

Not voting—Messrs. Drummond, Hammer, Mann, McPherson, Neal, Pattison of Marshall, Powers, Thompson and Wilson of Dubuque. Excused—Messrs. Anderson, Coolbaugh, Gray, Johnson, Taylor. So the resolution was lost.

Mr. Pusey introduced Senate File No. 86, a bill for an act prohibiting county officers from dealing in the indebtedness of their respective counties. Read the first and second time, and referred to the Judiciary Committee.

Mr. Lewis introduced Senate File No. 87, a bill for an act to amend section 24, of chapter 158, of the acts of the 7th General Assembly. Read the first and second time, and referred to the Committee on Schools and University.

Mr. Thompson obtained leave to introduce Senate File No. 88, a bill for an act to regulate the foreclosure of deeds of trust and mortgages, with power of sale, on real estate. Read the first and second time, and referred to the Judiciary Committee.

Mr. Williams had leave to introduce Senate File No. 89, a bill for an act to repeal chapter 101, of the 7th General Assembly. Read the first and second time, and referred to the Committee on Agriculture.

Mr. Pusey had leave to introduce Senate File No. 90, a bill for an act relating to the transcripts of Justices' Dockets. Read the first and second time, and referred to the Judiciary Committee.

Mr. Kent had leave to introduce Senate File No. 91, a bill for an act providing for fencing railroads. Read the first and second time, and referred to the Committee on Railroads.

Mr. Pusey had leave to introduce Senate File No. 92, a bill for an act relating to the returns of Sheriffs, and other officers, in the Courts of this State. Read twice, and referred to the Judiciary Committee.

Mr. Ainsworth introduced Senate File No. 93, a bill for an act

to legalize the acts of David C. Sperry, of Fayette county, Iowa, as Notary Public. Read the 1st and 2d time, and referred to the Judiciary Committee.

Mr. Davis of Clinton, presented the minority report of the special committee appointed to consider the propriety of making the bills of the State Bank and its branches, receivable for taxes.

The report was read, and on motion of Mr. Udell, laid on the table.

The undersigned, a minority of the select committee to whom was referred the resolution instructing the Committee on Ways and Means, to report a bill making the notes of circulation of the branches of the State Bank of Iowa, receivable for revenue, have had the subject under consideration, and being unable to reconcile the views entertained by them, with those of the majority of said committee, beg leave to report:

That we have not deemed it within the scope of our duties to enquire into the propriety of establishing banks of issue in our State; that policy, as we conceive, having been settled by action heretofore had. The wishes of the people, in that regard, were clearly indicated when they discarded an organic law which expressly prohibited the formation of corporations within the State, clothed with authority to issue bills intended as a circulating medium, and adopted one, which, as expressly confers upon the General Assembly the authority to charter institutions possessing that power; such charters or acts of incorporation, being subject to approval or rejection, by the people. In the exercise of the powers thus conferred by the Constitution, the General Assembly, at its session held in 1858, passed an enactment creating the State Bank of Iowa, with branches. Also an act establishing a general banking system. In compliance with the provisions of the Constitution, those acts were referred to the qualified electors of the State, for their rejection or approval; and after a full canvass of the policy, and the merits of the acts, they received the endorsement of a very large majority of the people, as indicated by the ballots cast at the election held for that purpose, and thus become laws upon our statute books. This action of the General Assembly, and the people, settled the policy of the State in that regard.

The institutions organized under the law for establishing the State Bank of Iowa, with branches, the undersigned believe to be entitled to the fullest confidence, not only on account of the pro-

visions of that law, but also on account of the prudence and ability displayed in the management of their affairs. We are not advised that any companies have, as yet, been formed, with a view of operating under the general banking law; yet, the securities required, and the guards provided for the security of the billholder against loss, we consider ample to inspire confidence in any currency which may originate from that source.

It was evidently the intention of those favoring the establishment of banks of issue, to thereby furnish a circulating medium to be used by the people as money. It would be difficult to assign any other adequate reason for their creation. If, then, such was the intention, we maintain that in order to effect that object, it is necessary that their notes of circulation should, as far as practicable, be made available for all purposes for which coin may be used. There is no one object for which the people are so universally called upon to apply money, as that of paying the annual assessment made to meet the governmental expenses. That is an obligation resting upon all who live under, and are protected by the laws of our State; and to deny them the privilege of discharging that obligation with the currency furnished them by the authority of the State, we think unwise, and calculated to defeat, to some extent, the object had in view, by creating banks. Such policy, it is believed, would subject them to unnecessary burdens, and inconvenience. We are advised that coin has been and is selling in different localities of the State, at from two to five per cent premium, payable in bank paper. When gold and silver alone is received for taxes, and the holder of bank notes thus compelled to change them for coin, he is subject to the payment of that additional amount in order to liquidate the State's demand. Such a burden we consider onerous, and uncalled for. It may be said that holders of notes may draw from the banks, specie, without incurring expense, but when it is recollected how few, comparatively, reside in proximity to those institutions, that position will appear more plausible than practical.

We believe it to be inconsistent and impolitic for the State to authorize the creation of a circulating medium, which she is unwilling to receive in payment of her dues. It certainly was not the object in establishing banks of issue, to furnish a currency to be received by the people in their individual capacity, while the

same currency is rejected by them in their collective capacity, as a State. Nor can we believe that greater evil would result in case of depreciation of that currency, (which we think not likely to take place,) if it should be found in the coffers of the State, than there would if it was in the pockets of the people. It is equally the property of the people, whether it be in possession of the State or her citizens; and in either case, on them, would the loss fall.

We believe if the State should adopt the policy of receiving the notes of her authorized banks in payment of revenue, that they would thereby be enabled to discount more freely with safety, and thus extend accomodations to our people, very much called for at this time.

The undersigned see no conflict in the law contemplated in the resolution and sec. 1, article 7, of the Constitution of Iowa, which says, "The credit of the State shall not in any manner be given or loaned to, or in aid of any individual association or corporation," &c. It is true, such a law would extend to the people the privilege of discharging an obligation they owe to the State in a manner less burdensome than as now provided for. But in what particular the credit of the State would thereby be loaned to them, is not so apparent. The State undoubtedly has the right, as the party to whom the obligation is due, to determine upon what condition she will cancel that obligation. The collectors of revenue, acting as agents of the State, represent her in that capacity; and surely it will not be contended that investing them with authority to receive Bank Notes in payment of taxes, involves the principle of loaning to them the credit of the State, in the sense contemplated by the Constitution.

It would be difficult to comprehend in what manner the credit of the State would be loaned to the Banks. If, as has been said, Bank Notes would appreciate in value in consequence of the passage of the contemplated act, is it to be inferred therefore, that the State has in fact or spirit loaned her credit to the institutions which issued them? We scarcely know how to treat such a proposition seriously. If such an interpretation of the Consitution was admissible, then there would be an end to the enactment of all laws of a salutary tendency; for it will be observed that individuals and corporations are classed together, and lie under the same ban. A

law to locate a charitable institution, might, and would have a tendency to enhance the value of property in that immediate vicinity, and the possessor of that property might acquire additional credit thereby; but would any sane man contend that such additional credit had been loaned him by the State, in violation of the Constitution? If no law may be passed which will give additional credit to individuals or corporations, then must we cease to legislate with a view to promote the wealth of our citizens; for who does not know that with increased wealth comes increased credit, pecuniarily? If any there are who seriously entertain views of the import of the Constitution so extravagant as we have indicated, it would be well for them to pause and reflect upon the position we would be placed in, if that interpretation should be received as the correct one.

Sec. 3, art. 8, of the Constitution reads, "The State shall not become a stockholder in any corporation, nor shall it assume or pay the debt or liability of any corporation," &c. We are free to confess we see no conflict between the foregoing provision of the Constitution and the law contemplated. How receiving Bank Notes for taxes, can be construed to signify subscribing stock in a corporation or paying its debts, is entirely beyond our comprehension. It certainly requires an exuberant imagination to clothe such an act with such consequences.

We are equally at a loss to know in what manner the contemplated law would conflict with sec 4, article 8, of the Constitution, which says, "No political or municipial corporation shall become a stockholder in any banking corporation, directly or indirectly. It would certainly be a very extraordinary position to assume, that, whereas, bank notes are received in payment of revenue, consequently thereby, political or municipal corporations are compelled, permitted or encouraged to become stockholders in banking institutions. It requires more logical minds than ours, to arrive at such a conclusion.

Being wholly unable to trace the connection which the exploits of the Hero of New Orleans have with the matter under consideration, consequently we do not deem it incumbent upon us, on this occasion, to recount his glorious achievements in detail.

This is not a subject involving the question of conferring additional powers upon corporations. It clearly contemplates nothing of the kind. Neither is it commended as a measure for the benefit

of banking institutions. It may, and may not prove advantageous to them—as to that we are entirely indifferent. We do not hold that laws should be enacted to promote their interest alone; nor do we think a measure tending to promote the common weal should be condemned because incidentally some slight advantage might accrue to them. The interest of the tax payers has a right to demand a special regard at the hands of the State. In the language of our own bill of rights "government is instituted for the protection, security and the *benefit of the people*," and for the purpose of securing the latter object, this measure is commended to our favorable consideration.

It is said "the State has no control whatever over the Banks, can't even regulate them by law, cannot even pass a wholesome restriction without submitting it to the people for their approval;" and it is asked 'should such a dangerous power be increased?' we cannot see what there is in such a provision objectionable. Certainly we are not to be told in this age and country that the people are incapable of judging of what is right in the premises. Yet such is the import of the objection. If there is an abuse of power we hold the people are fully competent, and possessed of virtue and patriotism sufficient to even render them willing and ready to endorse any legislation necessary to correct that abuse.

We deem it inexpedient to discriminate in favor of the issues of one class of banks, and against another class authorized by the State. The holder of the notes of either should have the privilege of using them in liquidating his tax debt to the State, as both systems are believed to be perfectly sound and reliable.

After a mature investigation of the subject referred to the committee, we have arrived at the following conclusions:

1st—There is no constitutional impediment to the enactment of a law making notes of banks authorized by the State, receivable for revenue.

2d—There is no reasonable probability of the finances of the State suffering thereby.

3—The interest of the tax payers of the State would be materially promoted by the measure.

We therefore report the accompanying bill for "an act authorizing the payment of State and county revenue in notes of circu-

lation of banks authorized by the State," and recommend its passage.

All of which is respectfully submitted.

JOHN SCOTT.
GEO. M. DAVIS.

Mr. Williams presented the petition of Wm. Scott, Jr., and a hundred others, citizens of Mahaska county, praying for the repeal of all laws prohibiting the sale of intoxicating liquors, and the enacting of a judicious license law, in their stead, which was read, and referred to the special liquor committee, one of which Dr. Bailey is Chairman.

Mr. Angle presented the petition of William M. Stewart, and fifty others, citizens of Linn county, praying for the restoration of the prohibitory law passed in 1854–5, and that the same may be so amended as to make its violation a felony instead of a misdemeanor. Read, and referred to the same committee.

Mr. Drummond offered the following resolution, which was adopted:

Resolved, That fifty copies of their printed report be allowed the Commissioners of the Blind Asylum, for distribution in this and other States.

Mr. Pusey laid before the Senate a communication from D. E. Brainard, County Judge of Harrison county, praying for the passage of a law relieving certain pre-emptors of School Lands in said county. Read, and referred to the Committee on Judiciary.

Mr. Angle presented the petition of Dennis P. Greeley, a citizen of Iowa, praying for the passage of a law providing for the payment of certain claims of the said Greeley, for selecting swamp lands in the counties of Clay, Buena Vista and Pocahontas. Read, and referred to the Committee on Claims.

On motion of Mr. Lewis, Senate adjourned.

AFTERNOON, 2 O'CLOCK.

Senate met pursuant to adjournment.

Mr. Wilson, of Dubuque, from Committee on Judiciary, reported back Senate File No. 82, a bill to amend an act entitled an act to authorize the Dubuque & Pacific Railroad Company, and others,

to bridge the Mississippi River at Dubuque, and recommended its passage.

On motion of Mr. Wilson, of Dubuque, the 11th Rule was suspended, and the bill read a third time, and put upon its passage.

The yeas were—Senators Angle, Bailey, Brown, Bussey, Buechel, Davis of Polk, Duncombe, English, Green, Hagans, Hammer, Henderson, Kent, Lewis, Mann, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Trumbull, Udell, Watson, Williams, Wilson of Dubuque—29.

The nays were—Senators Davis of Clinton, Saunders, Wilson of Jefferson—3.

Absent and not excused—Messrs. Ainsworth, Bowen, Drummond, McPherson and Thompson. Excused—Messrs. Anderson, Coolbaugh, Gray, Johnson and Taylor. So the bill was passed, and the title agreed to.

Mr. Rankin, from Judiciary Committee, reported back the petition of Charles Wordall, and others, in relation to the election of certain officers in Worth county, recommending that the prayer be not granted.

Oon motion of Mr. Powers, the report was laid on the table.

The following communications were then read:

Communication from Secretary of State.

OFFICE OF SECRETARY OF STATE,
DES MOINES, Feb. 9, 1860.

Hon. N. J. Rusch, President of Senate:

SIR:—Having been informed by the Sec'y of the Senate, that my communication of the 7th inst., in response to a resolution of your body asking for information in relation to a certain report made to the Senate by the Auditor of State, at the session of the 7th General Assembly, giving the items charged to miscellaneous disbursements was not sufficiently explicit, and did not answer the closing interrogatory which is as follows: "and also to report whether said report has ever been taken from his office, if so, by whom, how long kept away, and when returned."

I have the honor to state that said report referred to, was handed to me by the Auditor of State, on the 2d day of March, 1859. Since that time said report has remained in my office, until in answer to a resolution of the House of Representatives at the pres-

ent session, it was delivered to that body and is now in its possession.

ELIJAH SELLS, Secretary of State.

OFFICE OF SECRETARY OF STATE OF IOWA,
DES MOINES, Feb. 9th, 1860.

Hon. N. J. Rusch, President of Senate:

SIR:—In reply to a resolution of the Senate, which is as follows:

Resolved, That the Secretary of State be required to furnish to the Senate a report of the amount of land certified by the Governor to the Secretary of Interior, according to the act of Congress and of the Legislature of this State granting the same, and the time when furnished to the following roads:

The Burlington and Missouri R. R., Mississippi and Missouri R. R., Dubuque and Pacific R. R., and Iowa Central Air Line R. R.

I have the honor to inform your honorable body, that there is no information in my office in relation to the lands certified by the Governor, for the benefit of the Rail Roads mentioned in the foregoing resolution.

ELIJAH SELLS, Secretary of State.

On motion of Mr. Patterson, of Muscatine, the communication was referred to Committee on Rail Roads, with instructions to seek further information upon the subject from the Governor, also to inquire what amount of taxes has been paid by said rail road companies in this State, or by persons holding stock in said roads, upon such stock.

OFFICE OF SECRETARY OF STATE,
DES MOINES, Feb. 9th 1860.

Hon. N. J. Rusch, President of Senate:

SIR:—In reply to a resolution of the Senate, which is as follows:

Resolved, That the Secretary of State be requested to inform the Senate, whether the various rail road companies intended to be benefitted by an act of the General Assembly, approved July 14th, 1856, have accepted the provisions of said act as required by the 13th section of said act, also whether said companies have made their annual reports to said Secretary's office, as required by the 13th section of said act, and whether the Secretary has in his possession any official information that said companies had completed

75 miles on or before the 1st of December last, of their respective roads.

I have the honor to inform your honorable body, that the Railroads intended to be benefitted by act of the General Assembly, approved July 14th, 1856, have each filed in this office a paper purporting to be an acceptance of the provisions of said act, bearing dates as follows:

Dubuque & Pacific Railroad Co., July 22d, 1856.
Iowa Central Air Line Railroad Co., Sept. 2d, 1856.
Mississippi & Missouri River Railroad Co., July 24th, 1856.
Burlington & " " " " Sept. 6th, 1856.
Keokuk, Ft. Des Moines & Minnesota R. R. Co., May 20, 1858.

The Annual Reports have been regularly made, except by the Keokuk, Ft. Des Moines & Minnesota R. R. Co., and the Burlington & Missouri R. R. Co., for the year 1859.

I have no official knowledge that either of said Companies had seventy-five miles of road completed on or before the 1st of December last.

ELIJAH SELLS, Sec'y of State.

Referred to Committee on Railroads.

Communication from the Auditor of State.

AUDITOR'S OFFICE,
DES MOINES, IOWA, Feb. 10th, 1860.

To the Honorable Senate of the State of Iowa:

In response to the resolution of your honorable body, as follows:

Resolved, That the Auditor of State be requested to inform the Senate whether any of the agents of the Governor, to examine the books, sureties, &c., of the several School Fund Commissioners, according to chapter 162, of the acts of the 6th General Assembly, collected or received any monies belonging to the School Fund from any of the School Fund Commissioners, and if so, by what authority, and whether said moneys so collected, if any, have been paid over to the proper officer, I have the honor to submit the following report:

"There is no evidence, within my knowledge, in this office showing that any of the agents so appointed, received any moneys belonging to the School Fund of this State from any of the School Fund Commissioners. The settlement sheets in this office by virtue of chapter 158, of the acts of the 7th General Assembly, do

not show any money belonging to said fund, paid to such agents.

It appears from the books and receipts in this office, that J. M. Beck, Esq., paid into the State Treasury the following sums of money to the credit of the persons named, being an account of principal and interest respectively, of moneys loaned by James D. Eads, as part of the School Fund of the State, to wit:

1857. July 17,	for C. B. Waite, Principal,		$1000.00
" " "	" " Interest		97.25
" " "	F. M. Hostleton, "		50.00
" " "	J. M. Anderson, "		30.22
" " "	A. Stodard, "		7.00
" " "	L. J. Swart, "		180.00
" " "	Boyles, Stemple & Boyles		45.57
" " "	A. T. Walling		46.12
" " "	J. M. Griffith		421.50
	Total		$1877.66
1858. Jan. 2,	Sylvester, Harrison and Bro., Interest		44.25
" " "	H. White, "		50.00
	H. F. King,		50.00
	Total		$2021.91

The authority for collecting or receiving said money, is supposed to be given by the 2d section of said chapter 162, and the appointment of the Governor as agent, under said act.

The only evidence in this office, of amounts so received, is the receipts and book entries thereon, showing the same paid into the State Treasury.

The reports of the several agents were in accordance with the law, as I am informed, made to the Governor.

Respectfully submitted,

J. W. CATTELL, Auditor of State.

On motion, the communication was laid on the table.

BILLS ON THIRD READING.

Senate File No. 47, "a bill for an act for the collection of School and Saline Funds, and interest."

The yeas and nays were ordered on the passage of the bill, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, English, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Saunders, Sherradden, Trumbull, Udell, Watson, Williams, Wilson of Dubuque—28.

The nays were—None.

Absent and not excused—Senators Angle, Drummond, Duncombe, Pattison of Marshall, Powers, Rankin, Reiner, Scott, Thompson, Wilson of Jefferson. Excused—Messrs. Anderson, Coolbaugh, Gray, Johnson and Taylor. So the bill passed, and the title agreed to.

House File No. 80, "a bill for an act to punish the makers of chattel mortgages, in certain cases," was taken up and considered.

On motion of Mr. Duncombe, the bill was committed to a special committee of three.

The President appointed as said committee, Messrs. Duncombe, McPherson and Thompson.

Mr. Davis of Clinton, offered the following resolution :

Resolved, That the Judiciary Committee be instructed to report back to this body Senate Flle No. 2.

Mr. Mann moved that the resolution be laid on the table. Adopted.

On motion of Mr. Rankin, Senate adjourned.

SENATE CHAMBER,
Saturday, Feb. 11th, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Bussey.

Journal of yesterday read and approved.

SPECIAL ORDER.

The special order of this hour, being the consideration of a resolution offered by Mr. Brown, and an amendment to the same, offered by Mr. Drummond, relating to the disposal of the School

Funds of the several counties in the State, Mr. Bowen moved to defer the matter, and make it the special order for Monday next, at 9 o'clock, A. M., which motion prevailed.

PETITIONS.

Mr. Duncombe presented the remonstrance of William Williams, and 190 others, citizens of Webster county, against the Legislature requiring the School Fund to be paid into the State Treasury, as recommended in the Governor's Inaugural, and moved its reference to the Committee on Schools and University. It was so referred.

Mr. Rankin presented the petition of R. H. Hardy, and 6 others, citizens of Iowa, praying for the passage of a law prohibiting the Ground Hog from coming out of his hole at all, or at least, until such time as his appearance can have no influence on the weather, or that a law be passed excluding Ground Hogs from the State. On motion of Mr. Bussey, the petition was referred to the Committee on Federal Relations.

Mr. Wilson, of Dubuque, moved that Mr. Patterson, of Muscatine, be added to that committee for that purpose. The motion was concurred in.

Mr. Kent presented the petition of Joel Bean, and 230 others, citizens of Cedar county, praying for the abolition of the death penalty. Mr. Drummond moved to refer the petition to a select committee of three, with instructions to report a bill in accordance with the prayer of the petitioners; upon which question, Mr. Kent demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bowen, Brown, Hagans, Hastings, Henderson, Kent, McPherson, Pattison of Marshall, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Williams, Wilson of Jefferson—16.

The nays were—Senators Angle, Bailey, Bussey, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Green, Hammer, Lewis, Mann, Neal, Pusey, Patterson of Muscatine, Powers, Rankin, Trumbull, Udell, Wilson of Dubuque—21.

Not voting—Mr. Ainsworth. Excused—Messrs. Anderson, Coolbaugh, Gray, Johnson and Taylor. So the motion to refer with instruction was lost.

On motion of Mr. Rankin, the petition was laid on the table.

Mr. Angle gave notice that he would, on to-morrow, or some subsequent day of the session, introduce a bill exempting from taxation the farms of Manual Labor Colleges and Schools, to the amount of 640 acres of land.

Mr. Neal offered the following resolution, which was adopted:

Resolved, That the State Printer be directed to inform the Senate why the report of the Commissioners appointed by the Governor to examine the accounts of the State Officers, has not been printed, and at what time said report will be printed for the use of the General Assembly.

Mr. Thompson offered the following resolution, which was adopted:

Resolved, By the Senate, (the House concurring,) That when the usual number of copies of any bill are ordered printed by either branch of the General Assembly, they shall be delivered to the Post-Master, who shall apportion the same equally among, and deliver to all the members of the General Assembly.

Message from the House.

MR. PRESIDENT:—I herewith present to your honorable body, Substitute for Senate Files Nos. 44 and 67, "a bill for an act to fix the term of Court in the Third Judicial District," the same having passed the House with some amendments, in which the concurrence of the Senate is asked.

CHARLES ALDRICH, Chief Clerk.

Mr. Bussey offered the following resolution, which was adopted:

Resolved, (The House concurring,) That a Joint Committee, consisting of three on the part of the Senate, and four on the part of the House, be appointed to investigate the affairs of the Insane Asylum, and that they have power to send for persons and papers, and administer oaths, if necessary, to a full investigation of the affairs of said Asylum; and that A. O. Patterson be Chairman of said committee.

The President appointed as said committee on the part of the Senate, Messrs. Patterson, McPherson and Udell.

On motion of Mr. Powers, the petition of Charles Wordall, and others, citizens of Worth county, was taken from the table, and referred to a special committee of three.

The President appointed as said committee, Messrs. Powers, Mann and Brown.

Mr. McPherson moved that when the Senate adjourn, it adjourn until Monday morning, at 9 o'clock, which was concurred in.

Mr. Duncombe, from the special committee appointed to consider House File No. 57, a bill for an act to repeal part of the 6th section of chapter 93, of the acts of the 7th General Assembly, reported the same back, and recommended its passage.

Mr. Davis, of Polk, moved that the bill be laid on the table. Which motion prevailed.

On motion of Mr. Scott, leave of absence for one week, was granted Mr. Neal.

On motion of Mr. Watson, leave of absence for three days, was granted Mr. Scott.

Mr. Rankin, from the Judiciary Committee, reported back Senate File No. 92, a bill for an act relating to the return of Sheriffs, and other officers, in the Courts of this State, with the recommendation that the same be indefinitely posponed. Which, on motion, was concurred in.

Mr. Rankin, from the same committee, reported back S. F. No. 90, a bill for an act relating to the Transcripts of Justices Dockets in this State, and recommended that the same be indefinitely postponed. Which was agreed to.

Mr. Duncombe, from the special committee to which was referred House File No. 80, a bill for an act to punish the makers of chattel mortgages, in certain cases, reported the same back with one amendment, and reccommended that the same be passed. Bill considered, and on motion of Mr. Udell, the bill was re-committed

Mr. McPherson, from the Judiciary Committee, reported back Senate File No. 83, a bill for an act to provide for the payment of vacating a certain grave-yard, accompanied by the following report:

The Judiciary Committee, to which was referred Senate File No. 83, have had the same under consideration, and have instructed me to report the same back, with the recommendation that it do not pass.

Your committee examined all the laws upon the subject mentioned in the bill, and they are of opinion that the County Judge of Davis county, now has the power and authority to draw a warrant on the Co. Treasurer of said county, for an amount sufficient to pay for vacating said grave-yard, and therefore no further legislation is necessary.

M. L. McPHERSON.

The report was concurred in.

Mr. Davis, of Polk, offered the following resolution, and moved that it be made the special order for Tuesday, the 14th inst., at 10 o'clock, A. M., which was agreed to:

Resolved, That the Judiciary Committee be instructed to report an act in the new Code, providing for the appraisement of property sold on execution.

On motion of Mr. Udell, Senate adjourned.

SENATE CHAMBER,
Monday, Feb. 13, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Bird.

Journal of Saturday read and approved.

Mr. Patterson of Muscatine, from the Joint Committee appointed to investigate the affairs of the Insane Asylum, reported, that in the opinion of the committee, the object to be attained could be best secured by a visit by the committee to the Asylum, and recommended that the Senate give the committee such power.

Message from the House.

MR. PRESIDENT:—I am directed to inform your honorable body, that the House has concurred in the Joint Resolution respecting a committeee to investigate the affairs of the Insane Asylum, and has appointed Messrs. Merrill, Taylor, Bemis and Hall, as such committee, on the part of the House.

I also present for your signature, House File No. 66, an act to declare the Little Sioux River navigable, the same having passed both Houses of the General Assembly, and been duly enrolled in the House.

CHAS. ALDRICH, Chief Clerk.

Mr. Drummond offered the following resolution:

Resolved, By the Senate (the House courring,) That the special committee on the Insane Asylum, be required to send a delegation, consisting of the Chairman, on the part of the Senate, and the

Chairman on the part of the House, if they deem it necessary to a full and fair investigation, to visit said Asylum, and that they report to this body the amount which, in their opinion, will be necessary to finish the building, and the amount necessary to finish one half of it for the reception of patients; and that they be authorized to employ an architect to aid them in their investigations, if they deem it necessary.

Mr. Davis of Polk, offered the following as a substitute to the resolution of Mr. Drummond:

Resolved, By the Senate (the House of Representatives concurring,) That the special committee appointed to investigate the affairs of the State Insane Asylum, be authorized to vist the building, and that full powers be granted them to make a full investigation of all facts connected with its construction, and that they report not only the present condition of the building, but also the amount necessary, in their opinion, to complete the whole building, and also the amount necessary to complete a part of the same, so as to be able to receive patients.

On motion of Mr. Patterson of Muscatine, the resolution and substitute were laid on the table.

SPECIAL ORDER.

The special order for 9 o'clock this morning, being the consideration of the resolution and amendment relating to the disposal of the School Funds of the several counties in the State.

Mr. Bowen offered the following as a substitute for the amendment and last clause of the resolution:

"Also to inquire into the propriety of submitting the question to a vote of the people of the respective counties in which School Funds are invested, whether they will assume in their corporate capacity, an indebtedness of said investment, and pay 8 per cent interest per annum thereon:"

"And to inquire, whether, in case any county refusing so to do, that said School Fund, when it falls due, should not be collected and deposited in the State Treasury for re-investment in county bonds, and distributed to such counties as may desire to borrow said funds; and whether, hereafter, when the State receives any of the 5 per cent fund, it should be loaned to the counties in their corporate capacity, instead of distributing it among the counties, as now authorized by law."

Mr. Hagans moved to amend the substitute as follows: "Also that they inquire into the expediency of an amendment to the Constitution, so as to distribute the fund arising from the sale of section 16, to the counties where the same originally was sold, to the effect that the interest arising from the same shall be distributed annually to the several townships in said county, for the support of the system of common schools therein, as originally intended by the government."

The amendment was not adopted.

The question being on the substitute offered by Mr. Bowen, Mr. Thompson moved a call of the House, which was sustained, and ordered. The following members were found to be absent, but not excused: Messrs. Angle, Brown, Drummond, Hammer, Kent, Gray and Taylor.

Mr. Bowen moved to suspend further proceedings under the call, which motion prevailed.

Mr. Watson moved to amend the substitute by striking out "8 per cent," and insert "10 per cent," which motion did not prevail.

The question recurring upon the adoption of the substitute offered by Mr. Bowen, he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Bowen, Brown, Davis of Clinton, Duncombe, Hagans, Hastings, Kent, Mann, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Thompson, Trumbull, Watson, Wilson of Jefferson—19.

The nays were—Senators Anderson, Ainsworth, Bailey, Bussey, Buechel, Davis of Polk, Drummond, English, Green, Hammer, Johnson, Lewis, Pusey, Pattterson of Muscatine, Sherradden, Udell, Williams—17.

Not voting—Messrs. Gray and Taylor. Excused—Messrs. Coolbaugh, Henderson, Neal, Scott and Wilson of Dubuque. So the substitute was adopted.

Mr. Rankin offered the following resolution, which was adopted:

Resolved, That the Judiciary Committee be authorized to have printed for the members of the General Assembly, such amendments to the Code, as they may conclude to propose for adoption.

Mr. Powers, from the majority of the Committee on Township and County Organization, reported Senate File No. 95, a substitute for Senate Files Nos. 45 and 46, a bill for an act creating a County

Board of Supervisors, defining their duties, and the duties of certain County Officers; accompanied with the following report:

MR. PRESIDENT:—Your committee to whom the different Memorials, Petitions and Bills relating to the re-organization and change of county government was referred, by a majority of their number, report:

That having examined the matters touching the same, find that in their opinion, the present system is not adapted to or consistent with the genius of our institutions, tending as it does to centralize rather than diffuse political power.

Admitting as we do, that the County Judge system possesses an efficiency far above any other, we cannot concede that it places power where it will always secure the rights of the people by whom it is delegated.

As a financial agent, the County Judge is placed beyond the immediate reach of the people, and the very efficiency with which he wields his power, makes it the more dangerous. Secure in his own councils, he may prepare the way, and in an unexpected moment, strike a blow that will paralize and cripple the energies of a county for years.

Believing that all political power is inherent in the people, and should only be delegated by them, when an act is to be done that cannot be performed in their individual capacity, and when so delegated, should be provided with checks and balances, and retained as near as possible, we are led to conclude that the power of the County Judge is a dangerous one, and so far as it pertains to the finances of a county, should be taken from him, and vested in agents more immediately from the body of the people.

Even if the finances could safely be intrusted to one man, we should find potent reasons for objecting to the existing system. Possessed as is the County Judge of Probate Jurisdiction, by following the course of human events, all the property of the State passes through his court as often as once in thirty years. The present inefficiency in protecting the estates of decedents alone, would be sufficient to warrant a change.

Chosen, as is now the County Judge, for his financial abilty rather than any attainment that would entitle him to the position as a Judge of Probate, this becomes a secondary matter, and in many instances, is entirely lost sight of. Your committee would

in view of these facts, recommend the passage of the accompanying bill as a substitute for Senate Files Nos. 45 and 46.

J. H. POWERS,
J. J. WATSON,
G. W. GRAY,

On motion of Mr. Drummond, the bill was laid on the table and ordered printed.

On motion of Mr. McPherson, substitute for Senate Files Nos. 44 and 67 a bill for an act fixing the times of holding courts in the 3rd Judicial District, was taken up, and the House amendments concurred in.

The question being upon the passage of the bill as amended, the yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Green, Hagans, Hammer, Johnson, Kent, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Thompson, Trumbull, Udell, Watson, Williams, Wilson of Jefferson—34.

The nays were—None.

Not voting—Messrs. Bailey, Gray, Hastings and Taylor. Excused—Messrs. Coolbaugh, Henderson, Neal, Scott, Wilson of Dubuque. So the bill was passed, and title agreed to.

On motion of Mr. Angle, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. McPherson had leave to introduce Senate File No. 94, a bill for an act to fix the times of holding courts in the 5th Judicial District, Iowa. Read 1st and 2nd time, and on motion of Mr. McPherson, the 11th Rule was suspended, the bill read a third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Green, Hagans, Hammer, Hastings, Johnson, Kent, Mann, McPherson, Pusey, Patterson of Mus-

catine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Trumbull, Udell, Watson, Williams, Wilson of Jefferson—34.

The nays were—None.

Absent and not excused—Messrs. Gray, Lewis, Thompson and Taylor. Excused—Messrs. Coolbaugh, Henderson, Neal, Scott, and Wilson of Dubuque. So the bill passed, and the title was agreed to.

On motion of Mr. McPherson, the Secretary was directed to take the bill as passed to the House without delay.

Mr. Wilson, of Jefferson, offered the following resolution, which was adopted.

Resolved, That the Committee on Rail Roads be instructed to inquire whether the railroad companies running grants of land under the provisions of chapter 1, of the acts of the extra session of the General Assembly in 1856, have complied with the conditions embraced in said chapter, and if said companies have not so complied, to enquire wherein they have failed to comply, and report the results of said inqairies to the Senate at as early a day as practicable; and further enquire and report whether it is expedient for the State to resume said grants in each and every case of failure on the part of said companies to comply with said condition.

Mr. Duncombe moved to take from the table, substitute for House File No. 57, a bill for an act to repeal part of section 6 chapter 93 of the acts of the 7th General Assembly. Which motion prevailed.

On motion of Mr. Duncombe, the 11th Rule was suspended, the bill read a third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators, Angle, Ainsworth, Bailey, Brown, Bussey, Buechel, Davis of Clinton, Drummond, Duncombe, English, Green, Hagans, Hammer, Hastings, Johnson, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Watson, Williams—26.

The nays were—Senators, Anderson, Bowen, Davis of Polk, Kent, Saunders, Trumbull—6.

Absent and not excused—Messrs. Gray, Thompson, Udell, Taylor, and Wilson of Jefferson. Excused—Messrs. Coolbaugh, Hen-

derson, Neal, Scott, and Wilson of Dubuque. So the bill was passed, and the title agreed to.

Message from the House.

MR. PRESIDENT:—I am directed to inform your honorable body that the House has concurred in the resolution of the Senate, in relation to the distribution of bills equally, to the members of both Houses, by the Post Master of the General Assembly.

CHAS. ALDRICH, Chief Clerk.

Mr. Rankin, from the majority of the Judiciary Committee, substituted the following report.

TO THE SENATE.

The undersigned, a majority of the Judiciary Committee, beg leave to reply to the resolution on the subject of the 7th Volume of Clarke's Reports, as follows:

The law defining the duty of the Reporter, is found in section 5, of the laws of 1855, on page 245. Each volume of Reports must contain 650 pages, including the necessary table of cases, indexes, &c., including blank leaves, the title page, &c. The 7th volume is a compliance with the law as to the number of prges according to published rules.

It is further provided that each volume shall contain marginal notes. The 7th does not contain marginal notes. The previous volumes were also without such notes, but they were received and paid for by the State. In this respect there is a want of conformity to the law unless the Reporter is justified in the omission by the receipt of former volumes, and the precedent thereby established.

The volume contain 114 pages of index; this is unusually large, but not a violation of the law. The majority suggest that while the 7th volume conforms to the law, except as to marginal notes, and by precedent they were not required, the law should be so amended as to avoid the objections to which the 7th volume is justly obnoxious.

J. W. RANKIN, Chairman.
M. L. McPHERSON,
JNO. W. THOMPSON,
JAMES. F. WILSON,
L. L. AINSWORTH.

Mr. Rankin, on the part of Mr. Wilson of Dubuque, submitted the following minority report, from said committee.

"I most respectfully differ with the report of the majority of the Judiciary Committee. The enquiry referred, is whether Vol. 7, Iowa Reports complies with the laws.

It clearly does not. It is not a compliance with either the spirit or letter of the law, but is a gross violation thereof on page 245, section 5, of the laws of 1855; you will find that each volume (of the Reports) shall contain at least 650 pages, including the necessary table of cases, indexes, &c. Said Vol. contains 639 pages of printed matter as numbered therein, in addition to which you are compelled to make an addition of two pages errata, and eight pages for title and index, which still makes but 649. It is claimed that the Reporter is entitled to by the custom of publishers, custom cannot be cited when we have an express law. Suppose he would present a book with 30 or 40 blank pages, could that be sanctioned by custom? Most clearly not. The law referred to further says that "each cause reported shall contain marginal notes" of the same. This has not been complied with, nor has the Reporter attempted to do so, or ever noticed its requirements in any manner. It is claimed that because the law has been violated, therefore, we should continue to do so. I shall only state this argument, it carries its own reputation.

The law makers deemed marginal notes necessary. They are appended to the Reports of all of the different States. Therefore, a neglect to comply with the law in this respect, must have been done knowingly and designed; shall such a precedent of law breaking be sanctioned? As to whether the volume "fails to meet the expectation and wants of the profession" or not, we suggest that the question is whether it complied with the law or not.

The Law requires that each Vol. of Iowa Reports shall contain an index. I beg leave to (with pleasure) state that the law has been fully complied with in this respect. There are 114 pages of index in the 7th Vol. Iowa Reports, out of 650 pages. One fifth of the entire volume is thus taken up. This index is nothing in the world but a copy of the syllabus which heads each case. This certainly is not a compliance with the law, and a practice that cannot be too strongly condemned. The Reporter has clearly advantage of the law, and done it for the express purpose that he might multiply volumes, and enable him to speculate in violation of both the spirit and letter of the law.

I am therefore, not in favor of the Governor issuing his warrant

for purchasing 400 volumes of the Seventh Volume Iowa Reports.

DAVID S. WILSON.

On motion of Mr. Udell, both reports were laid on the table.

Mr. Powers offered the following resolution:

Resolved, That in the opinion of the Senate, the requirements of the law have not been complied with, and that the Governor will not be warranted in paying for the 7th Vol. of Clarke's Reports, under the existing law.

On motion of Mr. Duncombe, the resolution was indefinitely postponed.

Mr. Rankin, from the Judiciary Committee, reported back without recommendation, House File No. 13, a bill for an act to amend section 12, of the acts of the 7th General Assembly.

Mr. Hammer moved that the bill be laid on the table, and made the special order for Wednesday, the 15th inst., which motion prevailed.

On motion of Mr. Johnson, Senate adjourned.

SENATE CHAMBER,
Tuesday, February 14, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Bird.

Journal of yesterday read and approved.

Mr. Udell called from the table, the majority and minority reports, relating to the 7th volume of Clarke's Reports, and moved their indfinite postponement, which was concurred in.

PETITIONS.

Mr. Bowen presented the petition of N. H. White, and 50 others, citizens of Iowa City, praying for the repeal of the amendments to the prohibitory liquor law of this State. Read and referred to the committe heretofore appointed for a like purpose, of which Mr. Bailey is Chairman.

Mr. Hastings presented a similar petition from Libbie Chandler,

and 29 others, citizens of Independence, Iowa. Read and referred to same committee.

Mr. Pusey presented the petition of David Dunkle, and 103 others, citizens of Pottawattamie county, praying for the passage of a law repealing the present County Judge system, and the establishment, in its sead, of the County Commissioner system. Read and referred to the Committee on County and Township Organization.

Mr. Duncombe presented the petition of C. J. Walstrom, and some 25 others, citizens of Webster county, praying for the repeal of the present hog law system. Read, and on motion of Mr. Duncembe, laid on the table.

Mr. Duncombe presented the remonstrance of James S. Clark, and 48 others, citizens of Webster county, against any legislation on the subject of the School Funds, as recommended in the Governor's Inaugural. Read and referred to the Committee on Schools and University.

Mr. Davis, of Clinton, had leave to introduce Senate File No. 96, a bill for an act to amend an act entitled a bill to prevent trespass or waste, on the swamp or other lands, in the State of Iowa, and for other purposes; approved January 25th, 1855. Read a first and second time.

Mr. Davis, of Clinton, moved to suspend the 11th Rule, have the bill read a third time and put upon its passage, which motion prevailed.

Mr. Bowen moved to refer the bill to the Committee on Public Lands, which was concurred in.

Mr. Udell, from the special committee, to which was referred substitute for Senate File No. 14, a bill for an act authorizing the County Judge and County Treasurer to sell the Saline Lands, reported the same back, with a substitute for section 3, and recommended that the bill, when so amended, be passed. On motion, the bill was ordered to be engrossed for its third reading on tomorrow.

Mr. Sherradden, from the Committee on Enrolled Bills, reported substitute for Senate File Nos. 44 and 67, a bill for an act to fix the times of holding courts in the third Judicial District, correctly enrolled.

Mr. Reiner, from the Committee on Commerce, reported back Senate File No. 11, a bill for an act to amend chapter 92, of the

acts of 1858, with the recommendation that the same be indefinitely postponed. On motion of Mr. Rankin, the bill was laid on the table.

Mr. Pattison, of Marshall, from the Committee on Agriculture, reported a substitute for Senate File No. 89, a bill for an act to repeal chapter 101, of the acts of the 7th General Assembly, and recommended that the same be passed. On motion, the substitute was adopted.

Mr. Johnson moved to amend section 2, as follows:

This act shall take effect from and after its publication in the Weekly Iowa State Register, and Weekly Iowa State Journal. Which amendment was concurred in.

Message from the House, by Mr. Aldrich, Chief Clerk.

MR. PRESIDENT:—I am directed to present to your honorable body, House File No. 100, an act to amend section 530 of the Code, the same having passed the House, and in which the concurrence of the Senate is asked.

CHAS. ALDRICH, Chief Clerk.

Mr. Anderson moved to lay the bill and amendments on the table; upon which question, Mr. Johnson demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Ainsworth, Bowen, Brown, Davis of Clinton, Davis of Polk, Hagans, Kent, Mann, McPherson, Powers, Rankin, Saunders, Sherradden, Watson, Wilson of Jefferson—16.

The nays were—Senators Angle, Bailey, Bussey, Buechel, Drummond, Duncombe, English, Green, Hastings, Johnson, Pusey, Patterson of Muscatine, Pattison of Marshall, Reiner, Thompson, Trumbull, Udell, Williams—18.

Absent and not excused—Messrs. Gray, Lewis, and Wilson of Dubuque. Excused—Messrs. Coolbaugh, Hammer, Henderson, Neal, Scott and Taylor. So the motion to lay on the table was lost.

Mr. Johnston's amendment was concurred in.

Mr. Udell moved to re-commit the bill with instructions so to amend it as to leave the question of taking stock, to a vote of the electors of the several counties. Which motion prevailed.

The President laid before the Senate, a communication from the State Printer, as follows:

CITIZEN OFFICE, Feb. 11th, 1860.

Hon. N. J. Rusch, President of Senate:

In reply to the inquiries propounded in the resolution this day received from the Secretary of the Senate, I would state that the report of the Commissioners appointed to examine the accounts of the State officers, was not received until the work of the session was thronging upon our hands. This work we felt bound to attend to first. It is now about completed, and this morning the report of the Commissioners was given. I have not examined it closely, but think that it will not occupy more than a week in the printing.

Very Respectfully Yours,

J. TEESDALE, State Printer.

Mr. Brown moved to reconsider the vote by which House File No. 57, a bill for an act to repeal a part of Section 6, chapter 93, of the acts of the 7th General Assembly, was passed.

Mr. Johnson moved to lay the motion to reconsider on the table. Which motion did not prevail.

The question being upon the motion to reconsider, Mr. Duncombe demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Hagans, Kent, Mann, McPherson, Patterson of Muscatine, Rankin, Reiner, Saunders, Sherradden, Thompson, Trumbull, Wilson of Jefferson—17.

The nays were—Angle, Ainsworth, Bailey, Bussey, Buechel, Drummond, Duncombe, English, Green, Johnson, Pusey, Pattison of Marshall, Powers, Udell, Watson, Williams—16.

Absent and not excused—Messrs. Hastings, Neal, Scott, Wilson of Dubuque. Excused—Messrs. Coolbaugh, Hammer, Henderson, Lewis and Taylor. So the motion to reconsider prevailed.

Mr. Davis of Polk, moved to refer the bill to a special committee of three, with instructions to report on Thursday next, which was agreed to. The President appointed as said committee, Messrs. Davis of Polk, Duncombe and Pusey.

SPECIAL ORDER.

The special order for 10 o'clock this morning, the consideration of a resolution offered by Mr. Davis of Polk, relating to the appraisement of property, was now taken up.

Mr. Wilson of Jefferson moved to insert the word "real," before the word "property," upon which motion, Mr. Kent demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bowen, Bussey, Buechel, Duncombe, English, Pusey, Powers, Saunders, Thompson, Trumbull, Williams, Wilson of Jefferson—13.

The nays were—Senators Anderson, Angle, Bailey, Brown, Davis of Clinton, Davis of Polk, Drummond, Green, Hagans, Hastings, Johnson, Kent, Mann, McPherson, Patterson of Muscatine, Pattison of Marshall, Rankin, Reiner, Sherradden, Udell, Watson—21.

Absent and not excused—Messrs. Gray and Lewis. Excused—Messrs. Coolbaugh, Hammer, Henderson, Neal, Scott, Wilson of Dubuque and Taylor. So the amendment was lost.

Mr. Anderson moved, that when the Senate adjourn, it adjourn until to-morrow morning, at 9 o'clock, which motion prevailed.

On motion of Mr. Davis of Polk, the resolution relating to the investigation of the affairs of the Insane Asylum, was taken from the table.

Mr. Johnson moved to amend by striking out the word "authorize," and insert "require." Carried.

Mr. McPherson asked to be excused from serving on the committee appointed under the resolution under consideration.

On motion of Mr. Rankin, he was excused, and Mr. Anderson appointed in his place.

Mr. Udell moved that Mr. Patterson of Muscatine, be excused from serving on said committee, which motion did not prevail.

On motion of Mr. English, Senate File No. 9, was taken from the table, and referred to the Judiciary Committee.

On motion of Mr. Angle, Senate adjourned.

SENATE CHAMBER,
Wednesday Feb. 15, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Bird.

Journal of yesterday read and approved.

Mr. Hammer called up House File No. 13, a bill for an act to amend section 12, of chapter 157, of the acts of the 7th General Assembly, and moved that the same be indefinitely postponed, which motion prevailed.

INTRODUCTION OF BILLS.

Mr. Drummond introduced Senate File No. 97, a bill for an act to repeal part of section 6, of chapter 93, of the acts of the 7th General Assembly, authorizing the construction of bridges. Read the 1st and 2d time, and referred to the Committee on Internal Improvement.

Mr. Sherradden introduced Senate File No. 98, a bill for an act to secure fees to Jurors in Justice's Courts. Read the 1st and 2d time, and referred to the Judiciary Committee.

Message from the House.

MR. PRESIDENT :—I am directed to inform your honorable body that the House has passed House File No. 112, a bill for an act to resume all rights conferred upon the Iowa Central Air Line Rail Road Company, by an act approved July 14, 1856, and to repeal certain laws in relation thereto, in which the concurrence of the Senate is asked.

J. A. HAMMER, Assistant Clerk.

UNFINISHED BUSINESS.

House File No. 30, a bill for an act to legalize the election of President and Town Council, and other officers of Chariton, Lucas county, and the official acts of the same, was taken from the table, and referred to the Committee on Incorporations.

House File No. 100, a bill for an act to amend section 530, of the Code, was taken from the table, and referred to the Judiciary Committee.

House File No. 112, a bill for an act to resume all rights conferred upon the Iowa Central Air Line Rail Road Company, by act approved July 14th, 1856, and to repeal certain laws in relation thereto. Read the 1st and 2d time, and referred to the Committee on Railroads.

The pending resolution, offered by Mr. Davis of Polk, relating

to the appraisement of property, was taken up, considered, and adopted.

Mr. Patterson of Muscatine, offered the following resolution, which was concurred in:

Resolved, That Lephaniah Washburn be recognized as fireman of the Committee Rooms, on the 1st floor, during the session of this General Assembly.

PETITIONS.

Mr. Drummond presented the petition of John Alexander, and four others, members of the bar of Benton county, asking for the creation of County Courts of Record, with civil jurisdiction, in all cases where the amount does not exceed $500, and criminal jurisdiction in all cases of misdemeanors, and appellate jurisdiction from Justices of the Peace, in civil and criminal matters, within their jurisdiction. Read, and referred to the special committee heretofore appointed for a similar purpose, of which Mr. Mann is Chairman.

Mr. Williams presented the petition of Benjamin Roop, and some 75 others, citizens of Mahaska county, praying for the repeal of all laws prohibiting the sale of intoxicating liquors, and the passage of a license law in lieu thereof. Read, and referred to the special committee heretofore appointed for a like purpose, of which Mr. Bailey is Chairman.

Mr. Powers presented the petition of E. D. Woodbury, and some 30 others, citizens of Chickasaw county, praying for the passage of an act providing that that portion of the Land Grant for Railroad purposes which may be forfeited to the General Government, may be given to a Road from McGregor, west, through the State. Read, and referred to the Committee on Railroads.

Mr. Hagans presented the petition of N. B. Moore, and thirty others, citizens of Taylor county, praying for the creation of a Court of Common Pleas, with Probate jurisdiction. Read, and referred to the special committee heretofore appointed for a similar purpose, of which Mr. Mann is Chairman.

Mr. Kent presented the petition of Wm. Coutts, and 45 others, citizens of Cedar county, Iowa, praying for the passage of appraisement and redemption laws. Read, and referred to the Judiciary Committee.

RESOLUTIONS.

By Mr. Saunders:

Resolved, By the Senate, (the House of Representatives concurring,) That the Secretary of State be, and he is hereby authorized to employ some careful person to act as Night Watch for the Capitol Building, during the present session. Adopted.

By Mr. Davis, of Clinton:

Resolved, That the Judiciary Committee be instructed to enquire into the expediency of making confirmed insanity of five years standing, a cause for divorce, and report by bill or otherwise.

On motion of Mr. Watson, the consideration of the resolution was indefinitely postponed.

By. Mr. Davis, of Clinton:

Resolved, That the State Printer be instructed to inform this body whether the Iowa State Historical Society has applied to him to print any matter other than their Biennial Report, now in the possession of the Senate; if so, what is the nature of the matter proposed to be printed, and what will probably be the expense to the State, for such printing. Adopted.

Mr. Rankin, from the Judiciary Committee, reported a Substitute for Senate File No. 86, a bill for an act prohibiting the officers of counties, and other municipal corporations, from dealing in the indebtedness of their counties or corporations. Substitute was adopted, and ordered engrossed for its third reading on to-morrow.

Mr. Rankin, from the same committee, reported Senate File No. 99, a bill for an act to prevent counties, and other municipal corporations, subscribing to the capital stock of Railroad Companies, with the recommendation that the same be passed. Read the first and second time.

Mr. Drummond moved to amend section 4, by striking out the words, "according to law," and adding the words, "in the Iowa State Journal, and Iowa State Register."

Mr. Powers moved to amend section 2, by adding the following proviso: *Provided*, That this act shall not apply to any bonds now issued, or that shall be issued hereafter, by virtue of any vote already taken.

On motion of Mr. Mann, the bill and amendments were laid on the table, and made the special order for Monday next.

Mr. Taylor, from the Judiciary Committee, reported back Substitute for Senate File No. 34, a bill for an act to amend chapter 43 of the Code of Iowa, of 1851, with one amendment, and recommended the adoption of the amendment, and the passage of the bill.

On motion, the amendment was adopted, and the bill ordered engrossed for its third reading on to-morrow.

Mr. McPherson, from the Judiciary Committee, reported back Senate File No. 56, a bill for an act authorizing the Co. Judge of Appanoose county, to appropriate a portion of the proceeds of the Swamp Land Funds, for the erection of a Court House, without recommendation.

Mr. Wilson, of Jefferson, moved to lay the bill on the table, which motion prevailed.

Mr. Saunders, from the Committee on Ways and Means, reported back the petition of D. J. McConnell, and others, citizens of Davis county, praying for the passage of an appraisement law, and recommended that the same be referred to the Judiciary Committee. So referred.

Mr. Saunders, from the same committee, reported back House Substitute for House File No. 34, an act to encourage the growth of timber, without recommendation.

Mr. Pusey moved to refer the bill to a special committee of three, which motion prevailed.

The President appointed as said committee, Messrs. Pusey, Duncombe, and Davis of Polk.

On motion of Mr. Bussey, Senate File No. 72, a bill for an act authorizing School Districts, and Sub-Districts, to levy taxes for school purposes, was taken up.

Mr. Udell moved to amend section 1, by striking out all after the enacting clause.

Mr. Wilson, of Jefferson, moved to postpone the consideration of the bill until Monday next, and make it the special order for 10 o'clock, A. M., of that day. Which motion prevailed.

Mr. Udell moved that when the Senate adjourn, it adjourn until 9 o'clock to-morrow morning. Which was concurred in.

Mr. Sherradden made the following report: The Committee on Enrolled Bills beg leave to report, that they have presented to His Excellency, the Governor, for his approval, the following acts: An act fixing the time of holding Courts in the 2d Judicial District;

also, an act to amend chapter 156 of the 7th General Assembly, in relation to pre-emptions on School Lands; also, an act relating to the Keokuk, Fort Des Moines & Minnesota Railroad Company; also, an act to fix the times of holding Courts in the Third Judicial District.

Mr. Hastings, from the Committee on Engrossed Bills, reported Senate File No. 14, a bill for an act authorizing the Co. Judge to sell the Saline Lands, correctly engrossed.

On motion of Mr. Udell, Senate File No. 14, a bill for an act authorizing the County Judge to sell the Saline Lands, was taken up, read a third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, Duncombe, English, Green, Hagans, Hammer, Hastings, Johnson, Kent, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Sherradden, Trumbull, Taylor, Udell, Williams—28.

The nays were—Senators Saunders, Wilson of Jefferson—2.

Absent and not voting—Messrs. Gray, Drummond, Lewis, Rankin, Reiner, Thompson and Watson. Excused—Messrs. Coolbaugh, Henderson, Neal, Scott and Wilson of Dubuque. So the bill was passed, and title agreed to.

Mr. Angle, from the Committee on Claims, reported back Senate File No. 62, a bill for an act making appropriations for selecting Swamp Lands, and recommended its reference to the Judiciary Committee. So referred.

Mr. Anderson, from the Committee on Agriculture, reported back Senate File No. 8, a bill for an act to amend chapter 147 of the acts of the 7th General Assembly, without recommendation.

Mr. Taylor moved to strike out all relating to Prairie Chickens, upon which question he called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Brown, Bussey, English, Green, Hagans, Hammer, Hastings, Kent, Sherradden, Taylor, Udell, Watson, Williams—12.

The nays were—Senators Anderson, Angle, Ainsworth, Bowen, Buechel, Davis of Clinton, Davis of Polk, Duncombe, English, Johnson, Mann, McPherson, Pusey, Patterson of Muscatine, Pat-

tison of Marshall, Powers, Saunders, Thomson, Trumbull, Wilson of Jefferson—20.

Absent and not excused—Messrs. Gray, Drummond, Lewis and Reiner. Excused—Messrs. Coolbaugh, Henderson, Neal, Rankin, Scott and Wilson of Dubuque. So the amendment did not prevail.

Mr. Sherradden offered the following amendment: "Where reference is had to Prairie Chickens, strike out Jan. 1st, and insert March 1st."

On motion of Mr. Wilson of Jefferson, Senate adjourned.

SENATE CHAMBER,
Thursday, February 16, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Drake.

Journal of yesterday read and approved.

Message from the House.

Mr. President:—I am directed to inform your honorable body that the House has passed House File No. 173, a bill for an act entitled an act to amend chapter one hundred and fifty of the acts of the 7th General Assembly, in which the concurrence of the Senate is asked.

CHARLES ALDRICH, Chief Clerk.

Mr. Johnson moved that the bill under consideration, with the pending amendment, Senate File No. 8, a bill for an act to amend chapter 147 of the acts of the 7th General Assembly, be postponed and made the special order for Thursday the 23rd inst., which motion prevailed.

PETITIONS.

Mr. Powers presented the petition of Henry B. Woods, and some 30 others, citizens of Chickasaw county, praying for the passage of an act providing that that portion of said grant so forfeited may revert to the General Government, on the passage of an equally liberal grant for a road from McGregor, west, through

the State. Read and on motion of Mr. Powers, referred to the Committee on Railroads.

Mr. Drummond, from the Committee on Internal Improvements, reported back Senate File No. 97, a bill for an act to repeal part of section 6, of chapter 93, of the acts of the 7th General Assembly, authorizing the construction of Bridges, with the recommendation that the same be passed. Report Adopted.

On motion of Mr. Thompson, the bill was laid on the table.

Mr. Davis of Polk, from the special committee to which was referred substitute for House File No. 57, a bill for an act to repeal part of section 6, of chapter 93, of the acts of the 7th General Assembly, reported the same back with one amendment, and recommended the adoption of the amendment, and the passage of the bill as amended.

Mr. Powers moved to strike out all after the word "or," in the last clause of the amendment. Lost.

The amendment was then adopted.

On motion of Mr. Powers, the 11th Rule was suspended, the bill read the third time, and put upon its final passage. The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, Duncombe, English, Green, Hagans, Hammer, Hastings, Kent, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Rankin, Reiner, Saunders, Sherradden, Thompson, Trumbull, Taylor, Udell, Williams, Wilson of Jefferson—32.

The nays were—Mr. Ainsworth—1.

Excused—Messrs. Coolbaugh, Drummond, Henderson, Johnson, Neal, Scott, Watson and Wilson of Dubuque. Absent and not excused—Messrs. Gray and Powers. So the bill passed, and title agreed to.

On motion of Mr. Duncombe, the Secretary was directed to take the bill to the House without delay.

The President laid before the Senate the report of the Code Commissioners on Criminal Practice; also the report of the Commissioners on the Codification and Revision of the General Laws. Referred to the Judiciary Committee.

Also, the report of James Hall, in relation to the Geological Survey of the State of Iowa. Which, on motion of Mr. Anderson, was referred to the Committee on Ways and Means.

Mr. Hastings, from the Committee on Engrossed Bills, reported substitute for Senate File No. 34, an act to amend chapter 43 of the Code of Iowa of 1851, correctly engrossed.

Mr. Anderson, from the Committee on Agriculture, reported back, without bill or recommendation, the resolution relating to the exemption of Sheep from taxation. The report was received, and the committee discharged from further consideration of the subject.

Mr. Udell moved the reference of the resolution to a special committee of three, of which Mr. Davis of Polk, shall be Chairman; which motion was not concurred in.

On motion of Mr. Hammer, the further consideration of the resolution was indefinitely postponed.

On motion of Mr. McPherson, Mr. Watson was granted leave of absence for one week.

Message from the House.

Mr. President:—I am directed to inform your honorable body that the House has adopted the concurrent resolution of the Senate in relation to an investigation of the affairs of the Insane Asylum, with the following amendments, in all of which the concurrence of the Senate is asked.

CHARLES ALDRICH, Chief Clerk.

CONCURRENT RESOLUTIONS.

Resolved, By the Senate, (the House concurring,) That the special committee appointed to investigate the affairs of the State Insane Asylum, be required to visit the building, and that full powers be granted them to make a full investigation, and that they report not only the present condition of the building, but also the amount necessary in their opinion to complete the whole building, and also the amount necessary to complete a part of the same so as to be able to receive patients.

And that said committee also enquire into, and report to this House whether the laborers employed on said building have been paid for their labor, and the furnishing materials for the erection thereof; and also whether there has been any deduction made from the price to be paid according to the contracts, for labor and materials, and the manner in which said materials, labor and indebtedness have been paid for; and all other things relative to the faithful administration of the officers of said institution.

That said committee be further instructed to make enquiry as to whether the Treasurer or any other person, has at any time discounted any warrants on said Treasurer, when there was money in the Treasury belonging to the State, with which to pay the same.

Resolved, further, That if the General Assembly is not in session when said committee returns, they shall prepare and publish five thousand copies of their report for general distribution; and the Secretary of State is hereby authorized to distribute them equally among the members of the General Assembly;

That the the committee be required to report by the middle of March;

That the said committee be composed of two members from the House, and one of the Senate, and that said committee be authorized to employ a disinterested Architect to aid them in their investigations.

Mr. Pusey from the special committee, to which was referred House Substitute for House File No. 34, a bill for act to encourage the growth and cultivation of timber, reported the same back with one amendment, and recommended that the amendment be adopted and bill passed. Report concurred in.

On motion of Mr. Duncombe, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Bowen, Brown, Davis of Polk, Duncombe, Hagans, Hastings, Kent, Lewis, Pusey, Pattison of Marshall, Taylor—11.

The nays were—Senators Anderson, Angle, Ainsworth, Bailey, Bussey, Buechel, Davis of Clinton, Drummond, English, Green, Hammer, Johnson, Mann, McPherson, Patterson of Muscatine, Powers, Rankin, Reiner, Saunders, Sherradden, Thompson, Trumbull, Williams, Wilson of Jefferson—24.

Excused—Messrs. Coolbaugh, Henderson, Neal, Scott, Watson and Wilson of Dubuque. Absent but not excused—Messrs. Gray and Udell. The bill not having received a constitutional majority, was lost.

Message from the House.

Mr. President:—I am directed to inform your honorable body, Senate File No. 94, a bill for an act to fix the times of holding

Court in the 5th Judicial District, the same having passed the House without amendment.

CHAS. ALDRICH, Chief Clerk.

Mr. McPherson, from the Committee on Railroads, to which was referred the resolution relating to the amount of land the several railroad companies, receiving lands for railroad purposes, had received, reported that they were unable to find the information desired in the office of the Governor of the State.

Mr. Patterson of Muscatine, offered the following resolution, which was adopted:

Resolved, That the Chairman of the Committee on Rail Roads be required to obtain from the Secretary of the Interior, at Washington, D. C., a report of the amount of land that has been certified to the following roads, and the time when certified, to-wit:

Burlington and Missouri R. R., Mississippi and Missouri R. R., Iowa Central Air Line R. R., and the Dubuque and Pacific R. R.

On motion of Mr. Sherradden, the Message from the House, relating to the appointment of a committee to investigate the affairs of the Insane Asylum, was taken from the table.

Mr. Wilson, of Jefferson, moved that the Senate disagree with the House amendments to the concurrent resolution passed by the Senate; upon which question Mr. Bailey demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, Drummond, Green, Hagans, Hastings, Kent, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Thompson, Trumbull, Udell, and Wilson of Jefferson—26.

The nays were—Senators Ainsworth, Bailey, Duncombe, English, Hammer, Johnson, Mann, Pusey, Taylor, and Williams—10.

Excused—Messrs. Coolbaugh, Henderson, Neal, Scott, and Watson. Absent and not excused—Mr. Gray. So the motion to disagree prevailed.

Mr. Sherradden reported that the Committee on Enrolled Bills had examined Senate File No. 94, a bill for an act to fix the time of holding Courts in the 5th Judicial District of the State of Iowa, and found the same correctly enrolled.

Mr. Angle presented the petition of John Bryan, praying for the passage of a law making an appropriation of $1,400, to meet a

balance due him for work done upon the Capitol Building in the years 1857 and 1858. Read, and on motion of Mr. Angle, referred to the Committee on Claims, with power to subpœna Mr. Bryan and administer an oath to him if found necessary, to a full investigation of said claim.

On motion of Mr. Thompson, House File No. 173, a bill for an act to amend an act entitled an act to amend chapter 150 of the 7th General Assembly, was taken up, and read the 1st and 2d time.

Mr. Thompson moved that the 11th Rule be suspended, the bill read a third time, and put upon its final passage. Which motion prevailed.

The yeas and nays were as follows:

The yeas were—Senators Angle, Ainsworth, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Drummond, Duncombe, English, Green, Hagans, Hammer, Hastings, Johnson, Kent, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Thompson, Trumbull, Taylor, Udell, Williams, Wilson of Jefferson—33.

The nays were—None.

Excused—Coolbaugh, Henderson, Neal, Scott, Watson, Wilson of Dubuque. Absent but not excused—Bailey, Davis of Polk, and Gray. So the bill was passed, and title agreed to.

On motion of Mr. Thompson, the Secretary was directed to take the bill first passed, to the House without delay.

Mr. Thompson moved that when the Senate adjourn, it adjourn until to-morrow morning at 9 o'clock. Which motion prevailed.

On motion of Mr. Kent, Senate adjourned.

SENATE CHAMBER,
FRIDAY, FEB. 17, 1860—9 o'clock A. M.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Drake.

Journal of yesterday read and approved.

SPECIAL ORDER.

The Special order of 9 o'clock this morning being the consideration of Senate File No. 71, a bill for an act making a further appropriation for the State Insane Asylum.

Mr. Anderson moved to lay the bill on the table, which motion prevailed.

PETITIONS.

Mr. Powers presented the petition of Samuel B. Carpenter, and 46 others, citizens of Chickasaw county, praying for such legislation as will divert the the Land Grant of the Iowa Central Air Line Railroad, to a road running west from McGregor. Read and referred to the Committee on Railroads.

Mr. Drummond presented the petition of John E. Palmer, and 120 others, citizens of Benton county, praying for the passage of a law exempting the Homestead of every head of a family from taxation, to the amount of $500. Read and referred to the Committee on Ways and Means.

Mr. Ainsworth presented the petition of J. W. Rogers, and 72 others, citizens of Fayette county, praying for such legislation as will divert the Land Grant of the Iowa Central Air Line Railroad, to a road running west from McGregor. Read and referred to the Committee on Railroads.

Mr. Ainsworth presented the petition of E. R. Rock, and seventy-four others, citizens of Fayette county, of like import. Read and referred to the Committee on Railroads.

Also, by the same, the petition of L. H. Bugbee, and 172 others, citizens of Fayette county, of like import. Read and referred to the Committee on Railroads.

Also, by the same, the petition of Hiram Hoagland, and fifty others, citizens of Fayette, of a similar nature. Read and referred to the Committee on Railroads.

Also, by the same, the petition of James Boale, and 49 others, citizens of Fayette county, of a similar import. Read and referred to the Committee on Railroads.

Also, by the same, the petition of William A. Henry, and fifty others, citizens of Fayette county, of a similar import. Read and referred to the Committee on Railroads.

Mr. Davis of Polk, presented the petition of Francis Weitman,

and 37 others, German citizens of the State of Iowa, praying for the release of the sureties of Dr. Eads. Read and referred to the special committee heretofore appointed for a similar purpose, of which Mr. Rankin is Chairman.

Mr. Davis of Clinton, presented the petition of David Harper, and 133 others, citizens of Jones county, praying for such legislation as will work the transfer of the Iowa Central Air Line Rail Road Grant to the Lyons and Missouri R. R. Co. Read and referred to the Committee on Railroads.

Mr. Green presented the petition of W. C. Swigart, and 400 others, citizens of Jackson county, of a similar import. Read and referred to the Committee on Railroads.

Mr. Davis, of Clinton, presented a similar petition, from James A. Bronson, and 122 others, citizens of Jones county. Also, a similar petition, from D. C. Mishler, and 250 others, citizens of Jackson county. Also, a similar petition, from R. O. Cutler, and 30 others, citizens of Jones county; all of which were referred to the Committee on Railroads.

Mr. Hastings presented the petition of Bennet Roberts, and 115 others, citizens of Buchanan county, praying for the repeal of the amendments made to the prohibitory liquor law of this State, by act approved March 23d, 1858. Read and referred to the special committee, heretofore appointed for a similar purpose, of which Mr. Bailey is Chairman.

Mr. Kent presented a similar petition, from C. G. Gray, and 57 others, citizens of Van Buren county. Read and referred to same committee.

Mr. Scott presented the petition of W. G. Allen, and 88 others, citizens of Story county, praying for the passage of an act legalizing the issue of the bonds of said county, for the use of the State Agricultural College and Farm. Read and referred to the Committee on Agriculture.

On motion of Mr. Anderson, the report of W. C. Drake, Commissioner of the Des Moines River Improvement, was taken up and referred to the Committee on Claims.

Mr. Hammer offered the following resolution, which was adopted:

Resolved, That the Secretary of State be required to report to the Senate, what amount has been paid to him as fees or perquis-

ites, since he entered upon the duties of Secretary of State, and to report the items of such fees in detail.

Mr. Saunders offered the following resolution, which was adopted:

Resolved, That the Committee on Charitable Institutions be instructed to inquire into the expediency of establishing a State Reform School, for offending youths, and if, in their opinion, any action should be taken by the present General Assembly, that they report a bill for the same.

Message from the House.

MR. PRESIDENT:—I am directed to inform your honorable body, that the House has passed the following bills:

House File No. 139, a bill for an act to legalize the official acts of the city of Clinton, Clinton county, Iowa.

House File No. 35, a bill for an act to provide for the redemption of real estate, sold on foreclosure of mortgages.

Substitute for House File No. 116, a bill for an act to amend section 2096, of the Code of Iowa, in relation to trust deeds.

In all of which, the concurrence of the Senate is asked.

I am further directed to inform the Senate, that the House insists upon its amendments to the Senate's concurrent resolution, in relation to the investigation of the affairs of the Insane Asylum, and asks that a committee of conference be appointed to consider the matters of the disagreement, and that Messrs. Bereman, Claggett and Bennett have been appointed as such committee, on the part of the House.

CHARLES ALDRICH, Chief Clerk.

Mr. Rankin, from the Judiciary Committee, reported back 14 chapters of the Report of the Code Commissioners, on Civil Practice, with certain amendments.

On motion of Mr. Wilson, of Jefferson, the report was laid on the table.

Mr. Angle had leave to introduce the petition of Joseph Williams, and 125 others, citizens of Lynn county, praying for the repeal of the amendment to the prohibitory law passed at the last session of the Legislature, and so amend said law as to make a violation of it a felony, instead of a misdemeanor.

Mr. Angle moved to refer the petition to the select committee heretofore appointed for a similar purpose, with instructions to report a bill in accordance with the prayer of the petitioners.

Mr. Duncombe moved to lay the motion to refer, with instructions, on the table; upon which question, Mr. Angle demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Ainsworth, Bailey, Buechel, Davis of Clinton, Davis of Polk, Duncombe, English, Green, Hammer, Johnson, Mann, Pusey, Patterson of Muscatine, Rankin, Reiner, Thompson, Trumbull, Taylor, Udell, Williams—20.

The nays were—Anderson, Angle, Bowen, Brown, Bussey, Drummond, Hagans, Hastings, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Saunders, Sherradden, Scott, Wilson of Jefferson—17.

Excused—Coolbaugh, Henderson, Neal, Watson, Wilson of Dubuque. Absent and not excused—Mr. Gray. So the motion to table prevailed.

Message from the House, by Mr. Aldrich, Chief Clerk.

MR. PRESIDENT:—I am directed to inform your honorable body, that the House has adopted the following substitute for the Senate's concurrent resolution, in relation to the appointment of a night watchman for the Capitol building, during the present session:

Resolved, (the Senate concurring,) That John J. Safely be, and is hereby, appointed a night watchman for the Capitol building, during the present session, under the supervision of the Secretary of State; in which the concurrence of the Senate is asked.

CHARLES ALDRICH, Chief Clerk.

Mr. Johnson offered the following resolution:

Resolved, By the Senate, (the House concurring,) that the General Assembly adjourn, *sine die*, on the 4th day of July, 1860.

On motion, the resolution was laid on the table.

The President laid before the Senate the following communication from the State Printer:

DES MOINES, FEB. 16, 1860.

Hon. N. J. Rusch, President of Senate:

I have just received a copy of a resolution, inquiring whether the Iowa State Historical Society has applied to me to print any other matters than its Biennial Report. In reply, I would state that the Secretary gave me notice of the fact, that the Society had a volume of 200 or 300 pages they desired to print with their report, embodying the history of several counties. The cost of

printing would probably be about $500. I have not yet seen the manuscript, and can only speak of its size from the statements of the Secretary. Very respectfully,

J. TEESDALE, State Printer.

On motion of Mr. Anderson, the communication was referred to the Committee on Ways and Means.

Mr. Hastings, from the Committee on Engrossed Bills, reported Senate File No. 86, a bill for an act prohibiting the officers of counties, and other municipal corporations, from dealing in the indebtedness of their counties or corporations, correctly engrossed.

On motion of Mr. Saunders, the message from the House, relating to the appointment of a committee of conference, in relation to the disagreement between the two Houses, in reference to the investigation of the affairs of the State Insane Asylum, was taken up and concurred in.

The President appointed, as said committee, on the part of the Senate, Messrs. Saunders, Trumbull and Sherradden.

The President laid before the Senate, the communication of the Attorney General, in reply to a resolution of inquiry from the Legislature of the State of Iowa, in relation to the prosecution of Eads and Moriarty. Read and referred to the Judiciary Committee.

On motion of Mr. Bowen, Senate File No. 78, a bill for an act to amend an act, entitled an act for the government and regulation of the State University of Iowa, passed by the Board of Education, and approved December 24th, 1858, was taken up and considered. Mr. Brown moved to refer the bill to the Judiciary Committee, which motion prevailed.

Mr. Pusey moved to take up substitute for Senate File No. 86, a bill for an act prohibiting the officers of counties, and other municipal corporations, from dealing in the indebtedness of their counties or corporations, which was agreed to. The bill was read a third time and put upon its final passage. The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, English, Green, Hagans, Hammer, Hastings, Johnson, Lewis, Mann, McPherson, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Williams, Wilson of Jefferson—33.

The nays were—None.

Excused—Messrs. Coolbaugh, Henderson, Neal, Watson and Wilson of Dubuque. Absent but not excused—Messrs. Drummond, Duncombe, Gray, Kent, Saunders. So the bill was passed, and title agreed to.

On motion of Mr. Rankin, Senate File No. 11, a bill for an act to amend chapter 92, of the acts of 1858, was taken from the table and referred to the Committee on Commerce.

Substitute for Senate File, No. 34, a bill for an act to amend chapter 43 of the Code of Iowa of 1851, was taken up, considered and tabled.

House File No. 139, a bill for an act entitled an act to legalize the official acts of the City of Clinton, Clinton county, State of Iowa, was taken up, and on motion of Mr. Duncombe, referred to a select committee of three, of which Mr. Davis of Clinton, is Chairman.

The President appointed as said committee, Messrs. Davis of Clinton, Duncombe and Bowen.

Mr. Angle moved to take up the message from the House relating to a night watch, which was agreed to.

Mr. Angle moved that the Senate concur in the House amendment to the resolution passed by the Senate, by the election of J. J. Safely, as a night watch; upon which question Mr. Johnson, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Bowen, Bussey, Davis of Clinton, Drummond, Duncombe, Hagans, Kent, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Saunders, Scott, Thompson, Trumbull, Wilson of Jefferson.—20.

The nays were—Senators Anderson, Ainsworth, Bailey, Brown, Buechel, Davis of Polk, English, Green, Hammer, Hastings, Johnson, Lewis, Reiner, Sherradden, Taylor, Udell, Williams—17.

Excused—Messrs. Coolbaugh, Henderson, Neal, Watson and Wilson of Dubuque. Absent but not excused—Mr. Gray. So the amendments were concurred in.

Mr. Duncombe moved that when the Senate adjourn, it adjourn until to-morrow morning at 9 o'clock, upon which question Mr. Saunders demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators, Angle, Ainsworth, Bailey, Bowen, Buechel, Duncombe, Green, Hagans, Hammer, Johnson, Mann, McPherson, Pattison of Marshall, Rankin, Reiner, Scott, Thompson, Trumbull, Taylor, Udell, Wilson of Jefferson.—21.

The nays were—Senators, Anderson, Brown, Bussey, Davis of Clinton, Davis of Polk, Drummond, English, Hastings, Kent, Lewis, Pusey, Powers, Saunders, Williams—14.

Excused—Messrs. Coolbaugh, Henderson, Neal, Watson, Wilson of Dubuque. Absent and not excused—Messrs. Gray, Patterson of Muscatine and Sherradden. So the motion prevailed.

Mr. Wilson of Jefferson, had leave to introduce Senate File No. 100, a bill for an act to regulate the foreclosure of mortgages. Read the 1st and 2nd time, and referred to the Judiciary Committee.

House File No. 35, a bill for an act to provide for the redemption of Real Estate sold on foreclosure of mortgages, was taken up. Read the 1st and 2nd time, and referred to the Judiciary Committee.

House substitute for House File No. 116, a bill for an act to amend section 2096 of the Code of Iowa, relating to Trust Deeds, was taken up. Read first and second time, and referred to the Judiciary Committee, with instructions to report upon all bills of like import at the same time.

Mr. Davis of Clinton, offered the following resolution, which was adopted.

Resolved, That the Judiciary Committee be instructed to report a bill, making the willful violation of the law under which Commissioners, Trustees or other Agents of the State, charged with the performance of any specific duty are to act, punishable as felony.

Mr. Saunders, from the committee of conference, appointed to consider the disagreement between the two Houses, relating to the investigation of the affairs of the State Insane Asylum, made the following report:

The committee of conference have agreed to the following:

That the committee to examine into the affairs of the Insane Asylum consist of five members, to be selected as follows:

Two to be appointed on the part of the Senate, and three on the part of the House, and that they be required to report to the present General Assembly at as early a day as is practicable.

And that the President of the Senate and Speaker of the House be requested to appoint said committee. On motion the report was adopted.

The President appointed as said committee, Messrs. Patterson of Muscatine and Anderson.

On motion, Senate adjourned

SENATE CHAMBER,
Saturday, Feb. 18th, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Drake.

Journal of yesterday read, corrected and approved.

SPECIAL ORDER.

The special order for 9 o'clock this morning, being the consideration of Senate File No. 95, a bill for an act creating a Board of Supervisors, defining their duties, and the duties of certain county officers.

Mr. Powers moved that the Senate resolve itself into a Committee of the Whole Senate, for the consideration of said bill, which motion prevailed.

The Senate then went into Committee of the Whole, with Mr. Anderson in the Chair.

12 O'CLOCK, M.

The committee rose, reported progress, and asked leave to sit again, which was granted.

Mr. Wilson of Jefferson, had leave to introduce Senate File No. 101, a bill for an act rendering valid the service of original notices in certain actions. Read the 1st and 2d time, and referred to the Judiciary Committee.

Mr. Johnson moved that when the Senate adjourn, it adjourn until 9 o'clock, Monday morning. Carried.

Mr. Davis of Clinton, from the select committee appointed to

consider House File No. 139, a bill for an act entitled an act to legalize the official acts of the city of Clinton, Clinton county, State of Iowa, reported the same back, without amendment, and recommended its passage. Report received and bill tabled.

Mr. Bussey offered the following resolution, which was adopted:

Resolved, That the Committee on Ways and Means, be instructed to report a bill for a revenue law, and that they be required to report to the Senate, by the 25th instant.

Mr. Bowen, from the Committee on Schools and University, reported back House File No. 3, a bill for act to amend section 2, of chapter 155, of the acts passed at the regular session of the 7th General Assembly, approved March 23d, A. D. 1858, without recommendation.

On motion of Mr. Powers, the bill was laid on the table.

Mr. Powers presented the petition of Mathew Brand, and 20 others, citizens of Chickasaw county, praying for the passage of a law, providing that that portion of the grant of land to this State, by the General Government, for Rail Road purposes, which may have reverted to the State, be permitted to revert to the General Government, upon the passage of an equally liberal grant for a road from McGregor, west through the State. Read, and referred to the Committee on Rail Roads.

Mr. Angle presented the petition of S. N. Fellows, and 40 others, citizens of Linn county, praying for the repeal of the amendments made to the prohibitory liquor law, by an act approved March 23d, 1858, and to restore the law, as amended January 28th, 1857. Read, and referred to the special committee for that purpose.

On motion of Mr. Rankin, Senate adjourned.

SENATE CHAMBER,
Monday, Feb. 20th, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. E. W. Peet.

Journal of Saturday read and approved.

Mr. Johnson presented the petition of E. D. Black, and some 75 others, citizens of Iowa, praying for the restoration of the penalty clause, in the management of all corporations, which was repealed at the session of the Legislature of 1857 and 1858, in the act passed "for the benefit of Railroads, and sundry other amendments to corporation laws, so as to increase their stringency. Read, and referred to the Committee on Railroads.

Also, by the same, a similar petition from James T. Moer, and some 60 others, citizens of Iowa. Read, and referred to the Committee on Railroads.

Mr. Angle presented the petition of F. A. Jones, and 84 others, citizens of Linn county, praying for the repeal of the amendment made to the prohibitory liquor law of this State, by act approved March 23d, 1858, and to restore to the people, the original prohibitory law of 1855, as amended by act approved January 28th, 1857.

Mr. Powers presented a similar petition from G. W. Howard, and 48 others, citizens of Chickasaw county.

Mr. Lewis presented a similar petition from Nathan C. McClure, and 90 others, citizens of Washington county.

Also, one from B. Crabb, and some 190 others, citizens of said county.

Mr. Kent presented a similar petition from James A. Brown, and 47 others, citizens of Van Buren county.

Also, one from Wesley Brogran, and 20 others, citizens of Muscatine county.

Also, by the same, a similar petition from Mahala E. Trigg, and 17 others, lady petitioners of Van Buren county.

Also, by the same, a similar petition from George W. Mailey, and 45 others, citizens of Van Buren county.

Also, by the same, a similar petition from J. W. Oney, and 21 others, citizens of Van Buren county.

Also, by the same, a similar petition from Margaret E. Becker, and 29 others, lady petitioners of Van Buren county.

Also, by the same, a similar petition from John K. Lyon, and 19 others, citizens of Van Buren county.

Mr. English presented a similar petition from P. R. Crosswait, and 27 others, citizens of Mills county.

Mr. Kent presented a similar petition from Margaret Gregson, and 60 others, lady petitioners of Van Buren county.

Also, by the same, a similar petition from William W. Walters, and 29 others, citizens of Muscatine county.

Mr. Davis of Clinton, presented a similar petition from Jane E. S. Jones, and 48 others, citizens of Clinton county.

Mr. Johnson moved to refer the petitions presented this morning, relating to the prohibitory liquor law, to a special committee of three, of which Mr. Angle shall be Chairman, which motion prevailed.

The President appointed as said committee, Messrs. Angle, Johnson and English.

Mr. Kent presented the petition of John Dean, and 38 others, citizens of Johnson county, praying for the abolition of the death penalty, and moved that the same be laid on the table, which motion prevailed.

Mr. Ainsworth presented the petition of P. F. Sturgis, and 42 others, citizens of Cerro Gordo county, praying for such legislation as will cause a transfer of the Land Grant of the Iowa Central Air Line R. R., to a road running west from McGregor.

Also, a similar petition, from Peter Cummings, and 37 others, citizens of Fayette county.

Mr. Powers presented a similar petition from Alvah Eaton, and 37 others, citizens of Chickasaw county, all of which were referred to the Committee on Railroads.

Mr. Kent presented the petition of Daniel Marsh, and some 40 others, citizens of Cedar county, praying for the abolition of the office of County Judge, the separation of the offices of Treasurer and Recorder, and the creation of a Board of County Commissioners, and also the office of Probate Judge.

Also, a similar petition, from J. K. Snyder, and 134 others, citizens of Cedar county.

Also, a similar petition, from Jacob Davis, and 43 others, citizens of Cedar county.

Also, a similar petition, from Edwin Cooley, and 61 others, citzens of Cedar county.

Also, a similar petition, from Chas. Dungan, and 30 others, citizens of Cedar county.

Also, a similar petition, from A. Ayers, and 39 others, citizens of Cedar county.

Also, by the same, a similar petition, from Jesse Bowersock, and 92 others, citizens of Cedar county.

All of which were referred to the Committee on County and Township Organization.

Mr. Rankin presented the petition of Samuel F. Watts, and 50 others, citizens of Woodbury county, praying for the repeal of all laws prohibiting the sale of intoxicating liquors, and for the passage of a judicious license law.

Also, a similar petition, from Henry Lange, and 200 others, citizens of Iowa.

Also, a similar petition, from D. T. Brigham, and some 350 others, citizens of Iowa.

Mr. Rankin moved the reference of these petitions to the special liquor committee, of which Mr. Bailey is Chairman. So referred.

Mr. Johnson moved to re-consider the vote, under which the special committee of which Mr. Angle is Chairman, was this morning appointed. Which motion prevailed.

Mr. Johnson had unanimous consent to withdraw the motion to appoint said committee.

On motion of Mr. Angle, the petitions this morning presented, relating to the Prohibitory Liquor Law, were referred to the special liquor committee, of which Mr. Bailey is Chairman.

Mr. Gray presented the petition of Samuel H. Kinne, and some 60 others, citizens of Iowa, asking the legislature to memorialize Congress to establish a mail route from Dubuque, via. Garnavillo, McGregor, Wexford, Capoli, and Lansing to Brownville, in Minnesota, and to procure daily service on said route.

Also, a similar petition from A. McCartey, and some 30 others, citizens of Iowa.

Also, a similar petition from Wm. Smith, and some 30 others, citizens of Iowa.

Also, a similar petition from W. Conkey, and 15 others, citizens of Iowa. All of which were referred to the Committee on Federal Relations.

Mr. Gray rose to a question of privilege, and stated that his name was signed to the report of the Committee on Schools and University, in reference to the State University, without his knowledge or consent, and that he did not approve of the sentiments of said

report, and asked that his dissent therefrom be entered on the Journal. Which was granted.

INTRODUCTION OF BILLS.

Mr. Thompson introduced Senate File No. 102, a bill for an act to regulate Brokers. Read the first and second time, and referred to Committee on Banks.

Mr. Taylor introduced Senate File No. 103, a bill for an act entitled an act to provide for the transfer of real property for taxation. Read the first and second time, and referred to the Committee on Ways and Means.

Mr. Wilson, of Jefferson, introduced Senate File No. 104, a bill for an act to repeal section one of the acts of the Seventh General Assembly. Read the first and second time, and referred to the Committee on Railroads.

Mr. Bussey introduced Senate File No. 105, a bill for an act to provide for the payment of jury fees. Read the first and second time.

On motion of Mr. Bussey, the bill was referred to a special committee of five, with instructions to report in five days.

The President appointed as said Committee, Messrs. Bussey, Kent, Drummond, Mann and Hagans.

SPECIAL ORDER.

The special order for 10 o'clock this morning, being the consideration of Senate File No. 99, a bill for an act to prevent counties and other municipal corporations, subscribing to the capital stock of Railroad Companies, Mr. Wilson, of Jefferson, moved to strike out the word "hereafter," in section 1. Which motion prevailed.

Mr. Powers moved to amend section 2, by adding the following proviso: *Provided*, That this act shall not apply to any bonds that shall be hereafter issued by virtue of any vote already taken.

Mr. Brown offered the following substitute for the amendment: *Provided*, That all bonds which have heretofore, or that may hereafter be issued, in compliance with any vote heretofore taken, in any county of this State, shall be, and are hereby legalized.

Mr. Johnson moved to lay the amendment and substitute on the table, upon which question he called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Ainsworth, Bailey, Bowen, Buechel, Drummond, English, Gray, Green, Hagans, Hammer, Hastings, Johnson, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Rankin, Reiner, Saunders, Sherradden, Scott, Trumbull, Williams, Wilson of Jefferson—27.

The nays were—Senators Brown, Bussey, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, Kent, Powers, Thompson, Taylor, Wilson of Dubuque—11.

Excused—Messrs. Neal and Watson. Absent, but not excused—Messrs. Angle, Henderson Udell. So the motion to lay on the table prevailed.

Mr. Mann moved to amend section 2, by adding the following proviso: *Provided*, That nothing in this act shall be so construed as, by implication, to legalize the bonds issued heretofore by counties, to aid in the construction of Railroads.

Mr. Johnson moved to lay the amendment on the table.

Mr. Brown moved to amend the motion to lay on the table, by including the bill; which motion was lost.

The question recurring upon the motion to lay the amendment on the table, it did not prevail.

Mr. Johnson moved to re-commit the bill, which was not agreed to.

On motion of Mr. Wilson, of Jefferson, the further consideration of the bill was postponed until to-morrow.

RESOLUTIONS.

Mr. Ainsworth offered the following resolution:

Resolved, That the Committee on Township and County Organization be instructed to report a bill dividing the offices of Treasurer and Recorder, retaining the present officer as Treasurer.

Mr. Davis, of Clinton, moved to amend so as to retain the present officer as Recorder, which motion was lost.

Mr. Wilson, of Jefferson, moved to lay the resolution on the table, upon which question Mr. Ainsworth demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Bowen, Bussey, Buechel, Coolbaugh, Johnson, Lewis, McPherson, Patterson of Muscatine, Rankin, Reiner, Saunders, Scott, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—19.

The nays were—Senators Ainsworth, Brown, Davis of Clinton,

Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Kent, Mann, Pusey, Pattison of Marshall, Powers, Sherradden, Thompson, Trumbull, Taylor—21.

Excused—Messrs. Neal and Watson. Absent, but not excused —Mr. Henderson. So the motion to lay on the table did not prevail.

Message from the House.

MR. PRESIDENT:—I am directed to inform your honorable body, that the House of Representatives has passed the following bill, in which the concurrence of the Senate is asked: "House File No. 174, a bill for an act in relation to the Des Moines River Improvement, and abolishing the office of Commissioner thereof."

CHARLES ALDRICH, Chief Clerk.

Mr. Thompson moved to amend the resolution under consideration, by adding the following words: provided there is ——— number of population in the county.

On motion of Mr. Coolbaugh, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question being the consideration of the resolution offered by Mr. Ainsworth, and pending amendment, Mr. Anderson offered the following substitute therefor:

Resolved, That the Committee on Township and County Organization be instructed to report a bill dividing the offices of Treasurer and Recorder, retaining the present officer as Treasurer, and establishing a rate of fees for said officers, in place of the salaries as now provided.

Message from the House.

MR. PRESIDENT:—I herewith present, for your signature, House File No. 173, a bill for an act to amend an act, entitled an act to amend chapter 150, of the acts of the 7th General Assembly, the same having passed both Houses of the General Assembly, and been duly enrolled and signed by the Speaker of the House of Representatives.

CHAS. ALDRICH, Chief Clerk.

The question being on the adoption of the substitute, Mr. Bus-

sey demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Ainsworth, Brown, Davis of Clinton, Davis of Polk, Drummond, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Mann, McPherson, Pusey, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor—25.

The nays were—Senators Angle, Bailey, Bowen, Bussey, Buechel, Coolbaugh, Duncombe, Johnson, Lewis, Patterson of Muscatine, Rankin, Saunders, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—16.

Excused—Messrs Neal, and Watson. So the substitute was adopted.

Mr. Davis, of Clinton, offered the following resolution:

Resolved, That the Attorney General be requested to transmit to this body, his opinion as to the constitutionality of a law which shall apply only to counties having a certain population.

Mr. Drummond offered the following amendment, which was adopted:

Also, to give the Senate his official opinion upon the right of the State to resume its title to the lands granted to the Iowa Central Railroad Company.

The question being on the adoption of the resolution as amended, Mr. Drummond demanded the yeas and nays ,which were ordered, and were as follows:

The yeas were—Senators Anderson, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, English, Green, Hagans, Hammer, Hastings, Henderson, Lewis, Mann, McPherson, Pusey, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Thompson, Trumbull, Taylor, Wilson of Dubuque, Wilson of Jefferson—27.

The nays were—Senators Angle, Ainsworth, Bailey, Bowen, Bussey, Duncombe, Gray, Johnson, Kent, Patterson of Muscatine, Rankin, Scott, Udell, Williams—14.

Excused—Messrs. Neal and Watson. So the resolution as amended, was adopted.

Message from the House.

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

House File No. 156, a bill for an act relating to the American Association, London, England.

CHARLES ALDRICH, Chief Clerk.

On motion of Mr. Bailey, House File No. 174, a bill for an act in relation to the Des Moines River Improvement, and abolish the office of Commissioners thereof, was taken up and referred to a select committee of five.

The President appointed as said committee, Messrs. Bailey, Rankin, Duncombe, Scott and Angle.

On motion of Mr. Hammer, Senate adjourned.

SENATE CHAMBER,
Tuesday, February 21, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Rev. E. W. Peet.

Journal of yesterday read and approved.

Mr. Anderson, from the special committee appointed to investigate the affairs of the State Penitentiary, reported that they were unable to make a full and satisfactory investigation without visiting that Institution, and recommended the appointment of a committee for that purpose, to consist of one from the Senate and two from the House of Representatives.

On motion of Mr. Rankin, the report was adopted.

Mr. Rankin moved that a committee of three be appointed, of which Mr. Anderson shall be Chairman, to prepare instructions for a committee to be appointed to go to Ft. Madison, and investigate the affairs of the State Penitentiary; and asked that he might be excused from serving on such committee; which motion prevailed.

The President appointed as said committee, Messrs. Anderson, Ainsworth and Brown.

Mr. Wilson of Jefferson, moved to refer Senate File No. 99, a bill for an act to prevent counties and other municipal corporations subscribing to the Capital Stock of Railroad Companies, to the Committee on Incorporations, with instructions. So referred.

On motion of Mr. Bailey, House File No. 174, a bill for an act in relation to the Des Moines River Improvement, and to abolish the office of Commissioner thereof, was taken up and considered.

Mr. Duncombe moved to amend section 1, by adding the following proviso: *Provided*, That every actual settler upon any of said lands, who had a settlement on the same, commenced before the taking effect of said act of March 22, A. D. 1858, shall, upon filing with the Register of the State Land Office, proof of said settlement to the satisfaction of said Register, be entitled to receive a deed from the State of one quarter section of said land, at $1.25 per acre by filing said proof, and paying said amount within one year from the time said lands shall be specially designated and certified by the General Government.

Message from the House.

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

House File No. 106, a bill for an act to amend section 940 of the Code of Iowa.

Substitute for House File No. 88, a bill for act to amend an act to confer certain powers on towns and cities, for school purposes.

House File No. 99, Memorial and Joint Resolution, asking for a grant of land to aid in the construction of a railroad as therein set forth.

LEWIS H. SMITH, Assistant Clerk, pro. tem.

The question being upon the adoption of the amendment of Mr. Duncombe, he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Ainsworth, Brown, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Henderson, Powers, Scott, Udell—13.

The nays were—Senators Anderson, Bailey, Bowen, Bussey, Buchel, Coolbaugh, Davis of Clinton, Hagans, Hammer, Hastings, Johnson, Kent, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Rankin, Reiner, Saunders, Sherradden, Thompson, Trumbull, Taylor, Williams, Wilson of Dubuque, Wilson of Jefferson—26.

Excused—Messrs. Neal and Watson. Absent but not excused—Messrs. Mann and Pusey. So the amendment was lost.

Mr. Duncombe renewed his amendment, with the following

amendment: "Strike out $1.25 in the 7th line, and insert $3.00," which motion was lost.

Mr. Taylor moved to amend section 3, so that it shall read, "from and after the 1st day of January, 1861, the office of Commissioner of the Des Moines River Improvement be and the same is hereby abolished." Upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Davis of Clinton, Drummond, Hastings, Henderson, Mann, McPherson, Taylor—8.

The nays were—Senators Angle, Ainsworth, Bailey, Bowen, Brown, Bussey, Buechel, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Lewis, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—30.

Excused—Messrs. Neal and Watson. Absent, but not excused—Messrs. Coolbaugh, Kent, and Patterson of Muscatine. So the amendment was lost.

On motion of Mr. Bailey, the 11th Rule was suspended, the bill read a third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Messrs. Bailey, Bowen, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, English, Green, Hagans, Hammer, Henderson, Johnson, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—32.

The nays were—Messrs. Anderson, Ainsworth, Drummond, Duncombe, Gray—5.

Excused—Messrs. Neal and Watson. Absent, but not excused—Messrs. Angle, Hastings, Kent, Powers and Saunders. So the bill was passed, and title agreed to.

Message from the House.

Mr. President:—I am directed to inform the Senate that the House has passed the following resolution, in which the concurrence of the Senate is asked:

"*Resolved*, The Senate concurring, That there be a committee of five appointed (three on the part of the House, and two on the part of the Senate,) to visit the Iowa Penitentiary, and report upon the condition of that institution; and that the said committee have

the same power to send for persons and papers as the special committee on the Penitentiary; and that the committee be instructed to enquire whether, if it requires $190,000 to finish the Penitentiary, it would not be better to expend the money at Des Moines, on a new Penitentiary, and report the same to this House."

The House has appointed Messrs. Curtis, Sabin, and McCullough of Jackson, as such committee on part of the House.

J. A. HAMMER, Assistant Clerk.

On motion of Mr. Bowen, substitute for House File No. 88, a bill for an act to amend an act to confer certain powers on towns and cities, for school purposes, was taken up and considered.

Mr. Mann moved to commit the bill to the committee on Schools and University, which was not concurred in.

Mr. Powers moved that the bill be referred to the Committee on Schools and University, and that Messrs. Udell and Mann be added to said committee, for that purpose, which motion prevailed.

On motion of Mr. Wilson of Jefferson, the concurrent resolution from the House, relating to the appointment of a committee to investigate the affairs of the State Penitentiary, was taken up and referred to the special committee, consisting of Messrs. Anderson, Ainsworth and Brown.

Mr. Drummond had leave to introduce Senate File No. 106, a bill for an act to provide for adjusting and paying costs incurred in the management and collection of the School Fund of the State, or the interest on the same. Read the 1st and 2d time, and referred to the Judiciary Committee.

Mr. Wilson of Jefferson, made the following report:

MR. PRESIDENT:—The Judiciary Committee have instructed me to report back Senate File No. 78, a bill for an act to amend an act entitled an act for the government of the State University of Iowa, passed by the Board of Education, and approved December 24, 1858, with the recommendation that it be amended as follows: Add to section 16, the words, "except such parts of acts now in force, as constitute said University a body corporate." Also "strike out section 17."

WILSON, of Jefferson.

On motion of Mr. Bowen, Mr. Saunders was granted leave of absence for one week.

On motion of Mr. Wilson, of Jefferson, the Secretary was

granted leave of absence for two days, from Thursday morning next.

Mr. Bowen moved to take up Senate File No. 78, a bill for an act entitled an act for the government and regulation of the State University of Iowa, passed by the Board of Education, and approved December 24th, 1858. Carried.

Mr. Taylor moved to amend section 4, by striking out "Board of Education," in the 6th line thereof, and inserting "General Assembly."

On motion of Mr. Patterson, of Muscatine, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Drummond moved that when the Senate adjourn, it adjourn to meet Thursday morning, at 9 o'clock, which motion prevailed.

On motion of Mr. Coolbaugh, the further consideration of Senate File No. 78, a bill for an act for the government and regulation of the State University of Iowa, passed by the Board of Education, and approved December 24th, 1858, was postponed.

Mr. Powers, from the special committee, appointed to consider certain petitions from Worth county, reported Senate File No. 107, a bill for an act to legalize the organization of the township of Hartland, in the county of Worth, with the recommendation that the same be passed.

Mr. Bussey moved that the bill be re-committed, and that Mr. Ainsworth be added to the committee, which motion prevailed.

Mr. Anderson, from the special committee appointed to draft resolutions of instruction to the committee appointed to investigate the affairs of the State Penitentiary, made the following report:

Resolved, (the House concurring,) That a joint committee of — from the Senate, and — from the House, be appointed to visit the Penitentiary, at Fort Madison, and make a thorough examination of all the affairs of said institution, and that said committee have full power to send for persons and papers, and administer oaths, if necessary to a full investigation of the said institution, as follows, to wit:

1st. To investigate the administration and government of said institution, and report any change they may deem necessary and expedient.

2d. To examine and investigate fully, the manner former appropriations to said institution, for its improvement and support, have been applied.

3d. To report to this General Assembly, whether the present manner of officering said institution, is the most efficient and practicable that can be adopted.

4th. To investigate and inquire into any violation of the present contract for convict labor, and if any such violation, to report the same to this General Assembly.

5th. To examine said building, and the plan as now adopted by the Inspectors, and report as to the practicability, necessity and propriety of said building as designed, having due regard to economy and the wants of the State.

6th. To examine and report what amount is absolutely necessary to appropriate, and how to be appropriated, to put said Penitentiary in a safe and comfortable condition for the security of the convicts, for the next two years, and report all the information herein required, to this General Assembly, by the 10th day of March, A. D. 1860; but if said committee find it impossible to report upon all the matters herein contemplated, then, and in that case, they are required to report fully, as required in the 6th and last subdivision, and such other matters as may be practicable.

Mr. Bussey moved that the Senate concur in the resolution passed by the House, relating to the appointment of a committee to investigate the affairs of the State Penitentiary.

Mr. Bowen moved, as a substitute, the adoption of the resolutions reported by the committee, which motion did not prevail.

The question being on concurring in the House resolution, Mr. Drummond demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Bussey, Coolbaugh, Davis of Clinton, English, Gray, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Wilson of Dubuque, Wilson of Jefferson —33.

The nays were—Senators Drummond, Duncombe, Williams—3. Excused—Messrs. Neal and Watson. Absent but not excused—Messrs. Brown, Buechel, Davis of Polk, Green, Johnson. The House resolution was concurred in.

The President appointed Messrs. Bowen and Udell, as said committee on part of the Senate.

Mr. Bowen from the Committee on Schools and University, with Messrs. Mann and Udell added, reported back Substitute for House File No. 88, a bill for an act to amend an act to confer certain powers on towns and cities for school purpose without amendment, and recommended its passage.

Mr. Bowen moved the suspension of the 11th Rule, and that the bill be read the third time, and put upon its final passage, which motion prevailed.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Saunders, Sherradden, Scott, Thompson, Trumbull, Williams, Wilson of Dubuque—31.

The nays were—Senators English, Mann, Pusey, Reiner, Taylor—5.

Excused—Messrs. Neal and Watson. Absent but not excused—Brown, Drummond, Johnson, Udell and Wilson of Jefferson. So the bill was passed, and title agreed to.

Mr. Bailey made the following report:

The majority of the special committee apointed to consider sundry petitions on the subject of the liquor laws in this State; also a bill to repeal all laws on the sale of liquors, reported back said bill with a substitute for the same, and recommended its adoption.

G. S. BAILEY, Chairman.

Mr. Coolbaugh, from the Committee on Ways and Means, reported back Senate File No. 77, a bill for an act making further appropriation for the Blind Asylum, without amendment or recommendation.

At his request, Mr. Udell was unanimously excused from further serving on the Committee on Railroads.

The President appointed Mr. Pattison of Marshall, as member of the Committee on Railroads, in the place of Mr. Udell.

On motion of Mr. Wilson, of Dubuque, Mr. Angle was granted leave of absence for one week, from Friday next.

On motion of Mr. Rankin, Senate adjourned.

SENATE CHAMBER,
Thursday, February 23, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. S. S. Howe.

Journal of Tuesday read and approved.

SPECIAL ORDERS.

The special order for 9 o'clock this morning, being the consideration of Substitute for Senate File No. 8, a bill for an an act to amend chapter 147, of the acts of 7th General Assembly.

Mr. Pusey moved to postpone the same, which was concurred in.

A second special order of this day, being the consideration of Senate File No. 77, a bill for an act making further appropriation for the Blind Asylum.

Mr. Drummond moved to fill the blank in section 1, with the sum of $21,000.

Mr. Johnson offered the following as an additional section to the bill:

SECTION 3. That the Commissioners of the Blind Asylum shall let to the lowest responsible bidder, the contract, for all materials necessary to be used in the further construction of said Asylum, and for the building of the same, after giving four week's notice, in at least two newspapers, of general circulation in the county where said Institution is located, and that no portion of the money hereby appropriated, shall be paid out by said Commissioners, except to the Contractors, who shall be required to execute bonds, with sufficient sureties, to be approved by the Secretary of State.

in at least double the amount of their bids, for the faithful performance of their contract.

Dr. Drummond moved to strike out the words, "Secretary of State," and insert the word "Commissioners," in the amendment.

Mr. Hagans moved to amend by striking out the words, "Secretary of State," and insert the words, "Clerk of the District Court of Benton County." Which motion was not concurred in.

The question being on the amendment offered by Mr. Drummond, he demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Davis of Polk, Drummond, Hammer, Henderson, Mann, Pattison of Marshall, Rankin, Scott, Thompson, Wilson of Dubuque, Wilson of Jefferson—11.

The nays were—Senators Angle, Ainsworth, Bailey, Brown, Bussey, Coolbaugh, Davis of Clinton, Duncombe, English, Gray, Green, Hagans, Hastings, Johnson, Kent, Lewis, Pusey, Powers, Reiner, Sherradden, Taylor, Williams—22.

Excused—Messrs. Anderson, Bowen, Patterson of Muscatine, Saunders, Udell and Watson. Absent and not excused—Messrs. Buechel, McPherson, Neal, Trumbull. So the amendment did not prevail.

Mr. Angle moved to amend by striking out the words, "Secretary of State," and insert the words, "County Judge, of Benton county."

Mr. Henderson moved to refer the bill to the Committee on Public Buildings, which motion did not prevail.

The question recurring upon the motion of Mr. Angle, it prevailed.

On motion of Mr. Powers, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Drummond, the bill and amendment under consideration, were referred to the Committee on Public Buildings.

On motion of Mr. Brown, the consideration of Senate File No. 78, a bill for an act to amend an act entitled an act for the government and regulation of the State University of Iowa, passed by

the Board of Education, and approved December 24th, 1858, which was a special order for this P. M., was postponed.

PETITIONS.

Mr. Powers presented the petition of William W. Hammer, and 31 others, citizens of Chickasaw county, praying for such action on the part of the General Assembly, as will secure a liberal grant of land for a road from McGregor, west, through the State.

Mr. Ainsworth presented a similar petition from L. Armstrong, and 27 others, citizens of Fayette county.

Also, a similar petition from Warren Osgood, and 34 others, citizens of Fayette county.

Mr. Green presented the petition of Joseph Long, and 67 others, citizens of Jackson county, praying for the passage of a law authorizing the Lyons and Missouri River R. R. Company to build a road along the line of the 42d parallel, giving to said Company all such lands as had been given to the I. C. A. L. Company.

Mr. Davis of Clinton, presented a similar petition from A. O. Blunding, and 84 others, citizens of Clinton county.

Also, a similar petition from David McKeen, and 50 others, citizens of Clinton county.

Also, a similar petition from S. Sturnbaugh, and 50 other citizens of Clinton county.

Also, a similar petition from Samuel Danby, and 90 others, citizens of Clinton county.

Also, a similar petition from E. Barhillar, and 111 others, citizens of Clinton county.

Also, a similar petition from William Kennedy, and 28 others, citizens of Clinton county.

Also, a similar petition from William H. Gibbs, and 165 others, citizens of Clinton county,—all of which, were referred to the Committee on Railroads.

Mr. Johnson moved a call of the House, which was sustained.

The following Senators were found to be absent, but not excused: Messrs. Ainsworth, Gray, Mann, Rankin, Reiner and Wilson of Jefferson.

On motion of Mr. Drummond, further proceedings under the call were dispensed with.

Mr. Drummond presented the petition of John Summers, and 35 others, praying for a repeal of so much of chapter 143 of the

acts of the 7th General Assembly, as permits the sale of beer and wine. Read and referred to the special liquor committee, of which Mr. Bailey is Chairman.

Mr. Hastings presented a similar petition from A. Fuller, and some 75 others, citizens of Buchanan county. Read, and referred to the same committee.

Mr. Scott presented the remonstrance of H. Corbin, and 88 others, citizens of Hamilton county, against the passage of the swamp land bill, offered in the House of Representatives, by L. B. Rosenkrans. Read, and referred to the Committee on Public Lands.

Mr. Wilson of Dubuque, presented the memorial of John Hodgon, Mayor of the city of Dubuque, accompanied by Senate File No. 108, a bill for an act to grant to the city of Dubuque, title to certain lands. The bill was read the 1st and 2d time, and referred to the Committee on Judiciary.

Mr. Thompson presented the petition of Edwin Smith, and 9 others, officers of the Scott County Agricultural Society, praying for the passage of a law exempting all agricultural fair grounds, to the extent of 25 acres, from taxation. Read, and referred to the Committee on Agriculture.

Mr. Rankin presented the petition of Smith Hamill, and 27 others, citizens of Iowa, praying for such change in the revenue system as to exempt from taxation, all permanent improvements made upon the soil of the State, and sundry other amendments. Read, and referred to the Committee on Ways and Means.

Also, by the same the petition of Thomas Sweeny, asking for certain changes in the criminal procedure of this State. Read, and referred to the Committee on Judiciary.

Mr. Wilson of Jefferson, presented the petition of Alvia Tamer, and 171 others, citizens of Iowa, praying for the restoration of the penalty clause, in the management of all corporations, that was removed at the session of the Legislature of 1857, and 1858, in the act passed for the benefit of Railroads, and for certain other amendments to increase the stringency of laws relating to corporations. Read, and referred to the Committee on Railroads.

Also, by the same, the petition of S. Robb, and 19 others, citizens of Iowa, praying for such changes in the revenue system of this State, as to exempt from taxation all permanent improvements made upon the soil of the State, and sundry other amend-

ments. Read, and referred to the Committee on Ways and Means.

Mr. Davis of Polk, gave notice that he would, on some subsequent day of the session, introduce a bill for an act to amend the law in regard to mechanic's lien.

Mr. Powers offered the following resolution, which was adopted:

Resolved, By the Senate, (the House concurring,) That there be appointed two, on the part of the Senate, and ——, on the part of the House, to examine and report the milage which each member of the General Assembly is entitled to.

The President appointed as said committee, on the part of the Senate, Messrs. Ainsworth and Hastings.

Mr. Mann, from the special committee appointed to consider certain petitions relating to the creation of a County Court of civil and criminal jurisdiction, to a certain extent, reported Senate File No. 109, a bill for an act giving County Courts limited civil and criminal jurisdiction. Read the 1st and 2d time, and on motion of Mr. Duncombe, laid on the table and ordered printed.

Mr. Rankin, from the Judiciary Committee, reported back Senate File No. 69, a bill for an act creating County Auditor and Register, and defining the duties of the same, with the recommendation that the same be indefinitely postponed.

On motion of Mr. Duncombe, the bill was referred to the Committee on Township and County Organization.

Mr. Rankin, from the same committee, reported back Senate File No. 62, a bill for an act making appropriations for selecting Swamp Lands, without amendment or recommendation, and moved that the same be laid on the table, which motion prevailed.

Mr. Rankin, from the same committee, reported back House File No. 100, a bill for an act to amend section 530 of the Code, and recommended that the same be passed.

On motion of Mr. Powers, the 11th Rule was suspended, the bill read a third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, Pusey, Pattison of Marshall, Powers, Rankin, Sherradden, Scott, Thompson, Trumbull, Taylor, Williams, Wilson of Dubuque, Wilson of Jefferson—31.

The nays were—None.

Excused—Messrs. Anderson, Angle, Bowen, McPherson, Neal, Patterson of Muscatine, Saunders, Udell and Watson. Absent, but not excused—Messrs. Bussey, Reiner and Thompson. So the bill was passed, and title agreed to.

Mr. Coolbaugh offered the following resolution, which was adopted:

Resolved, That the Auditor of State be requested to inform the Senate whether any of the Agents appointed by the Governor to examine the books, &c., of the School Fund Commissioners, according to chapter 162 of the acts of the 6th General Assembly, ever collected any State Revenue, or other money belonging to the State or School Fund; and if so, by what authority, and whether the said money, if any, has ever been paid into the State Treasury, and if so, when, and to what amount.

Mr. Rankin, from the Judiciary Committee, reported back Senate File No. 100, a bill for an act to regulate the foreclosure of mortgages, with the recommendation of the majority of said committee, that the same be passed.

On motion of Mr. Johnson, the bill was laid on the table.

Mr. Rankin, from same committee, reported back House File No. 116, a bill for an act to amend section 2096 of the Code of Iowa, relating to trust deeds, and recommended that the same be indefinitely postponed.

Also, Senate File No. 88, a bill for an act to regulate the foreclosure of deeds of trust, mortgages, and power of sale, on real estate, with the recommendation that the same be passed.

On motion of Mr. Johnson, both bills were laid on the table.

Mr. Wilson, of Jefferson, from the Judiciary Committee, reported back, without amendment, Senate File No. 101, a bill for an act making valid the service of original notices in certain actions, with the recommendation that the same be passed.

On motion of Mr. Johnson, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Bussey, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Henderson, Johnson, Kent, Lewis, Mann, Pusey, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Trumbull, Taylor, Williams, Wilson of Dubuque, Wilson of Jefferson —37.

The nays were—Mr. Rankin—1.

Excused—Messrs. Anderson, Angle, Bowen, McPherson, Neal, Patterson of Muscatine, Saunders, Udell and Watson. Absent, but not excused—Messrs. Bailey, Brown, Buechel, Hastings and Thompson. So the bill was passed, and title agreed to.

Mr. Ainsworth, from the Judiciary Committee, reported Senate File No. 110, a bill for an act to provide for the alteration and vacation of streets and alleys in unincorporated villages. Read the first and second time, and on motion of Mr. Ainsworth, was ordered engrossed for its third reading on to-morrow.

Mr. Rankin, from the same committee, reported back Senate File No. 98, a bill for an act to secure fees to jurors in Justices Courts, and recommended that the same be indefinitely postponed.

Mr. Mann moved that the bill be laid on the table, which motion prevailed.

Mr. Brown offered the following resolution:

Resolved, That the Judiciary Committee be, and hereby are, instructed to report a bill to the Senate, as soon as possible, requiring all grantees and mortgagees of real estate, to file in the office of Recorder of the proper county, their deed or mortgage, within twenty days of the date of the same, and in default thereof, providing that the interest of such grantee or mortgagee be forfeited as against attaching creditors of the grantor or mortgagor, and subsequent purchasers, for valuable consideration.

Mr. Johnson moved to lay the resolution on the table, which was concurred in.

Mr. Rankin, from the Judiciary Committee, reported back Senate File No. 9, a bill for an act to amend the Charter of the city of Glenwood, with the recommendation that the same be indefinitely postponed.

On motion of Mr. Hammer, the bill was so postponed.

Mr. Rankin offered the following resolution:

Resolved, That on and after Monday next, the Senate meet in Committee of the Whole at 2 o'clock, P. M., for the consideration of the Code and amendments thereto; and that the same be made the special order for that hour, for each day, until the same shall be finally disposed of in the Senate.

Mr. Johnson offered the following amendment: And that no speech shall be made of over five minutes in length, without unan-

imous consent, and that no member speak more than twice on the subject, on the same day.

Mr. Hammer moved to strike out the words "five minutes," and insert the words "ten minutes." Which motion did not prevail.

Mr. Scott moved to lay the amendment on the table; upon which question Mr. Johnson demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Buechel, Davis of Clinton, Davis of Polk, Hagans, Henderson, Lewis, Pusey, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Wilson of Dubuque, Wilson of Jefferson—19.

The nays were—Senators Bussey, Coolbaugh, Drummond, Duncombe, English, Green, Hammer, Hastings, Johnson, Kent, Mann, Pattison of Marshall, Powers, Williams—14.

Excused—Messrs. Anderson, Angle, Bowen, McPherson, Neal, Patterson of Muscatine, Saunders, Udell and Watson. Absent, but not excused—Mr. Gray.

The resolution offered by Mr. Rankin was then adopted.

Mr. Scott, from the Committee on Incorporations, reported back Substitute for House File No. 84, a bill for an act to prevent counties, cities and towns from taking stock in works of Internal Improvement and Banking Institutions; also, Senate File No. 99, a bill for an act to prevent counties and other municipal corporations subscribing to the capital stock of Railroad Companies, accompanied by the following report:

Mr. President:—The Committee on Incorporations have the honor to report back, according to instructions, Substitute for House File No. 84, a bill for an act to prevent counties, cities and towns from taking stock in works of Internal Improvement and Banking Institutions, with the following amendments:

1st—That the word "hereafter," in the third line of the first section, be stricken out.

2d—That the second section of said bill shall read as follows:

"All bonds or other evidences of debt hereafter issued by any county, or other municipal corporation, to any Railroad Company, as capital stock, shall be null and void, and no assignment of the same shall give them validity."

Mr. Ainsworth, from the Judiciary Committee, made the following report:

The Judiciary Committee, to which was referred a resolution in

quiring into the expediency of reporting a bill for an act requiring officers selling real estate on execution, or taking property on attachment, to make a record of the fact in the Clerk's office in the county in which said real estate is situated, would report, that the objects sought to be accomplished by the resolution, are fully met by sections 642 and 664, of the report of the Code Commissioners. They therefore think it inexpedient to pass any law upon the subject at present.

The report was adopted.

Mr. Bussey offered the following resolution, which was adopted:

Resolved, That the Auditor of State be requested to report to the Senate, whether the bonds of the State have been issued to the School Fund, for the $57,500 borrowed of the School Fund, to redeem bonds at Philadelphia, authorized by chapter 3d of the acts of the 6th General Assembly.

On motion of Mr. Taylor, Senate adjourned.

SENATE CHAMBER,
Friday, Feb. 24, 1860—9 o'clock A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Teeter.

Journal of yesterday read and approved.

Message from the House.

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

Whereas, there appears to be a disposition to make an appropriation, and insatiate desire to be benevolent at the public expense toward ourselves, and believing that it is more in accordance with the dictates of true benevolence to give than to take,

Therefore, Be it Resolved, (the Senate concurring,) That the Secretary of State be, and is hereby empowered and required to procure and have furnished to each convict of the Penitentiary of this State, one well bound bible. Also,

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

House File No. 38, a bill entitled an act to amend section 20 of an act authorizing General Banking in the State of Iowa, approved March 22nd, 1858.

CHAS. ALDRICH, Chief Clerk.

UNFINISHED BUSINESS.

House File No. 38, a bill for an act to amend section 20 of an act entitled an act authorizing General Banking in the State of Iowa, approved March 22nd, 1858. Was taken up, read the 1st and 2nd time, and referred to the Committee on Banks.

House File No. 106, a bill for an act to amend section 940 of the Code of Iowa, was taken up, read the 1st and 2nd time, and referred to the Committee on Agriculture.

House File No. 156, a bill for an act relating to the American Association, London, England, was taken up, read the 1st and 2nd time, and referred to the Committee on Federal Relations.

House File No. 99, a Joint Memorial and Joint Resolution, asking for a grant of land, to aid in the construction of a Railroad as herein set forth, was taken up, read the first and 2nd time, and referred to the Committee on Public Lands.

The resolution from the House relating to furnishing the convicts of the Penitentiary of this State with a well bound copy of the Bible, was taken up and considered.

Mr. Johnson offered the following amendment: "also one copy to each member of the present General Assembly."

On motion of Mr. Wilson of Jefferson, the resolution and amendment were laid on the table.

Mr. Drummond had leave to introduce Senate File No. 111, a bill for an act concerning School Lands in Tama county, read 1st and 2nd time, and referred to the Committee on Schools and University.

Mr. Bussey had leave to introduce Senate File No. 112, a bill for an act to amend an act entitled an act providing for the election of Supervisors, and defining their duties, approved January 22nd, 1853. Read the 1st and 2nd time, and referred to the Judiciary Committee.

Mr. English had leave to introduce Senate File No. 113, a bill

for an act to legalize the city elections in the City of Glenwood. Read 1st and 2nd time.

On motion of Mr. English, the 11th Rule was suspended, the bill read a third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Bailey, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Mann, Pusey, Pattison of Marshall, Powers, Sherradden, Trumbull, Taylor, Wilson of Dubuque—23.

The nays were—Senators Ainsworth, Drummond, Johnson, Lewis, Rankin, Reiner, Scott, Thompson, Watson, Williams, Wilson of Jefferson—11.

Excused—Messrs. Anderson, Angle, Bowen, Patterson of Muscatine, Saunders and Udell. Absent but not excused—Messrs. McPherson, and Neal. So the bill was passed, and title agreed to.

PETITIONS.

Mr. Davis, of Polk, presented the petition of Davis Harris, and 40 others, citizens and mechanics of Polk county, asking that chapter 39, of the laws of the 7th General Assembly, may be amended, in regard to the time of filing mechanic's liens. Read and referred to the Committee on Judiciary.

Mr. Drummond presented the petition of G. R. Maben, and 15 others, citizens of Hancock county, praying for the abolition of the office of County Judge, and in lieu thereof, the creation of the office of Township Supervisors. Read and referred to the Committee on County and Township Organization.

Mr. Gray presented the petition of D. Harper, and 33 others, citizens of Iowa, asking this General Assembly to memorialize Congress, to establish a mail route from Dubuque, in Dubuque county, via. Garnavillo and McGregor, in Clayton county, Mexford, Capoli and Lansing, in Alamakee county, and to Brownsville, in Minnesota, and to procure daily service on said route. Also, a similar petition from A. Townsend, and some 25 others, citizens of Iowa. Also, a similar petition from C. J. White, and 17 others, citizens of Iowa. Also, a similar petition from George L. Miller, and 19 others, citizens of Iowa. All of which were read and referred to the Committee on Federal Relations.

Mr. Scott presented the petition of T. E. Alderman, and 97

others, citizens of Story county, praying for the relief of the sureties of John Bell, a defaulting School Fund Commissioner, of said county. Read, and on motion of Mr. Scott, referred to a special committee of three.

The President appointed, as said committee, Messrs. Scott, Trumbull and Watson.

Mr. Brown, from the Committee on Schools and University, reported back Senate File No. 80, a bill for an act to amend section 24, of chapter 158, of the acts of the 7th General Assembly, without amendment, and recommended that the same be passed.

On motion of Mr. Watson, the 11th Rule was suspended, the bill read a third time, and put upon its final passage. The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, Pusey, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilosn of Dubuque, Wilson of Jefferson—33.

The nays were—None.

Excused—Messrs. Anderson, Angle, Bowen, Patterson of Muscatine, Saunders and Udell. Absent, but not excused—Messrs. Duncombe, McPherson, Neal, Rankin. So the bill was passed, and title agreed to.

Message from the House:

Mr. President:—I am directed to inform your honorable body, that the House of Representatives has passed the following bills, in which the concurrence of the Senate is asked: House File No. 150, Substitute of House Files Nos. 8 and 27, a bill for an act providing for the appraisement of property taken on execution. I am also farther directed to inform the Senate, that the House has failed to concur in the Senate's amendment to Substitute for House File No. 57, a bill for an act to repeal part of section 6, chapter 93, of the acts of the 7th General Assembly.

CHARLES ALDRICH, Chief Clerk.

Mr. Wilson of Dubuque, offered the following resolution, which was adopted:

Resolved, That the Committee on Schools and University, be instructed to enquire into the expediency of amending section 5, of act No. 11, passed by the Board of Education, December, 1858,

by adding the following: "They may appoint a collector whose duty it shall be to collect all taxes levied by the District, and he shall receive for his consideration, such per centum as may be determined by the District Board."

Referred to the Committee on Schools and University.

Mr. Bussey, from the special committee to which was referred Senate File No. 105, a bill for an act to provide for the payment of jury fees, reported the same back, without amendment, and recommended its passage.

Mr. Ainsworth moved to amend section 2, by striking out the following words: "The amount so to be paid," and inserting the words, "and the time so consumed."

Mr. Johnson offered the following amendment: In the first section, strike out the words, "said fees shall be paid out of the County Treasury," which was not concurred in.

The question recurring upon the amendment offered by Mr. Ainsworth, it was adopted.

On motion of Mr. Bussey, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Thompson, Trumbull, Taylor, Williams, Wilson of Dubuque, Wilson of Jefferson—30.

The nays were—Senators Duncombe, Johnson, Sherradden, Scott—4.

Excused—Messrs. Anderson, Angle, Bowen, Patterson of Muscatine, Saunders, Udell. Absent, and not excused—Messrs. McPherson, Neal and Watson. So the bill was passed.

Mr. Scott moved to amend the title so that it shall read, "a bill for an act to regulate and provide for the payment of jury fees, and fees of jurors, which motion prevailed.

Message from the House.

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

House File No. 198, a bill for an act entitled an act to annex

the township of Van Buren to the townships of Jackson, Montrose and Des Moines, in Lee county, for Judicial purposes.

I am further directed to inform the Senate, that the House has adopted the concurrent resolution of the Senate, in relation to the appointment of a committee to examine into and report upon the subject of the mileage of members of the present General Assembly, and that Messrs. Davis of Johnson, Jennings and Rosenkrans, have been appointed as such committee, on the part of the House.

CHAS. ALDRICH, Chief Clerk.

Mr. Rankin had leave to introduce Senate File No. 114, a bill for an act to amend certain sections of the criminal law. Read, the 1st and 2d time, and referred to the Judiciary Committee.

Mr. Powers, from the special committee, to which was referred Senate File No. 35, a bill for an act to legalize certain railroad bonds in Mitchell county, reported the same back, and recommended its passage.

Mr. Bailey moved to indefinitely postpone the consideration of the bill, upon which question, Mr. Powers demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Buechel, Drummond, English, Hagans, Hastings, Johnson, Lewis, Mann, Pattison of Marshall, Rankin, Reiner, Sherradden, Scott, Williams, Wilson of Jefferson—17.

The nays were—Senators Brown, Bussey, Davis of Clinton, Davis of Polk, Duncombe, Gray, Green, Henderson, Kent, Powers, Thomson, Trumbull, Taylor, Wilson of Dubuque—14.

Excused—Messrs. Anderson, Angle, Bowen, Patterson of Muscatine, Saunders and Udell. Absent, but not excused—Messrs. Coolbaugh, Hammer, McPherson, Neal, Rankin and Watson. So the motion to indefinitely postpone prevailed.

On motion of Mr. Rankin, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Hastings, from the Committee on Engrossed Bills, reported Senate File No. 110, a bill for an act to provide for the alteration and vacation of streets and alleys, in unincorporated villages, correctly engrossed.

Mr. Wilson of Jefferson, moved a call of the House, which was sustained.

The following members were found to be absent, and not excused: Messrs. Neal, Rankin, Scott and Thompson.

Mr. Watson moved to suspend further proceedings under the call, which motion did not prevail.

On motion of Mr. Powers, Mr. Neal was excused.

Mr. Wilson of Jefferson, moved to suspend further proceedings under the call, which was concurred in.

Mr. Scott, from the Committee on Incorporation, reported back House File No. 30, a bill for an act to legalize the election of the President and Town Council, and other officers of Chariton, Lucas county, and the official acts of the same, and moved that the same be laid on the table, which was concurred in.

Mr. Scott, from the same committee, reported back Senate File No. 75, a bill for an act for the regulation of State and County Roads within towns and cities, with the recommendation that the same be passed.

On motion, the bill was ordered engrossed for its third reading on to morrow.

On motion of Mr. Duncombe, substitute for House File No. 57, a bill for an act to repeal part of section 6, chapter 93, of the acts of the 7th General Assembly, was taken up.

Mr. Duncombe moved that the Senate recede from its amendment to said bill, which was concurred in.

On motion of Mr. Duncombe, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Lewis, Mann, Pusey, Pattison of Marshall, Powers, Scott, Trumbull, Taylor, Williams, Wilson of Dubuque, Wilson of Jefferson—26.

The nays were—Senators Davis of Clinton, Davis of Polk, Reiner, Sherradden—4.

Excused—Messrs. Anderson, Angle, Bowen, McPherson, Neal, Patterson of Muscatine, Saunders and Udell. Absent but not excused—Messrs. Brown, Kent, Rankin, Thompson and Watson. So the bill was passed, and title agreed to.

Mr. Bussey rose to a question of privilege, and stated that his

name was signed to the report of the Committee on Schools and University, relating to the State University, without his knowledge or consent, and that he did not approve of the sentiments of said report, and asked that his dissent therefrom be entered on the Journal. Leave was granted.

Mr. Davis of Polk, gave notice that he would on some subsequent day of the session, introduce a bill for an act to provide for removing obstructions to the navigation of the Des Moines River below the Raccoon Forks.

Mr. Wilson of Jefferson, from the Judiciary Committee, reported back substitute for Senate File, No. 41, a bill for an act entitled an act providing for the election of District Attorneys, prescribing their duties, and fixing their compensation, with the recommendation that the same be passed.

Mr. Wilson of Jefferson moved to suspend the 11th Rule, have the bill read the third time and put upon its final passage.

Mr. Johnson moved to re-commit the bill with instructions so to amend it, as to fix the salaries of District Attorneys at $1,200 per year, and cutting off all perquisites.

Mr. Davis of Clinton, moved to commit the bill to a select committee, with instructions to reduce the salary of District Attorneys to $500 per year, exclusive of the fees now allowed, and those additional, proposed in the bill under consideration.

Mr. Mann moved to lay the motions to re-commit with instructions on the table. Upon which question, Mr. Davis of Clinton, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Bussey, Buechel, Coolbaugh, English, Gray, Green, Hagans, Hammer, Henderson, Hastings, Lewis, Mann, Pusey, Pattison of Marshall, Powers, Rankin, Sherradden, Scott, Thompson, Trumbull, Taylor, Wilson of Jefferson—25.

The nays were—Senators Davis of Clinton, Davis of Polk, Duncombe, Johnson, Reiner, Williams, Wilson of Dubuque—7.

Excused—Messrs. Anderson, Angle, Bowen, McPherson, Neal, Patterson of Muscatine, Saunders and Udell. Absent but not excused—Messrs. Drummond, Kent and Watson. So the motion to lay on the table prevailed.

Mr. Davis of Clinton, offered the following amendment to section 1, of the bill, "that the salary of the District Attorney is hereby

fixed at $500 per annum, together with the fees now allowed by law."

Mr. Powers moved to lay the amendment on the table, upon which question Mr. Davis of Clinton, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Ainsworth, Brown, Bussey, Duncombe, English, Gray, Green, Hagans, Hammer, Henderson, Johnson, Mann, Pusey, Pattison of Marshall, Powers, Rankin, Sherradden, Scott, Thompson, Trumbull, Wilson of Dubuque and Wilson of Jefferson—23.

The nays were—Senators Bailey, Buechel, Davis of Clinton, Davis of Polk, Hastings, Kent, Lewis, Reiner, Taylor, Williams, —10.

Excused—Messrs. Anderson, Angle, Bowen, McPherson, Neal, Patterson of Muscatine, Saunders and Udell. Absent but not excused—Messrs. Drummond and Watson. So the amendment was tabled.

The question being on suspending the 11th Rule, it was suspended, the bill read a third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Coolbaugh, Gray, Hagans, Henderson, Pusey, Pattison of Marshall, Rankin, Sherradden, Thompson, Watson, Wilson of Jefferson—12.

The nays were—Senators Bailey, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, English, Green, Hammer, Hastings, Johnson, Kent, Lewis, Mann, Powers, Reiner, Scott, Trumbull, Taylor, Williams, Wilson of Dubuque—21.

Excused—Messrs. Anderson, Angle, Bowen, McPherson, Neal, Patterson of Muscatine, Saunders and Udell. Absent but not excused—Messrs. Drummond and Duncombe. The bill not having received a constitutional majority, was lost.

On motion, Senate adjourned

SENATE CHAMBER,
Saturday, Feb. 25th, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Teeter.

Journal of yesterday, read, corrected and approved.

Mr. Pusey moved to re consider the vote by which Senate File No. 35, a bill for an act to legalize certain railroad bonds of Mitchell county, was on yesterday lost, which motion prevailed.

On motion of Mr. Powers, the bill was laid on the table.

Mr. Wilson of Jefferson, had leave to introduce Senate File No. 115, a bill for an act defining the duties of railroad companies. Read the 1st and second time, and on motion of Mr. Wilson of Jefferson, the bill was laid on the table, and ordered printed.

Mr. Hagans offered the following resolution which was adopted:

Resolved, That the Committee on Federal Relations be instructed to inquire into the expediency of memorializing Congress for a mail route with tri-weekly service, from Des Moines, in Polk Co., Iowa, via. Indianola, Osceola and Mt. Ayr, in Iowa, and Albany to St. Joseph, Missouri, and report at an early day.

Mr. Coolbaugh from the Committee on Ways and Means, reported back House File No. 53, a bill for an act making appropriations to meet the expenses of the Deaf and Dumb Asylum, with sundry amendments, and recommended the adoption of the amendments and the passage of the bill as amended. The amendments were adopted.

On motion of Mr. Wilson of Jefferson, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Gray, Green, Hagans, Hastings, Henderson, Johnson, Kent, Lewis, Mann, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Wilson of Dubuque, Wilson of Jefferson—30.

The nays were—Senators English, Hammer, Pusey, Williams, —4.

Excused—Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Watson. Absent but not excused—Neal. So the bill was passed and title agreed to.

Mr. Rankin, from the special committee, to which was referred certain petitions relating to the releasing of the sureties of James D. Eads, reported Senate File No. 116, a bill for an act to submit

to arbitration or reference, the claims and defences of the State of Iowa, and James D. Eads, late Superintendent of Public Instruction, and the official sureties of said Eads, without recommendation, the committee being unable to agree among themselves. Read first and second time, and on motion of Mr. Rankin, the bill was laid on the table, and ordered printed.

On motion of Mr. Mann, Senate File No. 110, a bill for an act to provide for the alteration and vacation of streets and alleys in uncorporated villages, was taken up, read the third time, and put on its final passage.

The yeas and nays were as follows:

The yeas were—Senators, Ainsworth, Bailey, Bussey, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, Neal, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—33.

The nays were—Senator Davis of Polk—1.

Excused—Messrs. Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. Absent but not excused—Brown and Coolbaugh. So the bill was passed and title agreed to.

Mr. Hastings, from the Committee on Engrossed Bills, reported Senate File No. 75, a bill for an act for the regulation of State and County Roads within towns and cities, correctly engrossed.

On motion of Mr. Mann, the bill was taken up, read the third time, and put on its final passage.

The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Buechel, Drummond, Duncombe, English, Gray Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, Neal, Pusey, Pattison of Marshall, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—29.

The nays were—None.

Excused—Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. Absent but not excused—Bailey, Brown, Coolbaugh, Davis of Polk, Davis of Clinton, English, Johnson and Powers. So the bill was passed and title agreed to.

Mr. Rankin, from the Judiciary Committee, reported back a resolution relative to exorbitant taxation in certain counties, and stated that it was competent for the Legislature to pass a law giv-

ing jurisdiction over such matters to the District Court, but the law could not be applied to localities, and must be general. The passage of a general law would be attended with evil consequences, would give rise to innumerable applications to the Courts, and would be productive of little good. For these reasons, the Committee have reported no bill.

UNFINISHED BUSINESS.

House File No. 150, Substitute for House Files Nos. 8 and 27, a bill for an act providing for appraisement of property taken on execution, was taken up. Read the first and second time.

Mr. Wilson of Jefferson, moved to amend section 1, by inserting the word "real," before the word "property."

On motion of Mr. Mann, the bill and amendment were referred to the Judiciary Committee.

House File No. 198, a bill for an act entitled an act to annex the township of Van Buren to the townships of Montrose, Jackson and Des Moines, in Lee county, for judicial purposes, was taken up. Read the first and second time.

On motion of Mr. Rankin, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Bussey, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, English, Green, Hagans, Hastings, Henderson, Johnson, Lewis, Mann, Neal, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—30.

The nays were—Senators Buechel, Gray—2.

Excused—Messrs. Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. Absent, but not excused—Messrs. Duncombe, Hammer, Kent and Pusey. So the bill was passed, and title agreed to.

Message from the House.

Mr. President:—I herewith present, for your signature, House File No. 88, a bill for an act to amend an act to confer certain powers on towns and cities for school purposes, the same having passed both Houses of the General Assembly, and been duly enrolled in the House.

J. A. HAMMER, Assistant Clerk.

Mr. Neal had leave to introduce Senate File No. 117, a Joint Resolution instructing our Senators and requesting our Representatives in Congress, to use their exertions to procure the establishment of a daily mail from Eddyville, in Wapello county, via. Knoxville, in Marion county, to Des Moines, in Polk county. Read the first and second time.

On motion of Mr. Neal, the 11th Rule was suspended, the resolution read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Henderson, Johnson, Kent, Lewis, Mann, Neal, Pusey, Pattison of Marshall, Powers Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—34.

The nays were—None.

Excused—Messrs. Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. Absent, but not excused —Messrs. Drummond and Hastings.

So the resolution was passed, and title agreed to.

Mr. Johnson moved that when the Senate adjourns, it adjourn to meet on Monday, at 9 o'clock, A. M. Which motion prevailed.

Communication from the Governor.

EXECUTIVE OFFICE, IOWA,
February 25th, 1860.

Gentlemen of the Senate and House of Representatives:

I have this day received from certain citizens of Clay, Cherokee and Woodbury counties, the communications herewith transmitted, in regard to depredations said by them to have been committed in those counties by Indians.

As you are now in session, I deem it proper to communicate with you before taking any steps in the matter.

The distance from Ft. Dodge, to the points at which the alleged difficulties exist, is so great as to render the movement of a force from that place, very difficult and expensive. Should you deem the use of any troops advisable, I would recommend that the services of persons in the valley of the Little Sioux River be invited and accepted, and that arms and ammunition, particularly the latter, be furnished them.

As the law now stands, I think I have not power to employ any force, except the company organized under the act passed for that purpose, at the last session of the General Assembly.

SAMUEL J. KIRKWOOD.

Mr. Taylor offered the following resolution:

Resolved, By the Senate, (the House concurring,) That the General Assembly adjourn *sine die* on the 26th day of March, 1860.

Mr. Davis, of Clinton, moved to strike out March 26, and insert April 2.

Mr. Neal moved to lay the resolution on the table, which was not agreed to.

Mr. Watson moved to postpone the further consideration of the resolution until the 2d of March, which motion did not prevail.

The question being on the amendment offered by Mr. Davis, of Clinton, it was not concurred in.

Mr. Wilson, of Dubuque, moved to strike out March 26, and insert March 20.

Mr. Johnson moved to strike out March 26, and insert March 15. On which question, Mr. Davis, of Polk, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Hammer, Johnson, Kent, Neal, Pusey, Powers, Scott, Watson, Wilson of Dubuque—17.

The nays were—Senators Ainsworth, Bailey, Drummond, Gray, Green, Hagans, Hastings, Henderson, Lewis, Mann, Pattison of Marshall, Rankin, Reiner, Sherradden, Thompson, Trumbull, Taylor, Williams, Wilson of Jefferson—19.

Excused—Messrs. Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. So the motion was lost.

The question recurring upon the amendment of Mr. Wilson, of Dubuque, it was not concurred in.

The question then being on the adoption of the resolution, Mr. Davis, of Clinton, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Bussey, Buechel, Coolbaugh, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, Neal, Pusey, Pattison of Marshall, Powers, Rankin,

Reiner, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—33.

The nays were—Senators Davis of Clinton, Johnson—2.

Excused—Messrs. Angle, Anderson, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. Absent, but not excused—Sherradden. So the resolution was adopted.

Mr. Brown had leave to introduce Senate File No. 118, a bill for an act to provide for recording deeds and mortgages. Read the first and second time, and referred to the Judiciary Committee.

On motion of Mr. Williams, House File No. 3, a bill for an act to amend section 2, of chapter 155, of the acts of the 7th General Assembly, approved March 23d, 1858, was taken up.

Mr. Duncombe moved to suspend the 11th Rule, have the bill read the third time, and put upon its final passage, which was concurred in. The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Bussey, Buechel, Coolbaugh, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Henderson, Johnson, Kent, Lewis, Mann, Neal, Pusey, Pattison of Marshall, Thompson, Trumbull, Taylor, Williams, Wilson of Dubuque, Wilson of Jefferson—27.

The nays were—Senators Davis of Clinton, Powers, Rankin, Reiner, Sherradden, Scott, Watson—7.

Excused—Messrs. Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell.

Absent and not excused—Messrs. Brown, Hastings. So the bill was passed, and title agreed to.

On motion of Mr. Wilson of Dubuque, the communication from the Governor, and accompanying documents, were taken up and considered.

On motion of Mr. Wilson of Jefferson, the communication and accompanying documents, were referred to the Committee on Military Affairs, with instructions to report a bill conferring power upon the Governor to provide for the protection of the frontier settlers, whenever he shall be satisfied of the necessity for such action.

Mr. Duncombe offered the following resolution, which was referred to the Committee on Military Affairs:

Resolved, By the Senate (the House concurring,) That the Secretary of War be requested to establish a military station in the north-western portion of the State of Iowa, for the protection of

the settlers in the north-western part of the State, from a band of Sioux Indians, that has for several years past, and the present winter, committed depredations upon the peaceable citizens in that part of the State, and that the Secretary of State be requested to forward this resolution forthwith, to the Secretary of War.

Mr. Thompson presented the remonstrance of A. G. Henderson, and 60 others, citizens of Jackson county, against the passage of a law, that will, in any way, interfere with the present boundaries of said county.

Also, a similar petition from F. Britell, and 56 others, citizens of Jackson county.

Also a similar petition from Lyman Benton, and 54 others, citizens of Jackson county.

Also, a similar petition from O. D. Couels, and 54 others, citizens of Jackson county, all of which were read and referred to the Committee on New Counties.

Mr. Hagans from the Committee on Military Affairs, made the following report, which was adopted:

The Committee on Military Affairs, to which was referred Senate File No. 49, a bill for an act for the organization and government of the militia of the State of Iowa, report that they have had the same under consideration, and while they are unanimously opposed to the passage of the bill, they think, perhaps some further legislation may be necessary for the Independent Companies of the State, and ask that Messrs. Wilson of Dubuque, and Bowen, be added to said committee, for the consideration of the same.

On motion of Mr. Rankin, Senate adjourned.

SENATE CHAMBER,
Monday, February 27, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.
Prayer by Rev. Mr. Young.
Journal of Saturday read and approved.

Message from the House:

MR. PRESIDENT:—I am directed to inform your honorable body, that the House has passed Senate File No. 50, with one amendment, to wit: striking out the words, "or may hereafter apprentice," in the 5th and 6th lines of section 1, in which the concurrence af the Senate is asked.

CHAS. ALDRICH, Chief Clerk.

Mr. Powers presented the petition of John V. Carpenter, and some 70 others, citizens of Chickasaw county, praying for the abolition of the present County Judge system, and the adoption of the Supervisor system, and moved its reference to the Committee on Township and County Organization, which was concurred in.

Mr. Gray offered the following resolution:

Resolved, That the Secretary of State is hereby instructed to cause to be laid a side-walk from the end of the plank walk on Court Avenue, to the Capitol; said side-walk to be two plank, at least one foot wide, laid two feet apart, running parallel with the street; said side-walk to remain the property of the State.

Mr. Wilson of Jefferson, moved to lay the resolution on the table, upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bailey, Brown, Buechel, Davis of Clinton, Green, Hagans, Johnson, Kent, Lewis, Neal, Powers, Rankin, Reiner, Sherradden, Scott, Watson, Williams, Wilson of Jeff.—18.

The nays were—Senators Ainsworth, Bussey, Coolbaugh, Davis of Polk, Drummond, Duncombe, English, Gray, Hammer, Henderson, Mann, Pusey, Pattison of Marshall, Thompson, Trumbull, Taylor, Wilson of Dubuque—17.

Excused—Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. Absent but not excused—Hastings. So the motion to lay on the table prevailed.

Mr. Rankin offered the following resolution:

Resolved, That after the 4th day of March next, the Senate will hold an evening session on Mondays, Wednesdays and Fridays of each week, commencing at 7 o'clock.

Mr Drummond offered the following amendment: "And the Secretary of State be instructed to furnish each member of this body with a pair of good gum boots, to enable him to get through the mud on Capitol hill, going and returning from the Senate."

Mr. Duncombe offered the following amendment: "And the Secretary of State be instructed to furnish each member of this body with an Indian Pony, to enable him to get through the mud on Capitol hill, going and returning from the Senate."

Mr. Henderson moved to lay the resolution and amendments on the table.

Mr. Rankin called for a division of the question, which was granted.

The question being upon laying the amendments on the table, Mr. Lewis demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Bussey, Buechel, English, Gray, Green, Hagans, Henderson, Lewis, Mann, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—25.

The nays were—Senators Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Hammer, Hastings, Johnson, Kent, Neal, Pusey—11.

Excused—Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. So the motion to lay on the table prevailed.

Mr. Hammer moved to lay the resolution on the table, upon which question Mr. Wilson of Jefferson, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bailey, Buechel, Davis of Clinton, Davis of Polk, Drummond, Hammer, Henderson, Johnson, Pusey, Pattison of Marshall, Sherradden, Scott, Thompson, Trumbull—14.

The nays were—Senators Ainsworth, Brown, Bussey, Coolbaugh, Duncombe, English, Gray, Green, Hagans, Hastings, Kent, Lewis, Mann, Neal, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull—22.

Excused—Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. So the motion to lay on the table did not prevail.

Mr. Reiner offered the following, as a substitute for the original resolution:

Resolved, That the Senate, hereafter, meet at 8½ o'clock, A. M.

Mr. Ainsworth offered the following, as a substitute for the resolution and amendments:

Resolved, That on and after the 28th day of February, 1860, the Senate hold three sessions per day; the 1st commencing at 8 o'clock, A. M., and closing at 1, P. M.; the 2d commencing at 2 o'clock, P. M., and closing at 5 o'clock, P. M.; the 3d commincing at 7 o'clock, P. M., and closing at 10 o'clock, P. M.

Mr. Drummond moved to amend the substitute by adding the following proviso: "*Provided*, The Secretary of State cause to be built, a cheap plank walk, from the terminus of the present walk, on Court Avenue street, to the Capitol, immediately, at the expense of the State, and to be the property of the State."

Mr. Powers moved to amend the amendment, by providing for the construction of branch walks to the residence of each Senator, which motion did not prevail.

The question being upon the amendment offered by Mr. Drummond, he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Coolbaugh, Davis of Polk, Drummond, Duncombe, Gray, Hammer, Hastings, Henderson, Pusey, Pattison of Marshall, Scott, Thompson, Trumbull, Wilson of Dubuque—15.

The nays were—Senators Bailey, Brown, Bussey, Buechel, Davis of Clinton, English, Green, Hagans, Johnson Kent, Lewis, Mann, Neal, Powers, Rankin, Reiner, Sherradden, Taylor, Watson, Williams, Wilson of Jefferson—20.

Excused—Messrs. Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders, Udell. So the amendment did not prevail.

The question being upon the adoption of the substitute offered by Mr. Ainsworth, Mr. Lewis moved to lay the substitute on the table, which motion prevailed.

Mr. Scott moved to adjourn, which was not agreed to.

Mr. Hammer moved to lay the whole matter on the table, upon which question, Mr. Johnson demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bailey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Pusey, Pattison of Marshall, Sherradden, Scott, Thompson, Trumbull, Watson, Wilson of Dubuque—23.

The nays were—Senators Ainsworth, Brown, Bussey, Johnson, Lewis, Mann, Neal, Rankin, Reiner, Taylor, Williams, Wilson of Jefferson—12.

Excused—Messrs. Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. Absent but not excused—Mr. Powers. So the motion to lay on the table prevailed.

Mr. Johnson moved to pass the order of Resolutions, which was not concurred in.

Mr. Reiner offered the following resolution:

Resolved, by the Senate, (the House concurring,) That the Secretary of State is hereby authorized and required to cause the roof of the Capitol to be painted, and that the necessary amount is hereby appropriated out of the State Treasury therefor.

Mr. Wilson of Jefferson, moved to refer the resolution to the Committee on Ways and Means, which motion prevailed.

Mr. Rankin, from the Judiciary Committee, reported back chapter 56, of the report of the Code Commissioners on Civil Procedure, and recommended the same be referred to the Committee on Township and County Organization. So referred.

Also, that part of the said report, not heretofore reported back, with sundry amendments.

Mr. Bailey had leave to introduce Senate File No. 119, a bill for an act to authorize the County Court in certain cases to establish election precincts. Read the 1st and 2nd time.

Mr. Neal moved to refer the bill to the Committee on County and Township Organization, and that Mr. Bailey be added to said committee for its consideration. Which motion prevailed.

The President laid before the Senate the following communication from the Secretary of the State Agricultural College, which on motion of Mr. Wilson of Jefferson, was referred to the Committee on Agriculture.

To the Honorable President of the Senate:

The undersigned, a Committee of the Board of Trustees of the Iowa State Agricultural College and Farm, appointed to present to your honorable body their acts and doings, as authorized by the Law of March 22d, 1858, incorporating and making appropriation for a State Agricultural College and Farm, have to report:

That their first meeting under said law took place in the Capitol on the 10th day of January, 1859; that there were present at said

meeting all the members appointed by the last Legislature and named in the law, excepting Messrs. M. W. Robinson, John D. Wright, E. H. Williams, Clement Coffin, and the Governor, R. P. Lowe; Mr. E. H. Williams having resigned his Trusteeship, John Pattee was duly elected to fill the vacancy.

One of the first duties of the Board being the election of permanent officers, Wm. Duane Wilson was duly elected Secretary, to hold his office for two years from the 22d of March, 1859; and Richard Gaines was duly elected Treasurer, to hold his office for one year, who was re-elected for a like term at the meeting of the Board in January last. The Trustees and officers executed their bonds of office as required by law. In deciding the terms of service of the members of the Board as required by law, the following was the result:

Messrs. H. W. Robinson, Timothy Day, J. D. Wright, Wm. Duane Wilson, Richard Gaines and John Pattee, each drew the term of four years from the 10th of January, 1859; and Messrs. G. W. F. Sherwin, Suel Foster, J. W. Henderson, Clement Coffin and E. D. Day, each drew the term of two years from the 10th of January, 1859. Proposals for the sale of lands for the College Farm were issued from this meeting and circulated over the State, to be acted upon at the second meeting of the Board in June last. At that meeting propositions were received from the counties of Hardin, Polk, Story, Marshall, Jefferson and Tama. The Board having determined to examine the sites offered, a selection was not made until the next meeting in the same month, when it was located in Story county, on the west fractional half of section number (3) three, the east fractional half of section number (4) four, the east half of the south-west quarter of section No. (4) four, and the east half of the north-west fractional quarter of section No. (4) four, in township No. (83) eighty-three, north of range No. (24) twenty-four, west of P. M. Iowa, containing six hundred and forty-nine and fifty one hundredths acres; *Provided*, The conditions of the bond accompanying it, and subsequently added to the propositions made by the citizens of Story and Boone counties, and the county of Story, are complied within accordance with a resolution of this Board.

The offers made by Story county, and some of the citizens thereof, and the citizens of Boone county, embraced $10.000 of

County Bonds which had been voted by the legal voters of Story county, near $4000 in individual notes at 10 per cent. interest from the date of location, payable in ten years, and 1000 acres of unimproved lands in Story and Boone counties, in the vicinity of the farm.

QUALITY OF FARM LAND.

The land is well calculated for the uses intended, there being a good portion of dry rolling prairie of the general character of our State, some of it a little wet, and some creek bottom; Squaw Fork Creek, lasting water, runs through the east side of the land; an excellent never failing spring in the prairie, near the centre of the farm; a good supply of timber, probably 150 acres, and good clay for brick upon it. There is also donated a sufficient stone quarry, which is situated about 1½ miles west of the farm, being a fair quality of stone, between sand and lime stone.

BUILDING SITES.

The public road, leading from Nevada to Boonsboro, passes through the farm, east and west, near the south line. It is intended to change this road to the south line. The farm is in fractional sections, being one mile and a fourth east and west, and containing 647½ acres.

The place selected by the Executive Committee, for the College Buildings, is about 60 rods from the south line, and 130 rods from the west line. There is a small creek, running east, along, and near the south line, somewhat crooked. At this place, it makes a curve to the south, leaving a handsome swell of land, elevated about 25 feet above the small creek, and about 45 feet above Squaw Creek, which is ¾ of a mile east. This is nearly the height of the high prairie of the farm, excepting two or three ridges, somewhat higher, not large enough, however, for building sites. A topographical survey of the farm has not been made, believing it might be dispensed with until the school is opened.

It is intended to lay off a farm road, north and south from the east side of the College Buildings, just half a mile from the west line of the farm.

The site for the farm house is about 40 rods N. N. E. of the College Buildings, and on the east side of the farm road. The

barn is to be 20 rods N. N. E. of the house, and within 30 rods from the large spring which lies N. N. E. This spring can be conveyed, by means of a hydraulic ram, to all these building sites.

IMPROVEMENTS MADE ON THE FARM.

The improvements, and preparations for improvements, are as follows:

Breaking 70 acres of prairie, @ $2.50 per acre.....	$175.00
Fencing, contracted to be done—213⅓ rods post and rail; 213⅓ rods Virginia rail; 213⅓ rods posts and five boards—640 rods, requiring, in all, 9200 posts and rails, @ $1.50 per 100, to be cut from timber on Farm and delivered.....	138.00
Lumber for fencing, 7500 feet, @ $1.50 per 100.....	125.50
Lumber for building house and barn, 69,800 feet, of which 7000 feet is to be finishing lumber, @ $1.80 per 100, and 62,800 feet @ $1.50 per 100, making, which is all contracted for and being delivered.....	1,068.00
Shingles, 62,000, @ $3.50, of white oak or black walnut, contracted for and being delivered.....	217.00
Cellars for house and barn, contracted for @ 15 cts. per cubic yard, estimated to cost in all.....	120.00
Well dug and partly walled, @ $1.50 per foot, estimated	30.00
Stone for building foundations, 100 perch quarried @ 50 cts. per perch.....	50.00
100 perch contracted to be quarried, at same price.	50.00
Hay stacked on Farm, 10 tons, @ $3. per ton.....	30.00
For fencing the same.....	1.50
	$2,005.00

Some of the above are paid for out of the individual donations to the College, to the amount of about $300—the exact figures we are unable to furnish—and about $800 in cash, from the State appropriations, which, deducted from $2,005.00, leaves a balance of $900 to be paid for material and labor contracted for.

FINANCIAL CONDITION—RECEIPTS.

Appropriation by the State.....	$10,000.00
Bonds of the county of Story.....	10,000.00

Notes of individuals, due July 1, 1861, but which will be paid when called for, in labor or materials....	4,420.00
Subscriptions, considered good, but not yet put in form of individual notes.....	920.00
731 acres of land, embracing some of the best in the counties of Story and Boone, most of which is located contiguous to College Farm, deeded to State, valued at.....	4,925.00
250 acres of land, of which we have bonds for deeds, estimated value....	1,090.00
	$31,355.00

EXPENDITURES.

For purchase of Farm, 647½ acres.....	$5,379.12	
Of location	349.97	
For improvement of Farm.....	873.10	
President, pro tem., for per diem and traveling expenses.....	274.30	
Agents, stationery, office furniture, printing, Clerical services, &c.....	176.50	7,052.99
		$24,302.01

The prospect of providing the Farm with the best implements of Husbandry, without cost to the State, is very flattering, as we have had many offers from manufactures in every section of the United States, to donate such as might be needed, with a view on their part of having them tested in the most satisfactory manner, and if found valuable, the attestation of this fact to our farmers. Persons also in the east, as well as at home have to a limited extent, proffered us the gift of pro-creative animals. Such as Cattle and Hogs of the most valuable breeds. And for Horticultural purposes, we have a proposition from Mr. James Smith, of Polk county, to furnish the College Farm of Nursery Stock to the value of one hundred dollars, provided one-half of this amount be taken in Apple trees the coming spring. Numerous will be the donations embracing the above named classes of Husbandry, as well as all the others, we have no doubt will be made to the State, whenever we are prepared to receive them, by parties in and out of its borders, who feel a lively interest in the prosperity of an Institu-

tion which is destined at no distant period, to wield an immense influence for good in developing our Agricultural resources, and without which we would lose them.

COLLEGE BUILDINGS—PLANS.

The President pro tem. and Chairman of the Executive Committee has taken a good deal of pains in procuring a plan for a College Building, having corresponded with the officers of the Michigan and New York Agricultural Colleges, who have had some experience in the Farmers' Colleges of those States, and procured some of the plans of those buildings. He visited in person the Farmers' College near Cincinnati, and the Female College at the same place, which Horace Mann said was the best arranged College Building he had ever seen. It is warmed with steam, which they think far superior to any other mode of warming yet discovered. He also visited the Farmers' High School of Pennsylvania, a building begun on an extensive scale, a part only being finished, sufficient to open the school with 100 students. This building is well arranged for the uses intended.

We have not yet come to the conclusion whether we had better build our College in three separate buildings, one at a time, and far enough apart to be safe from fire from each other; this will be a matter for further consideration.

We have studied every way to economize the funds of the State, having all the time in view a good school, rather than a display of architectural beauty—no costly dome, with curious winding stairs—but a solid stone foundation, a plain brick superstructure of fours tories, with pilasters, dental brick cornice, projecting roof with brackets, with portico over the doors at each end; all of good respectable appearance, about good enough for the farmers of our State, *and good enough for anybody else.* For further details you are referred to the plans and specifications prepared by Mr. Milens Burt of Muscatine, Architect and Builder, a prudent, judicious and excellent mechanic, and a man of much care and prudence in all things.

We have had a good deal of deliberation in regard to building three or four stories above the basement. Our plan is for four stories, 120 by 42 feet. To get the same accommodations with three stories, must extend the length to 150 feet, at an additional

cost of $1500 to $2000. We think the convenience of the building will well pay for the change, if the State can afford it.

The cost of this building is estimated at $30,000, without stoves, furnaces, or steam for warming, of sufficient size to accommodate 100 students, a President and his family, two or three Professors, lecture and recitation rooms, library and reading rooms, &c.; and in the basement, store-rooms, pantries, Steward's rooms, kitchen, dining-room, homes, lodging and boarding for 120 persons. It has required much time, and effort, and skill, to arrange all this in one convenient building.

The plan for the barn is 42 by 60 feet, lengthwise, north and south, upon a gentle slope of ground to the east, with underground stables, built with stone walls on three sides 8 feet high and 1 foot below the ground in the stable; 16 ft. posts, with floor lengthwise, so that we can add at the south end any length we choose. Horse stable and harness room above ground.

Farmer's house, 32 by 42 feet, two stories, brick, with pantries and kitchen back, 16x24, 1½ stories of brick; back of this is wash-room, milk-room, and wood-shed, 24 by 24, one story, of wood.

A plan of these buildings is herewith submitted by Mr. Burt, but no accurate estimates are given; would suppose it to be $1,000 for the barn, and $4,000 for the house.

There must necessarily be a tool-house, grainery, corn-cribs, hog-house, slaughter-house, joiner and blacksmith shops, and wood-house, all of which will cost $1,500 to $2,000. We must also improve the farm with additional breaking, fencing, planting of trees, orchards and gardens, for all of which we hope to collect from subscriptions and notes.

If your honorable bodies deem it expedient to make an appropriation at the present session, the sum of $40,000 will be sufficient to erect the main building, and fit it up for use previous to your next session, without an appropriation of another cent to complete it throughout; but, as it is probable the demands for appropriations for other institutions of the State, now in an unfinished condition, will absorb all the means which the tax-payers of the State have ability to meet, or the Legislature may feel disposed to grant, we shall not press an appropriation at this time.

With the available means in our possession, we shall be able, we trust, to erect necessary farm buildings, and place the farm, or

a portion of it, in good working condition. By the time of the meeting of the next session of the Legislature, you will, no doubt, be placed in possession of the wishes of the people of the State, in regard to this Institution, when you can determine more satisfactorily to yourselves, perhaps, than you can at present, in regard to the extent to which the State will give it her fostering care. Whilst we insist upon and expect no appropriation at the present session of the Legislature, we esteem our institution one demanded by the imperative necessities of Agriculture in the State, and one which is heartily endorsed by those who bear the burden of taxation.

MATTERS ON WHICH LEGISLATION IS ASKED.

The title to the lands outside of the College Farm, is taken in the name of the State of Iowa, for the use of the Agricultural College. We recommend the sale of this land at as early a day as practicable, to assist in the improvement of the College Farm, and the passage of a law authorizing the Governor and Register of the State Land Office, to grant deeds to parties purchasing any of the lands which are or may be donated to the Iowa State Agricultural College and Farm, upon certificates of purchase, signed by the President of the Institution, and countersigned by the Secretary thereof.

We respectfully ask the passage of an act legalizing the issue of the Bonds of Story County.

The act of incorporation requires that vacancies in the Board of Trustees, caused by the expiration of terms of service, be filled by the Legislature. There are five that will occur on the second Monday of January next; it will, therefore, be necessary to elect five at the present session, who shall hold office for four years from that time. The Judicial Districts in which these vacancies will occur, are the 4th, now filled by G. W. F. Sherwin, of Cherokee county; the 7th, now filled by Suel Foster, of Muscatine county; the 8th, now filled by J. W. Henderson, of Linn county; the 9th, now filled by Peter Melindy, of Black Hawk county; and the 11th, now filled by E. G. Day, of Story county.

All of which is respectfully submitted, &c.,

WM. DUANE WILSON,
M. W. ROBINSON,
SAMUEL J. KIRKWOOD.

Mr. Duncombe introduced Senate File No. 120, a bill for an act entitled an act changing the boundaries of Dickinson county. Read the first and second time, and referred to the Committee on County Boundaries.

Mr. Duncombe introduced Senate File No. 121, a bill for an act entitled an act to repeal chapter 240 of the acts of the 6th General Assembly. Read the first and second time, and referred to the Judiciary Committee.

Mr. Thompson introduced Senate File No. 122, a bill for an act to amend chapter 156 of the acts of the 6th General Assembly, "an act to encourage the organization of Fire Companies." Read the first and second time.

On motion of Mr. Thompson, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk; Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—34.

The nays were—None.

Excused—Messrs. Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. Absent, but not excused—Messrs. Bussey and Neal. So the bill was passed, and title agreed to.

Mr. Davis, of Polk, introduced Senate File No. 123, a bill for an act to exempt sheep from taxation. Read the first and second time, and on motion of Mr. Davis, of Polk, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Brown, Davis of Clinton, Davis of Polk, Mann, Pusey, Taylor—6.

The nays were—Senators Ainsworth, Bailey, Bowen, Bussey, Coolbaugh, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Neal, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott,

Thompson, Trumbull, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—29.

Excused—Messrs. Anderson, Angle, McPherson, Patterson of Muscatine, Saunders and Udell. Absent, but not excused—Mr. Buechel. The bill not having received a constitutional majority, was lost.

Mr. Watson, from the special committee appointed to consider Senate File No. 23, a bill for an act entitled an act to amend the Revenue Law, reported the same back without recommendation.

Mr. Davis, of Polk, moved to refer the bill to the Committee on Ways and Means.

Mr. Bailey moved to amend by striking out all after the enacting clause, and inserting the following: "That hereafter, no property in this State shall be exempt from taxation."

Mr. Neal moved to refer the bill to the Committee on Ways and Means, with instructions to report an indefinite postponement of the same.

Mr. Bussey moved to lay the whole matter on the table; upon which question, Mr. Taylor demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bussey, Coolbaugh, Davis of Clinton, Davis of Polk, Gray, Green, Hammer, Johnson, Kent, Lewis, Neal, Pusey, Rankin, Sherradden, Thompson, Trumbull, Wilson of Jefferson—17.

The nays were—Senators Ainsworth, Bailey, Brown, Duncombe, English, Hagans, Hastings, Henderson, Mann, Pattison of Marshall, Powers, Reiner, Scott, Taylor, Watson, Williams, Wilson of Dubuque—17.

Excused—Messrs. Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. Absent, but not excused—Messrs. Buechel and Drummond. There being a tie, the President voted yea. So the motion to lay on the table prevailed.

Mr. Wilson, of Jefferson, offered the following resolution:

WHEREAS, The fact of a requisition from the Executive of Virginia upon the Executive of this State, for the rendition of one Coppic, as a fugitive from justice, and of the refusal of such demand, has become a matter of public notoriety, and

WHEREAS, It appears from the public papers that the Governor of Virginia has sent a special communication to the Legislature of his State, on the subject; therefore, be it

Resolved, That the Governor of this State be respectfully requested to communicate to this House, the facts touching said demand, and his reasons for the refusal thereof.

Mr. Neal moved to amend by adding the following words: "including a copy of the requisition and accompanying papers of the Governor of Virginia, and all correspondence with Coppic, or any other person, in reference to said requisition. Also, to inform the Senate by what means Coppic obtained the information that there was a requisition from the Governor of Virginia upon the Governor of Iowa, for his surrender; and if the fact of said requisition being made, was communicated to any person, or made public, before the answer was given by the Governor of Iowa, to the Governor of Virginia."

The question being on the amendment, Mr. Johnson demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Drummond, Duncombe, English, Gray, Green, Hammer, Henderson, Johnson, Mann, Neal, Pusey, Powers, Trumbull, Taylor, Williams, Wilson of Dubuque—21.

The nays were—Senators Brown, Davis of Clinton, Davis of Polk, Hagans, Hastings, Kent, Lewis, Pattison of Marshall, Rankin, Reiner, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—15.

Excused—Messrs. Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. So the amendment was adopted.

The question being on the adoption of the resolution as amended, Mr. Taylor called the yeas and nays, which were taken, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, Neal, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Scott, Thompson, Trumbull, Taylor, Williams, Wilson of Dubuque, Wilson of Jefferson—34.

The nays were—Senators Sherradden, Watson—2.

Excused—Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. So the resolution as amended was adopted.

Mr. Drummond offered the following resolution, which was adopted:

Resolved, That Robert Hutchinson, Treasurer of the Board of Trustees of the Institution of the Blind, at Iowa City, be required to report immediately, in detail, to the Senate, giving the items of expenditure, of the appropriation for the support of that school, and to present to the Senate the vouchers for the same. Also, to report what materials and at what cost, have been purchased for manufacturing purposes; what articles, if any, have been sold, to whom and at what price, and what amount of material and manufactured articles are now on hand.

Resolved, That a copy of this resolution be immediately transmitted to Mr. Hutchinson, by the Secretary of the Senate.

On motion of Mr. Mann, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Drummond offered the following resolution:

Resolved, That the resolution of requisition of Robert Hutchinson, Treasurer of the Board of Trustees of the School for the Blind, at Iowa City, be made applicable to and mandatory upon each or any of said Board of Trustees, and upon the Principal of the School as to the presentation of any vouchers that may be in their hands for the expenditure of any money heretofore appropriated and expended between the first of January, 1858, and the 1st of January, 1859.

Mr. Drummond moved to lay the resolution on the table, which was not agreed to.

The question being on the adoption of the resolution, it was adopted.

Mr. Rankin offered the following resolution which was adopted:

Resolved, That the Code Commissioners be invited to take a seat on the Senate floor, while the Senate is considering the Code and amendments in Committee of the Whole.

Mr. Johnson moved to re-consider the vote by which the resolution relating to the construction of a plank walk was lost, upon which question Mr. Rankin demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bussey, Coolbaugh, Davis of Polk, Drummond, Duncombe, Gray, Hammer, Hastings, Henderson, Johnson, Pusey, Pattison of Marshall, Powers, Thompson, Trumbull, Taylor, Wilson of Dubuque—18.

The nays were—Senators Bailey, Buechel, Davis of Clinton, English, Green, Hagans, Kent, Lewis, Neal, Rankin, Reiner, Sherradden, Scott, Williams, Wilson of Jefferson—15.

Excused—Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. Absent but not excused—Brown, Mann and Watson. So the motion to re-consider prevailed.

Mr. Kent moved to amend the resolution so as to provide for the construction of a branch walk from the Grout House to the residence of Mr. Wells, which motion was lost.

Mr. Lewis moved the indefinite postponement of the resolution, upon which question Mr. Wilson of Jefferson, demanded the yeas and nays, which were taken, and were as follows:

The yeas were—Senators Bailey, Buechel, Davis of Clinton, English, Green, Hagans, Kent, Lewis, Neal, Rankin, Reiner, Sherradden, Scott, Williams, Wilson of Jefferson—15.

The nays were—Senators Ainsworth, Brown, Bussey, Coolbaugh, Davis of Polk, Drummond, Duncombe, Gray, Hammer, Hastings, Henderson, Johnson, Mann, Pusey, Pattison of Marshall, Powers, Thompson, Trumbull, Taylor, Wilson of Dubuque—20.

Excused—Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. Absent but not excused—Watson. So the motion to indefinitely postpone was lost.

The question being on the adoption of the resolution, Mr. Rankin called the yeas and nays, which were ordered, and were as follows:

Yeas—Ainsworth, Bussey, Coolbaugh, Davis of Polk, Drummond, Duncombe, English, Gray, Hammer, Hastings, Henderson, Johnson, Mann, Pusey, Pattison of Marshall, Powers, Thompson, Trumbull, Taylor, Wilson of Dubuque—20.

Nays—Bailey, Brown, Buechel, Davis of Clinton, Green, Hagans, Kent, Lewis, Neal, Rankin Reiner, Sherradden, Scott, Williams, Wilson of Jefferson—15.

Excused—Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. Absent but not excused—Watson. So the resolution was adopted.

3 O'CLOCK, P. M.

The special order for 2 o'clock this afternoon, being the consideration of the Report of the Code Commissioners on Civil Practice, the Senate, under a previous motion, now resolved itself into a Committee of the Whole Senate for that purpose.

4½ O'CLOCK, P. M.

The committee rose, reported progress, and asked leave to sit again under previous motion. Leave was granted.

Mr. Pusey had leave to introduce Senate File No. 124, a bill for an act requiring Banking Corporations to make quarterly settlements. Read the 1st and 2d time, and referred to the Committee on Banks.

Mr. Bussey, from the Committee on Schools and University, made the following minority report:

We, the undersigned, members of the Committee on Schools and University, respectfully submit the following minority report:

We dissent from the report of the Committee on the State University, for the following reasons: Said report was prepared and presented to the Senate by the Chairman, Hon. J. Bowen, and our names attached thereto, without consultation with, or the consent of the undersigned.

We, members of your committee, did not know that the report of the Trustees of the State University, had been before the committee for consideration, and therefore, the use made of our names to a report, without such consultation and consideration, is a usurpation of privilege, on the part of the Chairman of this committee, unusual and ought to be condemned.

Further, said report states, that appropriations for said University, "the money was faithfully expended," &c., and recommend "an additional appropriation of $10,000 for the relief of the University." We dissent to said report, for the reason, that the Trustees of the State University, did expend the money appropriated by the 7th General Assembly, by contracting for the erection of a larger and more expensive building, in direct violation of the law making such appropriation. Your committee are of the opinion, that the Trustees acted in willful violation of the law, in expending the money appropriated, to *complete* the building, in a manner that will require thousands of dollars, out of the Treasury of the State to finish it, thereby oppressing the tax-payers, at a

time when they are not able to bear it. We, of the committee, therefore recommend, that a law may be enacted requiring Trustees and Commissioners of Public Buildings, to give bond in a sum sufficient to guarantee the faithful expenditure of money in the manner, and for the purpose for which it is appropriated.

We do not therefore concur in the report submitted by the Hon. J. Bowen, aforesaid, in recommending the additional appropriation of $10,000 for the relief of the University.

CYRUS BUSSEY,
G. W. GRAY.
Committee on Schools and Universities.

On motion of Mr. Rankin, the report was laid on the table, and ordered printed.

Mr. Rankin moved to adjourn, which was not agreed to.

Senate File No. 50, a bill for an act concerning apprentices, was taken up, considered, and on motion of Mr. Wilson of Jefferson, tabled.

On motion of Mr. Mann, Senate File No. 109, a bill for an act giving County Courts limited civil and criminal jurisdiction, was taken up, and made the special order for Wednesday next, at 9 o'clock, A. M.

On motion of Mr. Johnson, Senate adjourned.

SENATE CHAMBER,
Tuesday, February 28, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Young.

Journal of yesterday read and approved.

PETITIONS.

Mr. Duncombe presented the petition of G. Beekly, and 400 others, citizens of Webster and Hamilton counties, asking the State to secure to them the School Lands, granted under contract.

On motion of Mr. Duncombe, the petition was referred to a special committee of three.

The President appointed as said committee, Messrs. Duncombe, Scott and Watson.

Mr. Drummond presented the petition of John Wright, and 120 others, citizens of Benton county, praying for the restoration of the Liquor Law, of 1857, so amended as to make a violation of the same a felony instead of misdemeanor.

Also, a similar petition from Kirza Myers, and 110 others, citizens of Benton county.

Also, a similar petition from Mahlon Haworth, and 10 others, citizens of Benton county; which were read, and referred to a special committee heretofore appointed for a similar purpose, of which Mr. Bailey is Chairman.

Mr. Henderson had leave to introduce Senate File No. 125, a Joint Resolution, asking additional mail facilities. Read the 1st and 2nd time, and on motion of Mr. Henderson, the 11th Rule was suspended, the resolution read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Bailey, Bussey, Coolbaugh, Davis of Clinton, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Jefferson—31.

The nays were—None.

Excused—Messrs. Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. Absent, but not excused—Messrs. Brown, Buechel, Davis of Polk, Neal and Wilson of Dubuque. So the resolution was passed and title agreed to.

On motion of Mr. Wilson of Jefferson, Senate File No. 100, a bill for an act to regulate the foreclosure of Mortgages, was taken from the table.

Mr. Johnson moved a call of the House, which was sustained, and ordered.

The following members were found to be absent and not excused: Messrs. English and Neal.

Mr. Drummond moved to dispatch the Sergeant-at-Arms, for the absentees, which was concurred in.

The Sergeant-at-Arms brought in the absentees, who, on motion, were excused.

Senate File No. 100, being under consideration, Mr. Coolbaugh moved to amend section 1, by striking out the words, "nine months," and inserting the words, "six months."

Upon which question Mr. Drummond called the yeas and nays, which were taken, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Gray, Green, Johnson, Pusey, Rankin, Trumbull, Wilson of Dubuque—12.

The nays were—Senators Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, Neal, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Thompson, Taylor, Watson, Wilson of Jefferson—20.

Excused—Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. Absent but not excused—Williams. So the amendment did not prevail.

Mr. Brown moved the following as a substitute for section two: "The provisions of this bill shall be held to extend to all mortgages which may have been executed prior to the taking effect of this act." Which was not agreed to.

Mr. Wilson, of Jefferson, moved that the bill be ordered to be engrossed for its third reading on to-morrow.

Mr. Brown moved to lay the motion for engrossment on the table. upon which question, Mr. Drummond demanded the yeas and nays. which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Buechel. Davis of Clinton, Mann, Neal, Williams—8.

The nays were—Senators Bussey, Coolbaugh, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque, Wilson of Jefferson—28.

Excused—Messrs. Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. So the motion to lay on the table did not prevail.

Mr. Davis, of Clinton, offered the following amendment to section two: "Except in case of mortgages executed prior to the

passage of this act, in which case it shall remain in force until the 1st of January, 1862." Which was not concurred in.

The question being on the motion to engross the bill, Mr. Ainsworth called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Davis of Clinton, Davis of Polk, Drummond, Duncombe, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque, Wilson of Jefferson—25.

The nays were—Senators Ainsworth, Bailey, Brown, Bussey, Buechel, Coolbaugh, English, Gray, Johnson, Neal, Williams—11.

Excused—Messrs. Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. So the bill was ordered to be engrossed.

Mr. Henderson offered the following resolution, which was adopted:

Resolved, By the Senate (the House concurring,) That the sum of $100, (to be expended under the direction of the Secretary of State,) be and the same is hereby appropriated for the purpose of making a crossing from the north door of the Capitol to the Capitol Square, and a side-walk from thence west along the property owned by the State, to the centre of the street.

On motion of Mr. Rankin, the Secretary was directed to take the resolution, just passed, to the House, without delay.

Mr. Thompson moved to take up Senate File No. 88, a bill for an act to regulate the foreclosure of Deeds of Trust and Mortgages, with power of sale on real estate, which motion prevailed.

Mr. Neal moved to amend by striking out the words, "Deeds of Trust," which motion was lost.

On motion of Mr. Thompson, the 11th Rule was suspended, the bill read the 3d time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Brown, Davis of Clinton, Davis of Polk, Duncombe, English, Hagans, Hastings, Henderson, Johnson, Kent, Lewis, Mann, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Thompson, Taylor, Watson, Wilson of Jefferson—22.

The nays were—Senators Bailey, Buechel, Coolbaugh, Gray,

Green, Hammer, Neal, Pusey, Rankin, Trumbull, Williams—11.

Excused—Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. Absent, but not excused—Bussey, Drummond, Wilson of Dubuque. So the bill was passed. and title agreed to.

Mr. Neal had leave to introduce Senate File No. 127, a bill for an act to require the County Judges of the several counties in this State, to levy taxes upon certain lands for the years 1857 and 1858. Read the 1st and 2d time, and referred to the Committee on Ways and Means.

Mr. Johnson moved that when the Senate adjourn, it adjourn until to-morrow morning, at 9 o'clock; upon which question, Mr. Wilson of Jefferson, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Buechel, Johnson, Mann. Trumbull—5.

The nays were—Senators Bailey, Brown, Bussey, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent. Lewis, Neal, Pusey, Pattison of Marshall, Powers, Rankin, Reiner. Scott, Thompson, Taylor, Watson, Williams, Wilson of Dubuque. Wilson of Jefferson—30.

Excused—Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. Absent, but not excused—Sherradden. So the motion to adjourn over until to-morrow, did not prevail.

Mr. Kent moved to adjourn, upon which question, Mr. Ainsworth called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bailey, Davis of Clinton, Davis of Polk, Green, Hastings, Henderson, Kent, Rankin, Reiner, Scott. Thompson, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—16.

The nays were—Ainsworth, Brown, Bussey, Buechel, Coolbaugh, Drummond, Duncombe, English, Gray, Hagans, Hammer, Johnson, Lewis, Mann, Neal, Pusey, Pattison of Marshall, Powers, Sherradden Trumbull—20.

Excused—Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. So the motion to adjourn did not prevail.

Mr. Johnson moved that the Senate now resolve itself into the Committee of the Whole Senate, on Senate File No. 55, a bill for an act for a general registry of voters in the State of Iowa.

Mr. Drummond demanded the yeas and nays upon the question, which were ordered, and were as follows:

The yeas were—Senators Bussey, Hammer, Johnson, Neal, Reiner, Sherradden, Scott—7.

The nays were—Senators Ainsworth, Bailey, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hastings, Henderson, Kent, Lewis, Mann, Pusey, Pattison of Marshall, Powers, Rankin, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—27.

Excused—Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. So the motion did not prevail.

On motion of M. Kent, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Johnson offered the following resolution:

Resolved, By the Senate, (the House concurring,) That from and after Monday next, the General Assembly will meet for the remainder of the present session on the west side of the Des Moines River at suitable halls, to be provided by citizens of Des Moines, without expense to the State, in the event the side walk in contemplation is not completed by Saturday next, to the Capitol.

Mr. Kent moved to lay the resolution on the table, upon which question Mr. Pusey called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bailey, Brown, Bussey, English, Gray, Green, Hagans, Henderson, Kent, Lewis, Pusey, Rankin, Scott, Thompson, Taylor, Watson, Williams—17.

The nays were—Senators Ainsworth, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Hammer, Hastings, Johnson, Mann, Neal, Pattison of Marshall, Powers, Trumbull, Wilson of Dubuque, Wilson of Jefferson—17.

Excused—Anderson, Angle, Bowen, McPherson, Patterson of

Muscatine, Saunders and Udell. Absent but not excused—Reiner and Sherradden.

The vote being a tie, the President voted nay. So the motion to lay on the table did not prevail.

The following communication from the Governor was laid before the Senate.

EXECUTIVE OFFICE,
February, 28, 1860.

Gentlemen of the Senate:

I have received the resolution, passed by your body on yesterday, asking certain information in regard to a demand made upon me by the Governor of Virginia, for the arrest and surrender of one Barclay Coppoc, as a fugitive from justice.

I have examined that resolution with much care, and have very reluctantly arrived at the conclusion, that I ought not to answer it. I readily admit the propriety of giving to the public full information on this subject, and shall promptly communicate all facts within my knowledge, in any way connected therewith, whenever I can do so consistently with my self-respect, and with the respect and consideration which, in my judgment, are due to the department of our government which, for the time being, I have the honor to represent. I cannot, however, do so in response to a resolution which assumes that, in this matter, I have done acts which the common judgment of your body would pronounce to be improper in any person holding my official position.

This assumption, utterly unfounded as it is, I cannot either respond to or deny, without admitting, by implication, that the suggestion thereof was authorized by the facts of the case.

I cannot believe it was the well considered intention of your body, to embrace such assumption in your resolution, but am satisfied that your action in this matter, took its present objectionable form through oversight and inadvertence.

For these reasons, I very respectfully return said resolution, that you may have the opportunity of giving it further consideration.

SAMUEL J. KIRKWOOD.

Mr. Bussey moved to amend the resolution under consideration, by striking out the words "Monday next," and inserting the words "1st Monday in May," which motion did not prevail.

Mr. Kent moved to strike out the words "next Monday," and

insert the words "1st Monday in April," which was not concurred in.

Mr. Watson moved the indefinite postponement of the resolution, upon which question, Mr. Bussey demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Bailey, Brown, Bussey, English, Gray, Green, Hagans, Kent, Lewis, Pusey, Pattison of Marshall, Powers, Rankin, Sherradden, Scott, Taylor, Watson, Williams, Wilson of Jefferson—19.

The nays were—Senators Ainsworth, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Hammer, Hastings, Henderson, Johnson, Mann, Neal, Reiner, Thompson, Trumbull, Wilson of Dubuque.—17.

Excused—Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell. So the motion to indefinitely postpone prevailed.

Mr. Powers moved to re-consider the vote by which the resolution was passed, instructing the Secretary of State to cause the construction of a plank walk from the Capitol to the plank walk on Court Avenue street, which motion did not prevail.

Mr. Bailey moved to take up the communication from the Governor, which was not concurred in.

SPECIAL ORDER.

The Special order for this afternoon being the consideration of Senate File No. 126, a bill for an act to establish a Code of Civil Practice at Law and Equity, the Senate, under previous motion, resolved itself into the Committee of the Whole Senate, with Mr. Drummond in the Chair.

3½ o'clock, p. m.

Committee rose, reported progress, and asked leave to sit again. Leave was granted.

The communication from the Governor was taken up, read and considered.

Mr. Johnson moved to lay on the table, and order the same printed, upon which question Mr. Ainsworth demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson,

Mann, Neal, Pusey, Trumbull, Taylor, Williams Wilson of Dubuque—18.

The nays were—Senators Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—18.

Excused—Anderson, Angle, Bowen, McPherson, Patterson of Muscatine, Saunders and Udell.

The vote being a tie, the President voted nay. So the motion to lay on the table and print did not prevail.

Mr. Bailey moved that the Senate now adjourn, which motion prevailed.

SENATE CHAMBER,
Wednesday Feb. 29, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Young.

Journal of yesterday read and approved.

Message from the House.

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

House File No. 141, a bill for an act for legalizing the acts of the County Judge of Scott county, in purchasing real estate for a Poor House farm, and in issuing bonds in payment therefor.

Substitute for House File No. 192, a bill for an act to legalize the official acts of the City Council of Maquoketa, and the election of the Mayor of said city.

I am also directed to inform the Senate, that the House has adopted and passed a Substitute for Senate File No. 74, which is herewith transmitted.

I am further directed to inform your honorable body, that the House has not concurred in the Senate's resolution, fixing the time for the adjournment of the General Assembly, but has

amended it by fixing upon the 27th of March, as the day for said adjournment.

LEWIS H. SMITH, Assistant Clerk, *pro tem.*

The question being the consideration of the communication from the Governor, Mr. Wilson of Jefferson, offered the following resolution :

WHEREAS, The fact of a requisition from the Executive of Virginia, upon the Executive of this State, for the rendition of one Coppic, as a fugitive from justice, and of the refusal of such demand, has become a matter of public notoriety, and

WHEREAS, It appears from public papers, that the Governor of Virginia has sent a special communication to the Legislature of his State on the subject; therefore be it

Resolved, That the Governor be requested to communicate to the Senate, all facts touching said demand, and his reasons for the refusal thereof, including a copy of the requisition and accompanying papers, and all his correspondence in reference thereto, and all facts connected therewith, or in any way growing out of the same.

Mr. Mann moved to amend the resolution by adding the following:

"It is hereby expressly declared that the Senate had no intention to insult the Governor by implication, in passing the foregoing resolution of inquiry, but was adopted solely for the legitimate purpose of ascertaining all the facts in the case, and to give him an opportunity of setting himself right before the world."

Mr. Davis of Clinton, moved to lay the amendment on the table, upon which question Mr. Johnson demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Brown, Davis of Clinton, Davis of Polk, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—18.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Drummond, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Williams, Wilson of Dubuque—19.

Excused—Anderson, Angle, Bowen, Patterson of Muscatine, Saunders, Udell. So the motion to lay on the table did not prevail.

Message from the House:

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

House File No. 213, an act entitled an act supplementary to an act to fix the time of holding Courts in the 5th Judicial District, of the State of Iowa, approved February 16, 1860.

LEWIS H. SMITH, Assistant Clerk, *pro tem.*

Mr. Drummond offered the following as a substitute for the amendment offered by Mr. Mann:

Resolved further, That by the passage of its original resolution on the 27th inst., calling for information as to the facts connected with the requisition of the Executive of Virginia, for one Barclay Coppic, the Senate intended nothing discourteous to the Executive, but meant only to call for the facts.

Mr. Neal moved to make the resolution offered by Mr. Drummond, a substitute for the resolution offered by Mr. Wilson of Jefferson, and the amendment of Mr. Mann thereto.

Mr. Wilson of Jefferson, moved to lay the amendment offered by Mr. Mann, and the motion of Mr. Neal, on the table, upon which question Mr. Johnson demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—19.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Williams, Wilson of Dubuque—18.

Excused—Messrs. Anderson, Angle, Bowen, Patterson of Muscatine, Saunders and Udell. So the motion to lay on the table prevailed.

Mr. Duncombe offered the following resolution, as a substitute for the resolution offered by Mr. Wilson, of Jefferson:

Resolved, That the Governor of Iowa be most respectfully requested to inform the Senate, if within his knowledge, by what means Barclay Coppic was informed of the fact that a requisition for his arrest had been received; if a messenger was dispatched, and by whom, and who said messenger is; and further, if the orig-

inal papers in the case were taken from his possession before his answer was given to the Agent of Virginia, and by whom.

Mr. Wilson, of Jefferson, moved the previous question, which was sustained.

The question being upon putting the main question, Mr. Ainsworth demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—19.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Williams, Wilson of Dubuque —18.

Excused—Messrs. Anderson, Angle, Bowen, Patterson of Muscatine, Saunders and Udell. So the main question was ordered to be put.

The question being on the substitute offered by Mr. Duncombe, Mr. Johnson demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Williams, Wilson of Dubuque—18.

The nays were—Senators Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—19.

Excused—Messrs. Anderson, Angle, Bowen, Patterson of Muscatine, Saunders and Udell. So the substitute was not adopted.

The question being upon the resolution offered by Mr. Wilson, of Jefferson, Mr. Ainsworth demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—19.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson,

Mann, Neal, Pusey, Trumbull, Taylor, Williams, Wilson of Dubuque—18.

Excused—Messrs. Anderson, Angle, Bowen, Patterson of Muscatine, Saunders and Udell. So the resolution was adopted.

On motion of Mr. Bailey, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. McPherson moved to take up House File No. 213, a bill for an act entitled an act supplementary to an act to fix the time of holding Courts in the Fifth Judicial District of the State of Iowa, which motion prevailed.

Read the first and second time, and on motion of Mr. Davis, of Polk, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—34.

The nays were—None.

Excused—Messrs. Anderson, Angle, Bowen, Patterson of Muscatine, Saunders and Udell. Absent, but not excused—Messrs. Bailey, Johnson and Sherradden. So the bill was passed, and title agreed to.

On motion of Mr. McPherson, the Secretary was directed to take the bill just passed to the House, without delay.

Mr. Rankin, from the Judiciary Committee, reported back the following petitions and bills:

Senate File No. 126, a bill for an act to establish a Code of Civil Practice at Law and in Equity, with sundry amendments, with the recommendation of the majority of the committee, that the same be adopted, and bill passed.

The petition of William Coutts, and 45 others, citizens of Cedar county, praying for the passage of an appraisement law, and also

a law for the redemption of real estate sold under execution, with the report that bills for such laws were now before the Senate.

On motion of Mr. Rankin, the petition was laid on the table.

Also, the petition of D. J. McConnell, and some 75 others, citizens of Davis county, praying for the passage of an appraisement law, with a similar report. On motion, the petition was laid on the table.

Also, the remonstrance of J. W. Ellis, and some 30 others, citizens of Iowa, against the passage of stay and appraisement laws, with a similar report. On motion, the remonstrance was laid on the table.

Also, the petition of Thos. Sweeney, praying for certain changes in the criminal laws of this State, with the recommendation that the prayer of the petitioner be not granted, as no further legislation upon that subject is necessary.

Also, the petition of David Harris, and 40 others, citizens and mechanics of Polk county, praying that chapter 39 of the laws of the 7th General Assembly, may be amended in regard to the time of filing mechanics lien, with the recommendation that the prayer of the petitioners be not granted.

On motion of Mr. Davis, of Polk, the petition was laid on the table.

Also, the memorial of John Hodgdon, Mayor of the City of Dubuque, accompanied with Senate File No. 108, a bill for an act to grant to the City of Dubuque, title to certain lands, with the recommendation that the bill be passed.

On motion of Mr. Wilson of Dubuque, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque—34.

The nays were—None.

Excused—Messrs. Anderson, Angle, Bowen, Patterson of Muscatine, Saunders and Udell. Absent, and not excused—Messrs. Bailey, Johnson, Wilson of Jefferson. So the bill was passed, and title agreed to.

Also, House File No. 35, a bill for an act to provide for the redemption of real estate sold under foreclosure of mortgages, with the recommendation that the same be returned to the House for a correct copy thereof. Report concurred in.

Senate File, No. 112, a bill for an act to amend an act entitled an act providing for the election of Supervisors and defining their duties, approved, January 22nd, 1853, without amendment, and recommended that the same be laid on the table for further consideration, which was concurred in.

Senate File No. 121, a bill for an act to repeal chapter 240 of the acts of the 6th General Assembly, with a similar recommendation, which was adopted.

Senate File No. 6, a bill for an act providing for the appraisement of property sold on execution, and recommended that the same be laid on the table and printed, which was agreed to.

Senate File No. 114, a bill for an act to amend certain sections of the Criminal Law, with one amendment, and recommended the adoption of the amendment, and the passage of the bill. Report adopted.

On motion of Mr. Rankin, the bill was ordered engrossed for its third reading on to-morrow.

Senate File No. 106, a bill for an act to provide for adjusting and paying costs incurred in the management and collection of the School Fund of the State, or the interest on the same, with the recommendation that the same be indefinitely postponed.

Mr. Drummond moved to refer the bill to a special committee, to consist of three attorneys, which was agreed to.

The President appointed as said committee, Messrs. Neal, Mann and Brown.

Senate File No. 118, a bill for an act to provide for recording deeds and mortgages, with the recommendation that the same be indefinitely postponed.

On motion of Mr. Brown, the bill was laid on the table.

Senate File No. 73, a bill for an act giving right to redeem property sold under special execution, issued on judgment rendered for the foreclosure of mortgages, without recommendation.

On motion of Mr. Davis of Clinton, the bill was tabled.

Senate File No. 2, a bill for an act to repeal section 3, of an act entitled an act to amend chapter 84 of the laws of 1853, entitled

an act to amend section 1548 of the Code of Iowa, approved Feb. 27th, 1858, without recommendation.

On motion, the bill was laid on the table.

Also, a resolution relating to the expediency of giving the Clerk of the District Court power to issue a fee bill for the collection of costs in said Court, which, on motion, was laid on the table for further consideration.

SPECIAL ORDER.

The special order of this afternoon being the consideration of Senate File No. 126, a bill for an act to establish a Code of Civil Practice at Law and in Equity, the Senate resolved itself into the Committee of the Whole Senate, under previous motion, with Mr. Drummond in the Chair.

5½ O'CLOCK, P. M.

Committee rose, reported progress, and recommended the passage of the bill as amended.

On motion of Mr. Rankin, the report was laid on the table, and made the special order for Friday next, at 9 o'clock, A. M.

Mr. Rankin moved to take from the table the communication of the Attorney General relating to the right of the State to resume the Land Grant of the Iowa Central Air Line R. R. Co.; which was agreed to, and communication read.

Mr. Neal moved to lay the communication on the table and order the same printed, which motion prevailed.

On motion of Mr. Thompson, House File No. 141, a bill for an act, legalizing the acts of the County Judge of Scott county, in purchasing real estate for a Poor House Farm, and in issuing bonds in payment therefor, was taken from the table and read the 1st and time.

Mr. Thompson moved to amend section 3, by striking out the words, "Weekly Register" and inserting the words, "Weekly Iowa State Register," which amendment was concurred in.

On motion of Mr. Thompson, the 11th Rule was suspended, the bill read the 3d time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Ham-

mer, Hastings, Henderson, Kent, Lewis, Neal, Pattison of Marshall, Powers, Rankin, Sherradden, Scott, Thompson, Taylor, Watson, Wilson of Dubuque, Wilson of Jefferson—25.

The nays were—Senator Drummond—1.

Excused—Messrs. Anderson, Angle, Bowen, Patterson of Muscatine, Saunders and Udell. Absent, but not excused—Messrs. Bailey, Bussey, Buechel, Hagans, Johnson, Mann, McPherson, Pusey, Reiner, Trumbull and Williams. So the bill was passed, and title agreed to.

On motion, the Senate adjourned.

SENATE CHAMBER,
Thursday, March 1st, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Mr. English moved a call of the House, which was sustained and ordered.

The following Senators were found to be absent and not excused: Ainsworth, Brown, Drummond, Kent, Neal, Powers Rankin, Sherradden.

Messrs. Ainsworth, Powers, Rankin, coming in, were, on motion, excused.

On motion, Mr. Sherradden was excused.

Mr. English moved to dispatch the Sergeant-at-Arms for the absentees, which motion prevailed.

On motion of Mr. Wilson of Jefferson, further proceedings under the call were dispensed with.

The Journal of yesterday was now read and approved.

On motion of Mr. Rankin, Mr. Pusey was granted leave of absence after the 15th inst.

Message from the House.

Mr. President:—I am directed to inform your honorable body, that the House has failed to concur in the Senate resolution appropriating one hundred dollars for the building of a crossing and plank side walk along the property owned by the State.

J. A. HAMMER, Assistant Clerk.

Mr. Mann moved to take up for consideration, Senate File No. 109, a bill for an act giving County Courts limited, civil and criminal jurisdiction.

Mr. Powers had leave to present the petition of G. W. Howard, and 30 others, citizens of Chickasaw county, praying for the passage of a law giving counties civil jurisdiction to a limited extent.

Mr. Pusey had leave to present the petition of John S. Goss, and 30 others, citizens of Pottawattamie county, praying for the abolition of the present County Judge system, and the establishment of the Supervisor system, and also giving the County Court limited, civil and criminal jurisdiction.

Mr. McPherson had leave to present a similar petition of J. A. Pearl, and 40 others, citizens of Audubon county, with the additional prayer for the separation of the offices of Treasurer and Recorder, which petitions were read and tabled for further consideration.

On motion of Mr. Coolbaugh, the report of the Commissioners appointed to investigate the several State offices for the years 1858 and 1859, was taken up and referred to the Committee on Ways and Means.

Mr. English moved to re-consider the vote by which House File No. 141, a bill for an act legalizing the acts of the County Judge of Scott county, in purchasing real estate for a Poor House Farm, and issuing bonds in payment therefor, was passed, which motion prevailed.

On motion of Mr. English, the bill was laid on the table.

The question being upon the motion of Mr. Mann, it was concurred in, and bill considered.

Mr. Wilson moved to refer the bill to a special committee of five, of which Mr. Mann shall be Chairman.

Mr. Coolbaugh moved to postpone the further consideration of the bill until the 4th of July next, upon which question Mr. Mann demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bailey, Coolbaugh, Hammer, Johnson, Lewis, Pusey, Rankin, Reiner, Sherradden, Scott, Williams, Wilson of Jefferson—12.

The nays were—Senators Ainsworth, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, Duncombe, Gray, Green, Hagans, Hastings, Henderson, Mann, McPherson, Neal, Pattison of

Marshall, Powers, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque—22.

Excused—Anderson, Angle, Bowen, Patterson of Muscatine, Saunders and Udell. Absent but not excused—Drummond, Kent and Reiner. So the motion to postpone until July 4th, did not prevail.

The question recurring on the motion to refer the bill to a special committee of five, it was concurred in.

The President appointed as said committee, Mann, Wilson of Dubuque, Hagans, Rankin and Trumbull.

Mr. Taylor presented the petition of A. T. Frazer, and 80 others, citizens of Wayne county, praying for the passage of a law prohibiting the amalgamation of the black and white races, and also the intermingling of black and white children in school. Read, and referred to the Committee on Federal Relations.

Mr. Lewis had leave to introduce Senate File No. 128, a bill for an act to repeal section 2, of chapter 72, of the acts of the 7th General Assembly. Read the 1st and 2d time, and referred to the Judiciary Committee.

Mr. Ainsworth had leave to introduce Senate File No. 129, a bill for an act for the relief of all persons heretofore divorced since the 4th day of July, 1858. Read the 1st and 2d time, and on motion of Mr. Ainsworth, was ordered engrossed for its 3d reading on to-morrow.

Mr. Henderson had leave to introduce Senate File No. 130, a bill for an act for the location and erection of an Institution for the Deaf and Dumb of the State, at Indianola. Read the 1st and 2d time, and referred to the Committee on Charitable Institutions.

Mr. Wilson of Jefferson, offered the following resolution, which was adopted:

Resolved, That the Committee on Ways and Means, be authorized to incur such expense as may be necessary, in procuring certificates of practical printers, to aid them in their investigations respecting State Printing, and be instructed to include such expense in the general appropriation bill.

On motion, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Taylor had leave to introduce Senate File No. 131, a joint resolution for additional mail facilities in the State of Iowa. Read the 1st and 2d time, and on motion of Mr. Bussey, the 11th Rule was suspended, the resolution read the 3d time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Bailey, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hammer, Henderson, Lewis, Mann, Pusey, Pattison of Marshall, Rankin, Reiner, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—26.

The nays were—None.

Excused—Messrs. Anderson, Angle, Bowen, Patterson of Muscatine, Saunders and Udell. Absent but not excused—Ainsworth, Coolbaugh, Drummond, Hagans, Hastings, Johnson, Kent, McPherson, Neal, Powers and Sherradden. So the resolution was passed, and title agreed to.

On motion of Mr. Henderson, Mr. Pusey was granted leave of absence after the 15th inst.

Mr. Henderson, from the Committee on County Boundaries, reported back certain petitions from the citizens of Cass and Pottawattamie counties, for and against the attaching of certain townships of Pottawattamie county, to the county of Cass, with the recommendation that no change in the boundaries of said counties be made. Report adopted.

Mr. Henderson, from the same committee, reported back Senate File No. 120, a bill for an act entitled an act changing the boundaries of Dickinson county, with the recommendation that the same be passed.

On motion of Mr. Taylor, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Bailey, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, Duncombe, English, Green, Hagans, Hammer, Henderson, Lewis, Mann, Pusey, Pattison of Marshall, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—27.

The nays were—Mr. Gray—1.

Excused—Anderson, Angle, Bowen, Patterson of Muscatine,

Saunders and Udell. Absent but not excused—Ainsworth, Coolbaugh, Drummond, Hastings, Johnson, Kent, McPherson, Neal and Powers. So the bill was passed, and the title agreed to.

Mr. Wilson of Jefferson, from the Committee on Federal Relations, in response to certain petitions, reported Senate File No. 132, a Joint Resolution of instructions to our Senators and Representatives in Congress, to procure additional mail facilities in the State of Iowa. Read 1st and 2nd time.

On motion of Mr. Wilson of Jefferson, the 11th Rule was suspended, the resolution read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Bussey, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Henderson, Lewis, Mann, Pusey, Pattison of Marshall, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—30.

The nays were—None.

Excused—Messrs. Anderson, Angle, Bowen, Patterson of Muscatine, Saunders and Udell. Absent but not excused—Messrs. Coolbaugh, Hastings, Johnson, Kent, McPherson, Neal and Powers. So the resolution was passed, and title agreed to.

Mr. Taylor moved a call of the House, which was sustained and ordered.

The following Senators were found to be absent, and not excused: Coolbaugh, Johnson, Kent, McPherson, Neal and Powers.

On motion of Mr. Hagans, Mr. McPherson was excused on account of illness.

Mr. Henderson moved that the Sergeant at-Arms be dispatched for the absentees, which motion prevailed.

The Sergeant-atArms brought in Coolbaugh, Johnson, Kent, Neal and Powers, who were, on motion, excused.

On motion of Mr. Drummond, further proceedings, under the call, were dispensed with.

Mr. Drummond moved to take from the table, the resolution which he offered, on yesterday, as a substitute for an amendment offered by Mr. Mann, to a resolution offered by Mr. Wilson, of Jefferson, asking of the Governor certain information, relating to

the requisition of the Governor of Virginia upon him, for one Barclay Coppic. Carried.

Mr. Mann moved to take from the table, his amendment to said resolution, which was not agreed to.

On motion of Mr. Drummond, his substitute was tabled.

Mr. Drummond moved to re-consider the vote, by which the resolution offered by Mr. Wilson, of Jefferson, was, on yesterday, passed.

Mr. Brown moved a call of the House, which was sustained and ordered.

The Secretary proceeded with the call, when, on motion of Mr. Johnson, further proceedings under the call, were dispensed with.

Mr. Lewis moved to lay the motion to re-consider on the table, upon which question Mr. Johnson demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Brown, Davis of Clinton, Davis of Polk, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—18.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Drummond, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Williams, Wilson of Dubuque—19.

Excused—Messrs. Anderson, Angle, Bowen, Patterson of Muscatine, Saunders and Udell. So the motion to table the motion to reconsider was lost.

The question being on the motion to reconsider, Mr. Powers demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Drummond, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Williams, Wilson of Dubuque—19.

The nays were—Senators Brown, Davis of Clinton, Davis of Polk, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—18.

Excused—Messrs. Anderson, Angle, Bowen, Patterson of Muscatine, Saunders and Udell. So the motion to reconsider prevailed.

Message from the House.

Mr. President:—I present for your signature, the following bills, the same having passed both branches of the General Assembly, and been duly enrolled and signed by the Speaker of the House of Representatives:

Substitute for House File No. 57, a bill for an act to repeal parts of section 6, chapter 93, of the acts of the 7th General Assembly.

House File No. 3, an act to amend section two, of chapter one hundred and fifty-five, of the acts passed at the regular session of the Seventh General Assembly, approved March 23d, A. D. 1858.

House File No. 100, an act to amend section 530 of the Code.

House File No. 198, a bill for an act to annex the township of Van Buren to the townships of Jackson, Montrose and Des Moines, in Lee county, for judicial purposes.

House File No. 213, an act entitled an act supplementary to an act to fix the times of holding Courts in the Fifth Judicial District of the State of Iowa, approved February 16th, 1860.

House File No. 174, a bill for an act in relation to the Des Moines River Improvement, and abolishing the office of Commissioner thereof.

CHARLES ALDRICH, Chief Clerk.

Mr. Drummond offered the following as an accompanying resolution to the resolution offered by Mr. Wilson, of Jefferson:

Resolved, further, That by the passage of its original resolution, on the 27th ult., calling for information as to the facts connected with the requisition of the Executive of Virginia, for one Barclay Coppic, the Senate intended nothing discourteous to the Executive, nor any implication of a failure to discharge his constitutional duty, but meant only to call for the facts.

The question being upon its adoption, Mr. Scott asked to be excused from voting, which was not agreed to.

Mr. Watson demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Henderson, Johnson, Lewis, Mann, Neal, Pusey, Pattison of Marshall, Powers, Reiner, Thompson, Trumbull, Taylor, Williams, Wilson of Dubuque, Wilson of Jefferson—28.

The nays were—Senators Brown, Davis of Clinton, Hastings, Kent, Rankin, Sherradden, Scott, Watson—8.

Excused—Messrs. Anderson, Angle, Bowen, McPherson, Patter-

son of Muscatine, Saunders and Udell. So the resolution was adopted.

Mr. Duncombe moved to amend the resolutions by striking out the preamble, and first resolution, and the word "further," in the second resolution.

Mr. Wilson, of Jefferson, moved to lay the whole matter on the table, which motion prevailed.

On motion of Mr. Coolbaugh, Senate adjourned.

SENATE CHAMBER,
Friday, March 2, 1860, 9 o'clock A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Drake.

Journal of yesterday read and approved.

Message from the House.

MR. PRESIDENT:—I herewith return to the Senate, House File No. 53, a bill for an act making appropriations to meet the expenses of the Deaf and Dumb Asylum, the House having refused to concur in the Senate's amendment to the same.

I am also directed to inform the Senate, that the House has passed House File No. 198, a bill for an act to authorize the purchase and distribution of 150 copies of Dillon's Digest. In which the concurrence of the Senate is asked.

CHAS. ALDRICH, Chief Clerk.

Mr. Taylor, from the Judiciary Committee, submitted the following report, accompanied by Senate File No. 133, a bill for an act entitled an act concerning the purchasers of School and University Lands for taxes, with the recommendation that the bill be passed:

MR. PRESIDENT:—The Judiciary Committee, to which was referred the communication of the Secretary of the Board of Education, as also the petition of divers persons, in reference to the sale of University Lands, in Hardin county, for taxes, have had the same under consideration, and hereby respectfully report:

The committee find that by the act of Congress, of July 20th, 1840, two Townships of land were granted to the State of Iowa, for the support of a University.

By the provisions of section 1013, of the Code, the lands aforesaid, were donated to the State University at Iowa City.

By the provisions of section 1017, of the Code, the lands so donated, when selected, were to be disposed of by the Board of Trustees of said University, in the same manner, and under the same regulations as may be provided by law, for the disposition and regulation of the 16th sections. These last sections became the law on the 25th February, 1847.

On the same day, section 1059, of the Code, was approved, and that section provides that all School Lands, contracted under the provisions of that act, should be subject to taxation from the day of making such contract. This was clearly a *regulation* applied to School Lands, and was a condition imposed by the State on the purchaser, and by the provisions of section 1017, of the Code, applies to University Lands.

Again, by the provisions of section 456, of the Code, lands and lots in town, including lands bought from the United States, and this State, and whether bought on a credit, or otherwise, are made liable to taxation. The provisions of this section were incorporated in the revenue act of 1858.

It is supposed that the Supreme Court, in the case of The Des Moines Navigation and Railroad Company, *vs* The County of Polk, and L. M. Dyer, Treasurer of the said county, decided that School Lands were not subject to taxation. This, however, is a mistake. The Court expressly holds that School Lands *are* subject to taxation, when bought on a credit.

The Court, in the case referred to, decides—that the lands mentioned therein, were not conveyed to the Company until after the tax was levied by the county of Polk, and therefore not liable for the tax claimed by the defendants.

Your committee, therefore, are of the opinion that the University Lands are liable to taxation after they are purchased by individuals, and the interest of the purchaser in such lands, can be sold for taxes remaining unpaid.

Your committee are of the further opinion, that the purchaser at tax sale, acquires all the right of the original purchaser, if a decree of the proper Court has been rendered in his favor, fore-

closing the equity of redemption in such lands, as also, that he acquires all the rights of the original purchaser in cases where the law vests the title in him, on the failure of the owner to redeem.

Entertaining these opinions, your committee believe that it is legal and just, for the purchaser, at the tax sale, to have the lands patented to him, on payment of the balance of the purchase money and interest.

The committee, therefore, present the accompanying bill, and recommend its passage.

JUDICIARY COMMITTEE,

By TAYLOR.

Report adopted, bill read the 1st and 2d time, and referred to the Committee on Schools and University.

Mr. Pattison of Marshall, from the Committee on Agriculture, reported back the petition of W. G. Allen, and 100 others, citizens of Story county, praying for the legalization of certain bonds of said county, with the recommendation that the same be referred to the Judiciary Committee. So referred.

Mr. Johnson, from the special committee, to which was referred House File No. 6, a bill for an act to repeal an act entitled an act to authorize Paul C. Jefferies to transcribe and index certain records of Wapello county, reported back a substitute for the same, and recommended its passage.

On motion of Mr. Powers, the 11th Rule was suspended, the bill read the 3d time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—36.

The nays were—None.

Excused—Anderson, Bowen, Patterson of Muscatine, Saunders and Udell. Absent, but not excused—Angle, Drummond. So the bill was passed and title agreed to.

Mr. McPherson presented the petition of William McCrary, and 115 others, citizens of Madison county, praying for the passage of

a law exempting all permanent improvements made upon the soil of the State, from taxation. Read, and referred to the Committee on Ways and Means.

On motion of Mr. Taylor, House Substitute for Senate File No. 74, a bill for an act to pay the claim of William McHargue, was taken up, and the substitute concurred in.

On motion of Mr. Taylor, the 11th Rule was suspended, the bill read the 3d time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson —35.

The nays were—None.

Excused—Anderson, Bowen, Patterson of Muscatine, Saunders and Udell. Absent but not excused—Angle, Drummond, Johnson. So the bill was passed, and title agreed to.

SPECIAL ORDER.

The special order for 9 o'clock this morning, being the consideration of Senate File No. 126, a bill for an act to establish a Code of Civil Practice at Law and in Equity.

The question being on concurring in the amendments made to the bill, in the Committee of the Whole, they were concurred in and are as follows:

CHAPTER 1. Sec. 2. Strike out 'an ordinary,' and insert 'a common.'

CHAPTER 2. Sec. 28. Strike out the first two lines, and insert, 'An appeal may also be taken to the Supreme Court from the following orders:'

Sec. 38. After 'Van Buren,' insert 'Jefferson' and 'Howard.'

CHAPTER 4. Sec. 53. Add to the same: 'And send a copy thereof to the Clerk of the District Court in each county of the State, who shall post the same in a conspicuous place in his office.'

CHAPTER 6. Sec. 80. Strike out the first five lines, including 'But,' after a point.

CHAPTER 8. Sec. 101. Insert in the first line, after the word person, '21 years of age.' Strike out the second word, 'District,' on page 14, section 101. Strike out 'permitted,' and insert 'licensed.'

CHAPTER 11. Sec. 162. Read 'assignee,' instead of 'assigned.'

Sec. 182. Strike out in the first line, 'judicially found to be.'

Sec. 183. Strike out 'judicially found to be.'

Sec. 184. Strike out 'judicially.'

Sec. 186. Strike out this section.

CHAPTER 12. Sec. 198. Read 'charge' instead of 'change.'

Sec 203. Strike out the last two lines after the word 'found.'

CHAPTER 13. Sec. 206. *Sub Division* 3—Insert in the second line, after the word 'are,' 'or the Judge is.'

Sec. 210. Strike out the words, 'by a trusty messenger.'

Sec. 212. In the second line, after 'including,' read 'those of,' instead of 'thereof.' Insert in line 3, after 'shall'—'unless such change be taken under sub-division 2, of section 206.'

CHAPTER 14. Sec. 216. Insert after the word fixed at the end of the first line, the words, 'ten day before the term.'

Sec. 219. Strike out the first clause and insert—'The notice shall be served as follows:' Sub-division 1st, strike out the third 'or' and insert 'and;' sub-division 2d, strike out the figure '2d;' sub-division 3d, strike out '3d' and insert '2d;' also strike out 'he be the head of a family and;' in line 3d of this sub-division say 'the' instead of 'his;' sub-division 4th, make '3d' in place of '4th.'

Sec. 220. Strike out the entire section.

Sec. 221. After 'left' in line 5, insert 'and that it was the usual place of residence of defendant;' after 'left' in line 7, insert 'or a sufficient reason for omitting to do so;' strike out in line 8, the word 'defendant's' and insert 'the;' and strike out all after the word family in said 8th line.

Sec. 222. Strike out the entire section.

Sec. 224. Strike out all after the word 'thereafter,' in line 10.

Sec. 226. Strike out the entire section.

Sec. 229. Strike out in line 4 the words, 'if made by one not such officer,' and insert 'if made without the State, or by one not such officer within the State.'

Sec. 238. Strike out in line 3, 'either,' and 'or without;' strike out from the word 'publication' to the word 'when' on page 30.

Sec. 239. Strike out 'Capital' and insert 'next nearest county.'

Sec. 241. Strike out 'a copy of,' also, 'and petition by delivery or tender of delivery thereof to the defendant.'

CHAPTER 16. Sec. 255. Strike out 'on or before the morning,' and insert 'before noon.'

Sec. 256. Strike out 'on or before the morning,' and insert 'before noon.'

Sec. 257. Strike out 'on or before the morning,' and insert 'before noon.'

Sec. 258. Strike out 'thirty,' and insert 'sixty;' strike out 'on or before the morning,' and insert 'before noon.'

Sec. 259. Strike out 'on or before the morning,' and insert 'before noon.'

Sec. 260. Strike out 'on or before the morning,' and insert 'before noon.'

Sec. 262. Strike out 'thirty,' and insert 'sixty;' and strike out 'defence,' and insert 'denial and the proof documentary.'

Sec. 264. Strike out 'if,' and insert 'although.'

Sec. 265. After 'Court,' insert 'for good cause shown.'

Sec. 274. Strike out all after 'case,' in 2d line.

Sec. 275. Strike out 'and served.'

Sec. 277. After 'office,' insert 'and notice thereof on the notice book;' and strike out 'and the service of copy thereof.'

Sec. 282. Sub-division 6th, after 327, insert '367.'

Sec. 292. Strike out the entire section; strike out 311, and insert, instead, 'every pleading must be subscribed by the party or his attorney; and when any pleading in a case shall be verified by affidavit, all subsequent pleadings, except demurrers, shall be verified also, and in all cases of the verification of a pleading, the affidavit shall be to the effect that the affiant believes the statements thereof to be true.'

Sec. 320. Fill the blank with '1443 of the Code.'

Sec. 327. After the word 'indebtedness,' in the third line, insert the words 'the original, or,' and strike out all after the word 'pleading,' at the beginning of the 8th line.

Sec. 332. Strike out the figures, and insert '328, 329, 330.'

Sec. 343. After 'reply,' in the 2d line, insert 'and;' after 'verified,' insert 'it must be.'

Sec. 368. For 'the defendant,' in the 2d line, read 'plaintiff.'

Sec. 370. Before 'else,' insert 'unless a reasonable excuse be set forth in the pleading for not so annexing the same.'

Sec. 381. Strike out 'but a copy of such amendment shall be served on the defendant or his attorney.'

Sec. 383. After 'may,' in 1st line, insert 'on motion of either party;' after 'proper,' in 2d line, insert 'permit such party to.'

Sec. 390. Strike out 'process, pleading or.'

Sec. 397. Read "second," for "secondly." In the 6th line of sub-division 3 thereof, after Supreme Court, insert, 'except such as may be necessary to explain and apply any bill of exceptions.'

Sec. 400. For 'file,' read 'files.'

Sec. 404. After the second 'order,' insert 'unless the Court, for good cause, shall direct otherwise.'

Sec. 412. For 'first,' read 'second.'

Sec. 413. For 'omission,' read 'error.'

Sec. 416. Strike out all after 'shall,' and insert 'be entered on the notice book.'

Sec. 433. For 'may,' read 'shall.'

Sec. 436. Before 'unsoundness,' read 'inability to understand the English language.'

Sec. 438. Read 'affinity or consanguinity," instead of 'consanguinity or affinity.'

Sec. 444. After this section, place sections 451, then 452, 457, 458, then 445, and then on.

Sec. 445. Read 'argument,' for 'evidence.'

Sec. 448. Read thus, 'the Court must read over all the instructions which it intends to give, and none others, to the jury, and must announce them as given, and shall announce as refused, without reading to the jury all those which are refused, and must write the words 'given,' or 'refused,' as the case may be, on the margin of each instruction.'

Sec. 450. Strike out 'or instruction.'

Sec. 453. Strike out all after 'writing,' in the second line, and after 'may,' insert 'also.'

Sec. 454. Strike out 'if written.'

Sec. 455. Strike out 'instruction and'—also strike out 'the same is finally submitted to the jury,' and insert therefor, 'the retiring of the jury.' Also strike out 'instruction or.'

Sec. 456. Strike out 'expressed in writing.'

Sec. 457. Strike out the first clause.

Sec. 469. Strike out 'if so demanded by either party.'

Sec. 476. Read for 'fact,' 'facts,' in the 6th line.

Sec. 480. Strike out the entire section.

Sec. 493. For 'equitate,' read 'equitable.'

Sec. 517. Strike out the entire section.

Sec. 520. Read 'part,' for 'proof.'

Sec. 525. After first 'judgment,' insert 'for or.'

Sec. 542. After first 'judgment,' insert, 'in a case pending.'

Sec. 551. Strike out 'witness,' and insert 'witnesses.'

Sec. 559. Strike out 'five,' and insert 'two.'

Sec. 582. Read 'on' instead of 'in,' in first line.

Sec. 595. After 'assigned, 'insert, 'on the record or by a writing filed in the office of the Clerk, and by him minuted as an assignment, on the margin of the judgment docket.'

Sec. 598. Strike out the ';' after 'trial.'

Sec. 613. Read 'at,' instead of 'to.'

Sec. 621. After 'decay,' strike out 'he,' and insert 'or when the plaintiff makes affidavit to that effect, the sheriff.'

Sec. 625. Read 'vendor,' for 'vender.'

Sec. 643. Add thereto, 'or the like officer of any other Court.'

Sec. 661. Read 'judgment' for 'payment.'

Sec. 669. After 'way,' in 3d line, insert 'and.'

Sec. 681. After 'administer,' insert 'to.'

Sec. 684. Fill blank with '680.'

Sec. 685. For 'proceeding,' read 'preceding.'

Sec. 690. After 'proceeding, insert 'to.'

Sec. 692. Strike out all after 'follows,' and insert 'if the sum for which judgment was rendered, inclusive of costs do not exceed five dollars, one month. If such sum and costs exceed five, but not twenty dollars, two months. If such sum and costs exceeds twenty but not forty dollars, three months. If such sum and costs exceed forty but not sixty dollars, four months. If such sum and costs exceed sixty but not one hundred dollars, six months. If such sum and costs exceed one hundred but not one hundred and fifty dollars, nine months. If such sum and costs exceed one hundred and fifty dollars, twelve months.'

Sec. 698. Strike out 'nor shall the same apply to a case of foreclosure of mortgage, nor shall an appeal,' and insert, 'no appeal shall,' and add to said section, 'nor shall such stay be allowed to any judgment obtained by a laboring man or mechanic for his wages.'

Sec. 708. Strike out 'not kept for purpose of sale,' and insert it after 'paintings,;' also, insert 'pictures,' after 'portraits.'

Sec. 712. Add thereto, 'and the hour of the commencement of the sale must be fixed in the notice.'

Sec. 717. Strike out 'are void,' and insert 'may be set aside on motion made at the same, or the next term thereafter.'

Sec. 786. (Page 113) Read 'of' 'for by,' before contempt.

Sec. 787. (Page 115) After 'action' in the 7th line, insert 'as provided for in the foregoing chapter.'

Sec. 788. (Page 116) Read 'nor' for 'not,' in last line.

CHAPTER 29. Sec. 818. Strike out in 3rd line, 'and service of a copy thereof,' and insert therefor, 'and notice thereof being entered on the notice book.' Strike out in 5th line, 'without service of copy.'

Sec. 820. Strike out 'particularly.'

Sec. 825. (Page 122) Strike out 'without copy or motion,' and insert 'on the notice book.'

Sec. 828. Strike out 'he shall,' and insert 'he may be required to give.'

Sec. 829. Strike out the entire section.

Sec. 831. Strike out the entire section.

Sec. 832. Strike out 'formal'—'for costs'—in civil cases.

CHAPTER 31. Sec. 845. Fill the blank with 'five.' Strike out 'also,' in 3d line after 'shall.'

Sec. 848. Insert after 'costs' 'showing the items.'

CHAPTER 32. Sec. 865. Read 'the,' for 'he,' in the last line on page 127.

CHAPTER 35. Sec. 885. Sub-division 3d, correct the word 'judgment.'

Sec. 892. In 2d line, read 'on' instead of 'or.'

Sec. 896. Read 'disturb' for 'distort.'

Sec. 898. Read 'by' instead of 'for,' in 1st line.

Sec. 902. Add thereto—'unless a good cause for the failure is shown by affidavit.'

Sec. 912. Read in last line of page 135, 'approved' for 'affirmed.'

Sec. 930. Add thereto—'But the court must decide each error assigned.'

Sec. 937. Sub-division 1st, Strike out one 'i' in 'particular.'

Sec. 944. Strike out all after 'plaintiff.'

CHAPTER 38. Sec. 962. Read 'prejudiced' instead of 'prejudged.'

Sec. 970. Strike out 'reliable,' and insert 'valuable.'

CHAPTER 47. Sec. 1149. (Page 151) Strike out 'ought,' and insert 'shall.'

CHAPTER 53. Sec. 1372. (Page 158) Strike out the entire section.

Sec. 1397. Strike out in last line, 'except when served by an officer.'

Sec. 1420. Insert after 'within'—'or without.'

Sec. 1458. Insert in 2d line, after 'attorney,' 'ten days and when served on the party within the county, five days,' strike out 'or on the party within the county ten days;' add to this section—'No party shall be required to take deposition, when the court is in actual session.'

CHAPTER 55. Sec. 1508. (Page 166) 'Read degrees of affinity and consanguinity.'

Sec. 1511. (Page 167) Strike out the words 'as other petitions.'

Strike out the whole of chapter 56.

CHAPTER 57. Sec. 1556. Insert 'shall' for 'may,' and add thereto 'except as to the provisions of Chapter 53.'

Mr. Rankin moved to amend section 438, by striking out the word "adverse," in the eighth line, and inserting the word "challenging," in lieu thereof. Which amendment was concurred in.

Also, Mr. Rankin moved to amend section 826, by striking out all before the word "shall," in the second line, and in lieu thereof inserting the following: "If a defendant shall, at any time before answering, make and file an affidavit, stating that he has a good defense, in whole or in part, then the plaintiff, if he be a non-resident of this State, or a corporation, before any further proceeding in the cause." Which amendment was adopted.

Mr. Davis, of Clinton, moved to amend section 707, by inserting between the words "exception" and "of," in the fourth line, the following words: "in the two former cases." Also, after the word "same," in the fifth line, the following: "and in the latter case, such wearing apparel, together with such property as the defendant may select, not to exceed in value seventy-five dollars." Which motion prevailed.

Mr. Mann moved to amend section 1364, by striking out the

word "compellable." Upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Brown, Mann, Williams—3.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, McPherson, Neal, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Wilson of Dubuque, Wilson of Jefferson-33.

Excused—Messrs. Anderson, Angle, Bowen, Patterson of Muscatine, Saunders and Udell. Absent, but not excused—Mr. Watson. So the amendment was lost.

Mr. Mann moved to amend by striking out "section 1364," and inserting "sections 2421 and 2422, of the Code of 1851."

Mr. Wilson, of Dubuque, called for a division of the question, which was granted.

The question being on striking out, Mr. Duncombe demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Brown, Duncombe, Green, Johnson, Mann, Neal, Thompson, Williams, Wilson of Dubuque —10.

The nays were—Senators Bussey, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, English, Gray, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, McPherson, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Trumbull, Taylor, Watson, Wilson of Jefferson—25.

Excused—Messrs. Anderson, Bowen, Buechel, Patterson of Muscatine, Saunders and Udell. Absent, but not excused—Messrs. Angle and Bailey. So the motion to strike out was lost.

Mr. Duncombe moved to strike out all after the word "joined," in the first line of section 1634, and insert the following: "A person who has a direct, certain legal interest in the suit, is not a competent witness, unless called on for that purpose by the opposite party in interest." Upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Duncombe, Green, Johnson, Mann, Neal, Thompson, Williams, Wilson of Dubuque—11.

The nays were—Senators Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, English, Gray, Hagans, Ham-

mer, Hastings, Henderson, Kent, Lewis, McPherson, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Trumbull, Taylor, Watson, Wilson of Jefferson—26.

Excused—Messrs. Anderson, Bowen, Patterson of Muscatine, Saunders and Udell. Absent, but not excused—Mr. Angle. So the motion to strike out and insert was not concurred in.

Mr. Duncombe moved to strike out section 1376.

On motion of Mr. Rankin, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Bussey moved a call of the House, which was sustained and ordered.

The following Senators were found to be absent and not excused: Angle, Hammer, Kent, McPherson, Mann.

On motion, McPherson and Hammer were excused. Several Senators coming in, Mr. Bussey moved to suspend further proceedings under the call, which motion prevailed.

The question being on striking out section 1376, Mr. Wilson, of Dubuque, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Buechel, Duncombe, English, Hammer, Johnson, Neal, Pusey, Thompson, Taylor, Williams, Wilson of Dubuque—14.

The nays were—Senators Bussey, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Gray, Green, Hagans, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Trumbull, Watson, Wilson of Jefferson—23.

Excused—Messrs. Anderson, Bowen, Patterson of Muscatine, Saunders and Udell. Absent but not excused—Mr. Angle. So the motion to strike out was lost.

Mr. Drummond moved to amend section 1376, by striking out the word "moral," upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bailey, Brown, Buechel, Drummond, Duncombe, English, Green, Hammer, Johnson, Mann, Neal, Reiner, Trumbull, Taylor, Williams, Wilson of Dubuque—16.

The nays were—Senators Ainsworth, Bussey, Coolbaugh, Davis of Clinton, Davis of Polk, Gray, Hagans, Hastings, Henderson, Lewis, McPherson, Pusey, Pattison of Marshall, Powers, Rankin, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—20.

Excused—Anderson, Bowen, Patterson of Muscatine, Saunders and Udell. Absent but not excused— Angle and Kent. So the motion was lost.

Mr. Duncombe moved to amend section 1376, by striking out the words "testing his credibility," and inserting, in lieu thereof, the words "impeaching his testimony," upon which question he called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bailey, Duncombe, English, Neal, Williams, Wilson of Dubuque—6.

The nays were—Senators Ainsworth, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Gray, Green, Hagans, Hammer, Hastings, Henderson, Lewis, Mann, McPherson, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Wilson of Jefferson—29.

Excused—Anderson, Bowen, Patterson of Muscatine, Saunders and Udell. Absent but not excused—Angle, Kent and Johnson. So the motion to strike out and insert, was lost.

Mr. Ainsworth moved to strike out "sections 253 and 254," and called the yeas and nays upon the question, which were taken, and are as follows:

Yeas—Ainsworth, Duncombe, English, Mann, Trumbull and Wilson of Dubuque—6.

Nays—Brown, Coolbaugh, Davis of Polk, Drummond, Gray, Green, Hagans, Hammer, Hastings, Henderson, Lewis, McPherson, Neal, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Taylor, Watson, Williams and Wilson of Jefferson—25.

Excused—Anderson, Bowen, Patterson of Muscatine, Saunders and Udell—5. Absent, but not excused—Angle, Bailey, Buechel, Bussey, Davis of Clinton, Johnson, Kent—7. So the motion to strike out was lost.

Mr. Neal moved to amend section 707, by inserting after the clause, "not to exceed in value, seventy-five dollars," the words, "to be selected by the debtor, and appraised according to the

provisions of section 619," which amendment was concurred in.

Mr. Wilson of Jefferson, moved to strike out chapter 3, which motion prevailed.

On motion of Mr. Wilson of Dubuque, the bill was tabled.

Mr. Scott, from the special committee, to which was referred House File No. 60, a bill for an act to pay Major Wm. Williams, and others, for services and supplies for the Spirit Lake Expedition, 1857, reported the same back without amendment, accompanied by the following report, and recommended the passage of the bill:

The special committee, to whom was referred House File No. 60, a bill for an act to pay Major Wm. Williams, and others, for service and supplies, Spirit Lake Expedition, 1857, would respectfully

REPORT:

That they have had the same under consideration, and have learned by correspondence and personal intercourse with parties who reside in the several counties in which the volunteers were enrolled, that the claim of the so-called "Spirit Lake Volunteers," is meritorious. Your committee believe it to be the duty of the State to guard the helpless citizens thereof, as far as possible, from every impending danger, and to compensate those brave men who may, in times of danger, at the call of the Executive, or the appeal of their helpless fellow citizens, offer their services to avert any threatened public calamity. Provision for such services on the part of the State Government, whether for the past, as in the case before your committee, or for future contingencies, is but a response to the unanimous sentiment of the people. On these principles, the passage of the bill is warmly commended.

Your committee also believe that the payment of all appropriations for such purposes, should be secured *to the parties rendering the services.* Such claims appeal to the patriotism and humanity of legislators. The appeal can apply only in favor of the *persons* who hazard their lives, and *not* in favor of their *assignees.* One of these classes comes with its claims for services rendered in the face of danger, in behalf of helpless and suffering humanity, or for supplies rendered to those engaged in such labors of love, when the day of payment is distant and uncertain. The other seeks the re-imbursement of monies paid out as a mere business transaction, and, doubtless, too often invested in the spirit of a

Shylock, with more reference to the benefits to be derived to himself, than to those conferred upon others.

But as a principal reason for making all such bills personal in their nature, and securing the appropriation to those for whose benefit the same is made, your committee urge the question, as related to the policy of the State. Your committee believe that recognizing assignees in an appropriation bill, is a very direct method of encouraging brokerage, in what may be supposed to be claims againt the State. The evils of such a system must be apparent. One of the least of these may be named, viz: The encouragement given to heartless capitalists and unscrupulous speculators, to buy up doubtful claims at nominal prices, and then to press a legislative recognition of them. The same practice might be carried to the extent, that large amounts of such claims might find their way into the pockets of the law makers themselves. In view of this fact, legislators are, in some cases, very properly prohibited from even acting as attorneys of claimants.

In the present case, your committee have learned that many parties interested therein, are not now within the limits of this State. It may be many years before they may appear to claim their interest in the appropriation. The State, assuming to act as paymaster to these parties, cannot too carefully guard the several amounts set aside for their benefit. The wisdom, therefore, of incorporating into all such bills, as the one under consideration, provisions that would effectually guard the rights and pecuniary interests of original claimants, is not doubted by your committee. But as the amount affected by such provisions in the present case, is supposed not to be so large as to be of considerable importance, and as the bill has passed the other branch of the General Assembly, and, if amended, would necessarily again require the action of that body, your committee are not disposed to insist on any amendment to the bill under consideration. They insist, however, that any omission to engraft the provisions indicated in this report, into the present bill, shall not be regarded as any precedent to govern your committee, or the Senate in future legislation of a similar character.

Your committee report back the bill under consideration, and recommend its passage.

JOHN SCOTT,
J. W. THOMPSON,
W. F. COOLBAUGH.

Report adopted.

On motion of Mr. Duncombe, the 11th Rule was suspended, the bill read the 3d time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Bailey, Brown, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Green, Hagans, Hammer, Hastings, Henderson, Lewis, McPherson, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thomson, Trumbull, Taylor, Watson, Wilson of Jefferson—27.

The nays were—Senators Ainsworth, Gray, Mann, Neal—4.

Excused—Messrs. Anderson, Bowen, Bussey, Coolbaugh, Patterson of Muscatine, Saunders, Udell and Wilson of Dubuque. Absent, but not excused—Messrs. Angle, Johnson, and Kent.

The bill not having received a constitutional majority, was lost.

On motion, Senate adjourned

SENATE CHAMBER,
Saturday, March 3d, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Drake.

Journal of yesterday read and approved.

Mr. Mann moved to re-consider the vote by which House File No. 60, a bill for an act to pay Maj. William Williams, and others for service and supplies for Spirit Lake Expedition, 1857, was on yesterday lost, which motion prevailed.

On motion of Mr. Duncombe, the 11th Rule was suspended, the bill read the 3d time, and again put upon its final passage.

Mr. Duncombe asked unanimous consent of the Senate to vote for the bill, as he was excluded by interest, without such consent, which was agreed to.

The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English,

Gray, Green, Hagans, Hammer, Henderson, Kent, Lewis, Mann, McPherson, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque Wilson of Jefferson—32.

The nays were—Senators Drummond, Hastings—2.

Excused—Messrs. Anderson, Bussey, Bowen, Johnson, Patterson of Muscatine, Saunders and Udell. Absent and not excused —Angle and Neal. So the bill was passed, and title agreed to.

Mr. Johnson rose to a question of privilege, and called the attention of the Senate, to an article in the "Burlington Hawkeye," of February 29th, over the signature of "Linkensale," which he considered a severe reflection on his personal and Senatorial character, and stated that he understood its author held a seat, through courtesy, upon the floor of the Senate, as a newspaper correspondent.

On motion of Mr. Coolbaugh, a committee of five was appointed to consider the matter.

The President appointed as said committee, Coolbaugh, Rankin, Gray, English, and Davis of Polk.

The following communication was received from the Governor:

EXECUTIVE OFFICE,
March 2, 1860.

Gentlemen of the Senate:

I herewith transmit the account of James Hall, State Geologist, with accompanying vouchers; it will be perceived that the expenses overrun the appropriations—there being in the survey account a deficiency of $1392.28, and in the publication account $957.30, for which an appropriation is required.

The Joint Resolution of the last Session would probably justify me in paying the deficiency in the publication account; but as it is a matter of doubt whether a Joint Resolution of this kind extends beyond the next succeeding Session of the General Assembly, I prefer referring the matter to you.

SAMUEL J. KIRKWOOD.

The communication and accompanying papers were referred to the Committee on Ways and Means.

Mr. Duncombe had leave to introduce Senate File No. 134, a bill for an act entitled an act, fixing the pay of State Printer and State Binder, defining their duties and repealing chapter 184 of

the acts of the 6th General Assembly. Read the 1st and 2d time, and referred to Committee on Ways and Means.

Mr. Gray from the special committee, to which was referred Senate File No. 15, a bill for an act fixing the times of holding Courts in the 10th Judicial District, reported the same back with the recommendation of the majority of said committee, that the same be passed.

While the bill was under consideration, the following communication from the Governor was received, when on motion of Mr. Ainsworth, the bill was laid on the table, and the communication and accompanying papers taken up and read:

EXECUTIVE OFFICE, IOWA,
March 3d, 1860.

Gentlemen of the Senate:

I have received this morning by an express messenger from Cherokee county, the accompanying papers in relation to Indian difficulties in that region.

At my request the messenger has consented to remain a short time in order to appear before a committee of your body, in case you see fit to desire his presence.

SAMUEL J. KIRKOOD.

On motion of Mr. Davis of Polk, the communication and accompanying papers were referred to the Committee on Military Affairs.

Mr. Duncombe had leave to introduce Senate File No. 135, a bill for an act entitled an act, authorizing the Governor of State to furnish arms and ammunition, also a guard for the defence of the frontier of the State against Indian depredations, and making appropriation for the same. Read the first and second time, and referred to the Committee on Military Affairs.

On motion of Mr. Ainsworth, Senate File No. 15, a bill for an act fixing the times of holding Courts in the 10th Judicial District, was taken from the table and considered.

Mr. Hammer moved to lay the bill on the table for two weeks, which was not concurred in.

Mr. Hammer moved to postpone the consideration of the bill for thirteen days, which motion did not prevail.

On motion of Mr. Gray, the further consideration of the bill was postponed until Tuesday next, at 2 o'clock, P. M.

Mr. Wilson of Dubuque, moved that when the Senate adjourns, it adjourn until Monday morning next, which was concurred in.

Message from the House.

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

House File No. 197, a bill for an act for the protection of the owners of cattle, hogs and sheep against the depredations of thieves and others.

House File No. 219, a bill for an act to legalize the acts of Noah D. Haskell, a Notary Public in Polk county, Iowa.

CHAS. ALDRICH, Chief Clerk.

Mr. Hastings, from the Committee on Engrossed Bills, reported Senate File No. 100, a bill for an act to regulate the foreclosure of mortgages.

Also, Senate File No. 114 a bill for an act to amend certain sections of the Criminal Law.

Also, Senate File No. 129, a bill for an act for the relief of all persons heretofore divorced since the 4th of July, 1858; correctly engrossed.

Mr. Pattison of Marshall, from the Committee on Agriculture, to which was referred Senate File No. 89, a bill for an act to repeal chapter 101 of the acts of the 7th General Assembly, reported a substitute for the same, and recommended its passage.

Mr. Williams moved to suspend the 11th rule, have the bill read the 3rd time, and put upon its final passage, which motion prevailed.

Mr. Neal moved to reconsider the vote last taken, which motion was concurred in.

Mr. Bailey moved to amend the bill by striking out all after the "enacting clause," excepting the "repealing clause."

On motion of Mr. Bussey, Senate adjourned.

SENATE CHAMBER,
Monday, March 5th, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Drake.

Journal of yesterday read and approved.

Mr. Taylor offered the following resolution, which was adopted:

Resolved, That the Judiciary Committee be instructed to insert in the new Code, a provision allowing defendants in execution to execute a Delivery Bond for personal property levied on by execution.

Mr. McPherson, from the Committee on Railroads, had leave to make the following report:

The Railroad Committee, to whom was referred a resolution inquiring into the fact whether the Railroads receiving grants of land from the State, have paid taxes on said roads, or on the stock owned in said roads, beg leave to make the following report:

1st. The Dubuque and Pacific Railroad, on the 15th day of June last, paid into the County Treasury of Dubuque county, in full, of County and State taxes up to that date, the sum of eleven thousand one hundred and sixty dollars, ($11,160.)

2nd. Your committee have been unable to learn that the Iowa Central Air Line Railroad Co. have ever paid any taxes on this Road, or that the owners of stock have paid taxes on their stock in said Road. Your Committee addressed letters to the Treasurer of Jackson county, and to the Treasurers of other counties along the line of the I. C. A. L. R. R., but have received no answers except from the Treasurer of Clinton county, who states that said Company have paid no taxes at all in that county. Said Treasurer further states that there is now due from the Chicago, Iowa and Nebraska Railroad Co., the taxes on $100,000 for the year A. D. 1858, and on $125,000 for the year A. D. 1859.

3rd. Your Committee find that the resident stockholders of the M. and M. Railroad have paid taxes on their stock in said road, but where and how much, we cannot learn. Our information is contained chiefly in a letter of the Treasurer of Scott county. The non-resident stockholders have paid no taxes on their stock in said Road.

4th. Your Committee learn from the Treasurer of Des Moines county, that the B. and M. R. R. R. Co., have never paid any taxes on their road, buildings, machinery, rolling stock, or any other property, real or personal, used by them for Railroad purposes. It appears that the rolling stock of said Company was assessed in

1857, but that the collection of the tax was successfully resisted on the ground that by law, all the property of the road must be taxed only through the shares of the stockholders.

The Treasurer of said county informs your Committee, that no share of the stock in said road has ever been assessed, and that no stockholder, resident or non-resident, has ever paid a dollar tax on his stock, nor has the Railroad Company ever paid any tax on their road.

All of which is respectfully submitted.

M. L. McPHERSON,
TRUMBULL,
HAMMER,
THOMPSON,
PATTISON,
Committee.

Mr. Ainsworth, from the special committee on mileage, made the following report:

The undersigned, members of the Joint Committee of the Senate and House of Representatives upon mileage, would respectfully report that the committee have had the subject under consideration, and find the Senators entitled to mileage as shown in the following list:

NAMES.	NO. MILES.	AMOUNT.
Angle,	260	$ 39.00
Anderson,	150	22.50
Ainsworth,	600	90.00
Bailey,	300	45.00
Bussey,	300	45.00
Buechel,	320	48.00
Bowen,	280	42.00
Brown,	400	60.00
Coolbaugh,	320	48.00
Davis of Clinton,	480	72.00
Davis of Polk,	20	3.00
Drummond,	360	54.00
Duncombe,	200	30.00
English,	420	63.00
Gray,	700	105.00
Green,	480	72.00

NAMES.	NO. MILES.	AMOUNT.
Hagans,	200	30.00
Hammer,	600	90.00
Hastings,	450	67.50
Henderson,	40	6.00
Johnson,	200	30.00
Kent,	320	48.00
Lewis,	260	39.00
Mann,	360	54.00
McPherson,	80	12.00
Neal,	80	12.00
Pusey,	300	45.00
Patterson of Muscatine,	360	54.00
Pattison of Marshall,	120	18.00
Powers,	600	90.00
Rankin,	320	48.00
Reiner,	300	45.00
Saunders,	320	48.00
Sherradden,	240	36.00
Scott,	80	12.00
Thompson,	400	60.00
Trumbull,	480	72.00
Taylor,	400	60.00
Udell,	300	45.00
Watson,	320	33.00
Williams,	150	22.50
Wilson of Dubuque,	480	72.00
Wilson of Jefferson,	240	36.00

On motion of Mr. Gray, the report was referred to the Committee on Ways and Means.

SPECIAL ORDER.

The special order of this morning, at 9 o'clock, being the consideration of Senate File No. 126, a bill for an act to establish a Code of Civil Practice, at Law and in Equity, Mr. Gray offered the following amendments, which were adopted:

Sec. 215. After 'it,' in the 5th line, insert 'and stating generally the nature of the claim, or claims, if more than one, without the need of stating the facts constituting the cause thereof, (as, for example, on account, for a promissory note, for work, for goods sold,

for assault and battery, for slander, for the recovery of personal or real property, or in some other such general way.')

Sec. 246. Strike out all after 'petition,' in sub-division 3d, last line but one, and insert 'but if the petition contains more than one cause of action, a mere appearance shall not be deemed an appearance to any cause, except such as the defendant shall have had due notice of, according to section 215 hereof, and such causes shall be dismissed.'

Sec. 784. After 'directed,' insert 'and will not, in the mean time, dispose of his property, or any part thereof.'

Sec. 842. After 'action,' insert 'or any part thereof.'

Sec. 548. Strike out all before the second 'made,' and insert 'where no appearance is.'

Sec. 381. After 'had,' in 3d line, insert 'but motion of such amendment shall be served on the defendant, or his attorney.'

Sec. 235. Strike out 'judicially found to be.'

Mr. Wilson, of Dubuque, moved to amend section 274 by striking out 'and,' in the first line, and inserting 'including,' which amendment was concurred in.

On motion of Mr. Hagans, the further consideration of the bill was suspended, that the Committee on Military Affairs might make the following reports:

REPORTS.

Mr. President:—Your committee, to which was referred the concurrent resolution requesting the Secretary of War to establish a military post in the north-west part of the State, for the protection of the inhabitants thereof, have had the same under consideration, and herewith return the same, with the recommendation that the same be passed, at as early a day as is possible.

Report concurred in, and resolution passed.

Also, your committee, to which was referred sundry communications concerning Indian depredations, together with Senate File No. 135, a bill for an act entitled an act authorizing the Governor of the State to furnish arms and ammunition: also, a guard for the defense of the frontier of the State, against Indian depredations, and making appropriation for the same, ask leave to report the same back, with a substitute, and unanimously recommend the adoption and passage of the substitute, at as early a day as possible.

The question being on adopting the substitute, Mr. Duncombe called the yeas and nays, which were taken, and were as follows:

The yeas were—Senators Bailey, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Gray, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Watson, Wilson of Jefferson—23.

The nays were—Senators Ainsworth, Drummond, Duncombe, English, Green, Hammer, Johnson, Neal, Pusey, Patterson of Muscatine, Williams, Wilson of Dubuque.—12.

Excused—Anderson, Angle, Bowen, Udell. Absent but not excused—Bussey, Mann, Saunders and Taylor. So the substitute was adopted.

On motion of Mr. Rankin, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, McPherson, Neal, Pusey, Pattison of Marshall, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque, Wilson of Jefferson—31.

The nays were—Senators Ainsworth, Gray, Johnson, Mann, Patterson of Muscatine, Powers, Williams—7.

Excused—Messrs. Bowen and Udell. Absent, but not excused Messrs. Bussey and Saunders. So the bill was passed, and title agreed to.

On motion of Mr. Duncombe, the Secretary was directed to take the resolution and bill just passed, to the House, without delay.

Message from the House:

Mr. President:—I am directed to inform your honorable body, that the House of Representatives has passed the following bill, in which the concurrence of the Senate is asked: House File No. 117, a bill for an act to pay a certain reward heretofore offered by the Governor of the State of Iowa.

CHARLES ALDRICH, Chief Clerk.

The consideration of Senate File No. 126, was resumed.

Mr. Taylor offered sundry amendments to section 700, which

were, on his motion, referred to the Judiciary Committee, with instructions to incorporate the same in the bill.

On motion of Mr. Rankin, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Davis, of Polk, moved to take up House File No. 219, a bill for an act to legalize the acts of Noah Haskall, a Notary Public, in Polk county, Iowa; which motion prevailed.

The bill was read the first and second time, and on motion of Mr. Duncombe, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, Gray, Green, Hagans, Hammer, Henderson, Johnson, Kent, Lewis, McPherson, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque—32.

The nays were—Senators Drummond, English—2.

Excused—Messrs. Bowen, Patterson of Muscatine, and Udell. Absent, but not excused—Messrs. Hastings, Mann, Neal, Saunders, Williams, Wilson of Jefferson. So the bill was passed, and title agreed to.

Mr. Wilson, of Dubuque, had leave to introduce Senate File No. 136, a bill for an act to regulate the execution of express trusts; also, Senate File No. 137, a bill for an act to protect reversioners against the neglect of tenants, in dower or for life, in paying taxes. Which were read the first and second time, and referred to the Judiciary Committee.

Mr. Sherradden made the following report: The Committee on Enrolled Bills, report House Substitute for Senate File No. 74, a bill for an act to pay the claim of William McHargue, correctly enrolled.

SPECIAL ORDER.

The special order being the consideration of Senate File No. 126, a bill for an act to establish a Code of Civil Practice at Law and in

Equity, Mr. Ainsworth moved to amend section 153, by adding the following: *Provided*, That the claim pleaded as such set off, was owned by the defendant at the time the same became barred by the Statute. Amendment concurred in.

Mr. Neal moved to strike out section 710, and insert the following: "Notice shall be given, by being posted up in at least three public places in the county, one of which shall be at the place where the last District Court was held, and in case of the sale of real property, one of said notices shall be posted up in the township in which such real estate is situated.

In addition to which, in case of the sale of real property, or when personal property to the amount of $200, or upwards, is to be sold, notice of such sale shall, if either party make of the Sheriff a written request therefor, or if the defendant be a non-resident of the county, be published in a newspaper in the county, if there be one, for four consecutive weeks, immediately preceding the day of sale, provided such publication shall not exceed the price of one dollar per square, for the whole four insertions.

In constables' sales, there shall be no newspaper publication, and the notice shall be posted up in three public places in the township, for two weeks, one of which shall be on the door of the office of the Justice that issued the execution.

Mr. Duncombe moved to amend the amendment, by striking out all referring to the price of publication. Which motion prevailed.

Mr. Rankin moved to lay the amendment offered by Mr. Neal, on the table. Upon which question, Mr. Neal demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Brown, Bussey, Davis of Polk, Drummond, Gray, Hagans, Hammer, Henderson, Kent, McPherson, Pusey, Pattison of Marshall, Rankin, Reiner, Sherradden, Scott, Trumbull, Watson, Wilson of Dubuque, Wilson of Jefferson—20.

The nays were—Senators Anderson, Angle, Ainsworth, Bailey, Buechel, Coolbaugh, Davis of Clinton, Duncombe, English, Green, Hastings, Johnson, Lewis, Mann, Neal, Patterson of Muscatine, Thompson, Taylor, Williams—19.

Excused—Messrs. Bowen and Udell. Absent, but not excused —Messrs. Powers and Saunders. So the motion to lay on the table prevailed.

Mr. Wilson, of Jefferson, introduced a chapter on forms, which were adopted, and were as follows:

1st—A form for an "Original Notice" in the District Court.

2d—A form for a "Petition" in the District Court.

3d—A form for an answer to the Petition.

4th—A form for a "Set-off;" also, a "Reply."

Mr. Bussey moved to amend section 135, by striking out the last two lines and inserting the following: "Unless the Judge of the County Court, on the written direction of the Judge of the District Court, order a greater number." Which was concurred in.

Message from the House.

MR. PRESIDENT:—I am directed to inform your honorable body that the House has passed Senate File No. 117, a Joint Resolution for additional mail facilities from Eddyville, via. Knoxville to Des Moines, without amendment.

CHARLES ALDRICH, Chief Clerk.

On motion of Mr. Powers, the 11th Rule was suspended, the bill under consideration read the 3d time and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Gray, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Wilson of Jefferson—28.

The nays were—Senators Bailey, Brown, Bussey, Buechel, Duncombe, English, Green, Johnson, Neal, Pusey, Williams, Wilson of Dubuque—12.

Excused—Bowen and Udell. Absent but not excused—Saunders. So the bill was passed and title agreed to.

Message from the House.

MR. PRESIDENT:—I am directed to return to your honorable body, Senate File No. 135, the same having passed the House without amendment.

CHARLES ALDRICH, Chief Clerk.

The President laid before the Senate the following communication:

ATTORNEY GENERAL'S OFFICE,
March 1st, 1860.

To His Excellency, N. J. Rusch,
President of the Senate:

SIR: — In reply to a resolution of your honorable body, requesting my opinion as to the constitutionality of a law that should apply to counties having a certain population, I respectfully submit that such a law would be legal and proper.

The Constitution, Art. 3, section 30, provides that the General Assembly shall not pass local or special laws in the following cases, enumerating them.

This language certainly implies that with the exception of those cases in which it is prohibited the power exists. In very many counties, owing to their peculiar condition, special legislation may be necessary. What class of cases you intend to cover by your resolution, I am unable to determine.

The Constitution requires that in all cases when possible, the laws shall be general and of uniform operation throughout the State.

Very respectfully,
SAMUEL A. RICE.

On motion, the communication was referred to the Judiciary Committee.

Also, the following communication from R. Hutchinson, which was read and referred to the Committee on Charitable Institutions:

DES MOINES, IOWA,
March 5th, 1860.

Gentlemen of the Senate:

Upon the receipt, by me of the resolutions passed by your body, asking certain information in regard to the management of the school for the Blind at Iowa City, I left home and am now here ready to give your body any information in my power.

I have with me all the vouchers of the Board of Trustees for the years 1858 and 1859. They are quite voluminous, and the copying of them would require a great amount of labor.

It is, at the same time, important to the interests of the School, that these vouchers be carefully preserved, and kept in the possession of the Board of Trustees, in order to protect the Institu-

tion against a second presentation and payment of the same bills. Under these circumstances, I have thought it proper to inquire, in this manner, whether your body will impose upon me the labor of furnishing copies of all these vouchers, or whether the presentation of these to, and the examination of them by a committee of your body, will be deemed sufficient, and in case you deem an examination of the originals by your committee sufficient—which I much prefer—I take the liberty of suggesting their careful preservation and return to me for the purpose above indicated.

Yours respectfully,

R. HUTCHINSON.

Mr. Powers offered the following resolution, which was adopted:

Resolved, That the Committee on Agriculture, be instructed to report a bill regulating the toll of grist mills, and that they report within five days.

On motion of Mr. Rankin, Senate File No. —, a bill for an act to submit to arbitration or reference, the claims and the defenses of the State of Iowa, and James D. Eads, late Superintendent of Public Instruction, and the official sureties of said Eads, was taken up, and made the special order for to-morrow morning, at 9 o'clock.

Mr. Brown had leave to introduce Senate File No. 138, a bill for an act to legalize the acts of Charles A. Bannan, as Notary Public. Read the 1st and 2d time, and referred to the Judiciary Committee.

Mr. Brown, from the Committee on Schools and University, made the following reports:

Senate File 37, a bill for an act for the disposition of the Saline Fund, reported back, with the recommendation that the same be passed.

Mr. Wilson of Jefferson, moved to lay the bill upon the table, which motion prevailed.

Also, without recommendation, Senate File No. 51, a bill for an act entitled an act to amend section 9, of chapter 158, of the acts of the 7th General Assembly.

On motion of Mr. Mann, the bill was laid on the table, for further consideration.

Also, Senate File No. 25, a bill for an act to provide for the pay of the late School Fund Commissioners, of the State of Iowa, with the recommendation that the same be indefinitely postponed.

Mr. Brown moved to lay the bill and report on the table, which motion prevailed.

Mr. Sherradden, from the Committee on Enrolled Bills, reported Substitute for Senate File No. 135, a bill for an act for the protection of the north-western frontier of this State, correctly enrolled.

On motion, Senate adjourned.

SENATE CHAMBER,
Tuesday, March 6, 1860, 9 o'clock A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Dr. Lillie.

Journal of yesterday read and approved.

Mr. McPherson, from the Committee on Railroads, made the the following reports:

The Railroad Commitee, to whom was referred a resolution requiring said committee to examine whether, or not, the Railroad Commissioners, which have received grants of land from this State, had complied with the conditions of the grant, and if not, to report in what particular the said Companies have failed to comply, and also, to report as to the expediency of resuming the lands, in each and every case of failure, beg leave to report as follows:

Your committee learn from the Railroad Commissioners, which have received grants of land from this State, to aid in the construction of certain Railroads, that in no instance, has any Company, since the grant of land was made and accepted by said Company, built and equipped seventy-five miles of road, on or before the 1st day of December, 1859. The B. and R. R. Co. had 75 miles of road in running order and equipped at said time, but when it accepted said grant from the State, there were 28 miles of its road built, and consequently there have been but 47 miles of road built since the acceptance of said grant.

The Dubuque and Pacific Railroad Company now have about 80 miles of its road built and equipped, but had not 75 miles built by the 1st day of December, 1859.

The M. and M. Company informs us, that at the time they accepted the grant of lands from the State of Iowa, there were constructed 67 miles of road, and 18 miles more in course of construction, a part of which was in the Muscatine branch. Since the acceptance of the grant, 26 miles of road have been built and equipped, and all the equipments necessary to operate the road, when completed, from Davenport to Des Moines, are now in the hands of the Company. The precise number of miles on said Muscatine branch, is not known.

As to the I. C. A. L. R. R. Co., the grant of land to that Company is undergoing an investigation upon a bill to resume the lands granted to it, and we deem it unnecessary to report, at this time, in relation thereto.

Your committee believe that, in all other respects than is herein before specified, the Railroad Companies have complied with the conditions of the grant of lands by them accepted.

Your committee have labored under great difficulties in ascertaining the amount of lands, which has been certified to each Company—we can find no record evidence, as to the amount certified, in any of the offices of the State. We have addressed letters to the Secretary of the Interior, but no answers have yet been received. The statements of the Railroad Companies, on this point, are as follows:

To the M. and M. R. R. Co.	have been certified	230,400	acres.
To the D. and P. R. R. Co.	"	307,200	"
To the B. and M. R. R. R. Co.	"	280,833.24	"

In view of these facts, your committee deem it inexpedient to resume the lands granted to the above named Railroad Companies, and yet uncertified.

In addition to the reasons already stated, your committee believe that an act of resumption, on the part of the State, would go a great length in destroying the credit of the Companies, who have raised money on the strength of the lands yet uncertified to them, and while your committee would not recommend any system of legislation, that would put the people in the power of the Railroad Companies, we at the same time, would discountenance any legislation which has a tendency to cripple the abilities of the Railroad Companies to push forward, to completion, their respect-

ive roads, so much needed to develop the rich resources of the State.

McPHERSON,
THOMPSON,
PATTISON,
HAMMER,
TRUMBULL,
ANGLE,
} Committee.

Report adopted.

Also House File No. 112, a bill for an act to resume all rights conferred upon the Iowa Central Air Line Railroad Co., by an act approved July 14th, 1856, and to repeal certain laws in relation thereto, with the recommendation of the majority of said committee that the same be passed.

On motion of Mr. Wilson of Jefferson, the bill was laid on the table and made the special order for Thursday next, at 2 o'clock, P. M.

Also, certain petitions, accompanied by the following report, which was adopted.

The Railroad Committee, to whom was referred sundry petitions asking that the lands granted to the I. C. A. L. R. R., be given back to Congress, provided that Congress will grant the same amount of lands to build a Railroad through the State east and west, north of the City of Dubuque, beginning at the City of McGregor in Clayton county, beg leave to make the following report:

Your committee report that the prayers of said petitions be not granted, but that the Congress of the United States, be by this Legislature memorialized to grant an additional amount of land to construct a road beginning at McGregor.

Also, Senate File No. 70, a bill for an act concerning Railroad Companies, without recommendation.

On motion, the bill was laid on the table for further consideration.

Also, Senate File No. 59, a bill for an act for the regulation of Railroad Corporations, with one amendment, and recommended that the amendment be adopted, and bill passed.

On motion of Mr. Wilson of Jefferson, the bill was laid on the table, and made the special order for Monday next, at 9 o'clock, A. M.

Mr. Sherradden had leave to introduce Senate File No. 139, a Joint Resolution for additional mail facilities. Read the 1st and 2nd time, and on motion of Mr. McPherson, the 11th Rule was

suspended, the resolution read the third time, and put upon its final passage. The yeas and nays were as follows:

The yeas were—Senators Anderson, Ainsworth, Bailey, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque—38.

The nays were—None.

Excused—Messrs. Bowen and Udell. Absent but not excused—Angle, Saunders and Wilson of Jefferson. So the resolution was passed and title ageed to.

SPECIAL ORDER.

The special order being the consideration of Senate File No. 116, a bill for an act to submit to arbitration or reference the claims and the defences of the State of Iowa and James D. Eads, late Superintendent of Public Instruction, and the official sureties of said Eads.

Mr. Rankin offered the following amendments, which were adopted:

SEC. 1. Strike out "his first" in third line.

SEC. 2. Fill the blanks with "the Governor."

SEC. 4. Strike out "except James D. Eads," in ninth line; also in thirteenth line, strike out "the first bond the amount due on;" and in the fourteenth line, strike out "or on the second and third, if the sureties on the first do not accept as hereinbefore provided," and insert "bond."

SEC. 5. In first line strike out, "at least the second and third;" also all after the word "causes" in the 5th line.

SEC. 8. Fill the blank with "award."

SEC. 10. Strike out "or the largest amount that in their judgment can be secured, so as to prevent permanent loss to the State."

SEC. 12. Insert "each" after the word "shall" in the first line.

Mr. Taylor moved to amend Section 7 by filling the blank with the number 20, which motion prevailed.

On motion of Mr. Bussey, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Ainsworth, Brown, Bussey, Buechel, Coolbaugh, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Henderson, Johnson, Lewis, Mann, Neal, Pusey, Patterson of Muscatine, Rankin, Sherradden, Trumbull, Taylor, Wilson of Dubuque—26.

The nays were—Senators Angle, Bailey, Davis of Clinton, Hastings, Kent, McPherson, Pattison of Marshall, Powers, Reiner, Scott, Thompson, Watson, Williams, Wilson of Jefferson—14.

Excused—Messrs. Bowen and Udell. Absent but not excused—Messrs. Drummond and Saunders. So the bill was passed and title agreed to.

PETITIONS.

Mr. Bussey presented the petitions of Joseph Price, and 75 others, citizens of Davis county, praying for the passage of a law in relation to the execution of property. Read and referred to the Committee on the Judiciary.

Mr. Angle presented the petition of W. L. Jackson, and 58 others, citizens of Linn county, praying for the passage of a more stringent liquor law. Read, and referred to the special committee heretofore appointed for a similar purpose, of which Mr. Bailey is Chairman, with instructions to report by bill, at an early day.

Also, Mr. Angle presented the petition of Ellis Minor, and some 50 others, citzens of Johnson county, praying for the passage of a law attaching the townships of Jefferson and Monroe, in Johnson county, to the county of Linn. Read, and referred to the Committee on Township and County Organization.

Mr. Davis, of Clinton, presented the petition of Thomas Crew, and 13 others, citizens of Clinton county, praying for the passage of a law empowering certain school officers in said county, to lay out certain lands into lots for cemetery purposes. Read, and referred to the Judiciary Committee, with instructions to report at an early day.

Mr. Taylor offered the following resolution, which was adopted:

Resolved, That the Governor be respectfully requested to lay before the Senate, a copy of the opinion recently received from the Department of the Interior, at Washington City, relating to Swamp Lands.

On motion of Mr. Patterson, of Muscatine, the Senate adjourned.

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

The President laid before the Senate, the following communications from the Auditor of State:

AUDITOR'S OFFICE,
DES MOINES, Feb. 24th, 1860.

To the Hon. Senate of the State of Iowa:

In response to the resolution of your Hon. body, adopted on the 23d inst., in relation to bonds of the State, having been issued to the School Fund, for the $57,500 borrowed of the same, I have the honor to report, that there are no bonds for said loan found in the files of this office, and the presumption is, that bonds were never issued for said sum, so borrowed, as stated in the Auditor's Report, page 10. The law authorizing the loan makes no provision for the issue of bonds.

Respectfully submitted.

J. W. CATTELL, Auditor of State.

Referred to the Committee on Schools and University.

STATE OF IOWA, AUDITOR'S OFFICE,
Des Moines, March, 6th, 1860.

To the Hon. Senate of the State of Iowa:

In response to the following resolution of your body, to-wit:

"*Resolved*, That the Auditor of State be requested to inform the Senate, whether any of the agents appointed by the Governor to examine the books, &c., of the School Fund Commissioners, according to chapter 162 of the acts of the 6th General Assembly, ever collected any State revenue, or any other money belonging to the State, or School Fund; and if so, by what authority, and whether the said money, if any, has ever been paid into the State Treasury; and if so, when, and what amount,"

I have the honor to make the following report: That from papers in this office, and other information, it appears that, in the months of July and August, 1857, Mr. Charles Foster (who was an agent appointed to examine the books, &c., of several School Fund Commissioners,) received State revenue from the Treasurers of several counties, in the aggregate, to the amount of $1,242 80, as follows:

Woodbury	county	.....	$256.48
Sac	"	.....	22.02
Monroe	"	.....	319.89
Harrison	"	.....(cash, $492.26)	
"	"	.....(Warrants, 156.63)—	644.89

Making total received.....$1,242.80

Of the amount so received, payments have been made into the State Treasury as follows:

1859. Jan. 14:	For Woodbury county	.....	$256.48
1859. " 14:	" Sac county	.....	20.00
1860. Feb. 24:	" " "	.....	2.02
1860. " 24:	" Harrison county	.....	152.63

Total payments.....$431.13

Leaving balance unpaid..... 811.67

The $152.63 paid to credit of Harrison county, Feb. 24, 1860, was in Auditor's Warrants, received by Mr. Foster of the Treasurer of said county, and had remained in this office, with the other papers relating to the matter, until the date of payment. The above sums of money were collected, or received by Mr. Foster, in pursuance of orders given by the Auditor of State. The following is a copy of the order given on the Treasurer of Monroe county, to-wit:

"STATE OF IOWA, AUDITOR'S OFFICE,
Iowa City, July 9th, 1857.

Treasurer of Monroe County:

DEAR SIR:—You will please pay to the bearer, C. Foster, Esq., what money you have in your hands belonging to the State.

Yours truly,

JNO. PATTEE, Auditor of State."

Respectfully submitted.

J. W. CATTELL, Auditor of State.

Referred to the Committee on Ways and Means.

Mr. Sherradden, from the Committee on Enrolled Bills, reported Senate File No. 117, a Joint Resolution asking for additional mail facilities, correctly enrolled.

SPECIAL ORDER.

The special order for 2 o'clock this P. M., being the considera-

tion of Senate File No. 15, a bill for an act fixing the times of holding Courts in the Tenth Judicial District, Iowa, Mr. Ainsworth offered a substitute for the same, which was adopted.

On motion of Mr. Bussey, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—36.

The nays were—None.

Excused—Messrs. Bowen, Bailey and Udell. Absent, but not excused—Messrs. Johnson, Patterson of Muscatine, Rankin and Saunders. So the bill was passed, and title agreed to.

Mr. Wilson of Dubuque, from the Judiciary Committee, reported Senate File No. 140, a bill for an act providing for the appointment of a Supreme Court Reporter, and defining his duties, with the recommendation of the majority of said committee, that the same be passed.

Mr. Drummond offered the following amendment as an additional section to the bill: "The provisions of this act shall apply to the present Reporter of the Supreme Court, who, after the taking effect of this act shall not be qualified to discharge the duties of that office until his appointment has been confirmed as herein required. But in case of a vacancy by death, or removal for cause, then the person appointed by the judges to fill such vacancy may discharge the duties of Reporter, until his nomination can be sent to the Senate for confirmation or rejection.

Mr. Davis of Polk, offered a substitute for the bill under consideration, and moved that the bill, amendment and substitute be referred to the Judiciary Committee, with instructions to report this week, which was concurred in.

On motion of Mr. Rankin, House File No. 35, a bill for an act to provide for the redemption of real estate sold on foreclosure of mortgages, was taken from the table.

Mr. Powers moved to strike out all after the enacting clause in section 1, which motion prevailed.

Mr. Rankin moved to amend section 2, by adding the following: "And to continue in force until the first day of September, 1860, which was not concurred in.

Mr. Ainsworth moved to amend section 1, by adding the following proviso: "*Provided*, That the provisions of this act shall not apply to any mortgages executed prior to the taking effect of this act.

The question being on the adoption of the amendment, Mr. Ainsworth demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Pusey, Thompson, Williams—4.

The nays were—Senators Anderson, Angle, Bailey, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Green, Hagans, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Trumbull, Taylor, Watson, Wilson of Dubuque, Wilson of Jefferson—29.

Excused—Bowen and Udell. Absent but not excused—Buechel, Bussey, English, Gray, Hammer, Johnson, Patterson of Muscatine and Saunders. So the amendment was lost.

On motion of Mr. Wilson of Jefferson, the 11th Rule was suspended, the bill read the 3d time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Brown, Buechel, Davis of Clinton, Davis of Polk, Drummond, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Trumbull, Taylor, Watson, Wilson of Dubuque, Wilson of Jefferson—29.

The nays were—Ainsworth, Bailey, Coolbaugh, Duncombe, Gray, Thompson, Williams—7.

Excused—Messrs. Bowen and Udell. Absent but not excused—Messrs. Bussey, English, Johnson, Patterson of Muscatine and Saunders. So the bill was passed, and title agreed to.

On motion of Mr. Wilson of Jefferson, Senate File No. 100, a bill for an act to regulate the foreclosure of mortgages, was taken up, read the 3d time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Brown, Davis of

Clinton, Davis of Polk, Drummond, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pattison of Marshall, Powers, Reiner, Sherradden, Thompson, Trumbull, Watson, Wilson of Jefferson—24.

The nays were—Senators Ainsworth, Bailey, Buechel, Coolbaugh, Duncombe, English, Gray, Johnson, Pusey, Patterson of Muscatine, Scott, Taylor, Williams, Wilson of Dubuque—14.

Excused—Bowen and Udell. Absent but not excused—Bussey, Rankin and Saunders. So the bill was passed, and title agreed to.

Mr. Ainsworth, from the Judiciary Committee, reported Senate File No. 141, a bill for an act legalizing the official acts of Notaries Public heretofore appointed, with the recommendation of the majority of said committee, that the same be passed. Read the 1st and 2d time, and on motion of Mr. Ainsworth, the 11th Rule was suspended, the bill read the 3d time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Ainsworth, Davis of Clinton, Gray, Hammer, Hastings, Johnson, Mann, McPherson, Pattison of Marshall, Powers Trumbull, Wilson of Dubuque—13.

The nays were—Senators Angle, Bailey, Brown, Buechel, Coolbaugh, Drummond, Duncombe, English, Green, Hagans, Henderson, Kent, Lewis, Neal, Pusey, Patterson of Muscatine, Reiner, Sherradden, Thompson, Taylor, Watson, Williams, Wilson of Jefferson—23.

Excused—Messrs. Bowen and Udell. Absent but not excused—Bussey, Davis of Polk, Rankin, Saunders and Scott.

The bill not having received a constitutional majority, was lost.

Mr. Wilson of Dubuque, had leave to introduce Senate File No. 142, a bill for an act extending the time for the completion of 75 miles of road by the Dubuque and Pacific Railroad Company. Read the 1st and 2d time, and on motion of Mr. Wilson of Dubuque, the 11th Rule was suspended, the bill read the 3d time, and put on its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Sher-

radden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque—35.

The nays were—Senators Lewis, Wilson of Jefferson—2.

Excused—Bowen and Udell. Absent, but not excused—Bussey, Johnson, Rankin and Saunders. So the bill was passed, and title agreed to.

On motion of Mr. Duncombe, the Secretary was directed to take the bill just passed, to the House, without delay.

The following communication, from Charles Foster, was laid before the Senate:

DES MOINES, IOWA, March 6, 1860.

To the Senate and House of
Representatives, State of Iowa:

I desire to make to your honorable bodies, a statement to accompany the report made to-day, by the Auditor of State, in reference to monies collected by myself, for the State, and not paid in.

The amount paid by myself, does not appear in said report, as I have not received credit in full for all paid, in accordance with a contract made with the former Auditor of State.

For any balance due, I have a set-off, which I claim for services rendered in accordance with the laws of the State, and which I desire to have adjusted.

All of which, is respectfully submitted.

CHARLES FOSTER.

The communication was referred to the Committee on Ways and Means.

Mr. Davis of Clinton, from the Committee on Charitable Institutions, made the following report, which was adopted:

Your Committee, on Charitable Institutions, to whom was referred a memorial of the Mayor and Aldermen, of Keokuk, praying for the establishment of a Reform School for juvenile offenders,—also, so much of the Governor's Message as relates to that subject,—also, a resolution of the Senate, directing an enquiry into the expediency of establishing such an institution, have had that matter under consideration, and have directed me to report, that said committee are deeply impressed with the importance of providing such a school for offending youths, as is proposed; but in view of the present financial resources of the State, they are

constrained to recommend that no appropriation for that object be made by the present General Assembly. Your committee, therefore, ask to be discharged from the further consideration of the subject.

All of which, is respectfully submitted.

G. M. DAVIS, Chairman.

On motion of Mr. Anderson, House File No. 30, a bill for an act to legalize the election of the President, and Town Council, and other officers of Chariton, Lucas county, and the official acts of the same, was taken from the table, and referred to the Committee on Incorporations.

Mr. Davis of Polk, gave notice that he would, on some subsequent day of the session, introduce a bill for an act to amend the law in relation to Mechanic's Lien.

Mr. Taylor, from the Judiciary Committee, made the following report:

MR. PRESIDENT:—The Judiciary Committee, to whom was referred resolution of Senate, to inquire what further legislation is necessry to prevent the destruction of timber by trespassers, have had the same under consideration, and instruct me to report that no further legislation is necessary.

Mr. Taylor introduced Senate File No. 143, a bill for an act entitled an act concerning and regulating partition fences, and fences in common. Read the first and second time, and on motion of Mr. Taylor, referred to a special committee of five.

The President appointed, as said committee, Kent, Lewis, Bailey, Williams and Sherradden.

On motion of Mr. Davis, of Clinton, House File No. 139, a bill for an act entitled an act to legalize the official acts of the city of Clinton, Clinton county, State of Iowa, was taken from the table, and referred to the Committee on Incorporations.

On motion of Mr. Hagans, Senate File No. 25, a bill for an act to provide for the pay of the late School Fund Commissioners, of the State of Iowa, was taken up, and referred to the Committee on the Judiciary.

Mr. Powers, from the special committee, to which was referred House File No. 107, a bill for an act to legalize the organization of Hartland township, in Worth county, reported the same back, with sundry amendments, and recommended the passage of the bill as amended. The amendments were adopted.

On motion of Mr. Powers, the 11th Rule was suspended, the bill was read a third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bussey, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Sherradden, Thompson, Taylor, Watson, Wilson of Dubuque.—32.

The nays were—Senators Brown, English, Wilson of Jeff.—3.

Excused—Bowen, Udell. Absent but not excused—Coolbaugh, Rankin, Saunders, Scott, Trumbull and Williams. So the bill was passed, and the title agreed to.

Mr. Drummond had leave to introduce Senate File No. 144, a bill for an act requiring complete reports from officers in charge of State Buildings and State Institutions. Read 1st and 2nd time, and referred to the Committee on Charitable Institutions.

UNFINISHED BUSINESS.

House File No. 192, a bill for an act legalizing the official acts of the City Council of Maquoketa, and the election of Mayor of said city was taken up, read the 1st and 2nd time, and referred to the Committee on Incorporations.

House File No. 117, a bill for an act to pay a certain reward heretofore offered by the Governor of the State of Iowa, was taken up, read the 1st and 2nd time, and referred to the Committee on Claims.

House File No. 53, a bill for an act making appropriations to meet the expenses of the Deaf and Dumb Asylum. The House having refused to concur in the Senate's amendment to the same, was taken up, and referred to the Committee on Ways and Means.

Also, House File No. 197, a bill for an act for the protection of cattle, hogs and sheep, from the depredations of thieves and others. Read the 1st and 2nd time, and referred to the Committee on Agriculture.

Message from the House.

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

House File No. 31, an act relating to Incest.

House File No. 87, a bill for an act to prevent larcency of personal property taken on legal process.

Substitute for House File No. 178, a bill for an act to legalize the levy of road tax in Sioux City, for the year 1859.

House File No. 222, a bill for an act for the encouragement of Teacher's Institutes.

I am also instructed to return the following Senate Files, which have passed the House without amendment:

Senate File No. 80, a bill for an act to release to Martin McHugo the right of the State by escheat to a parcel of land in Henry Co., Iowa.

Senate File No. 82, a bill for an act to amend an act entitled an act to authorize the Dubuque and Pacific Railroad Co., and others, to bridge the Mississippi River at Dubuque.

Substitute for Senate File No. 86, a bill for an act prohibiting the officers of counties and other municipal corporations from dealing in the indebtedness of their counties or corporations.

Senate File No. 10, a bill for an act to amend section 1240 of the Code of Iowa.

CHARLES ALDRICH, Chief Clerk.

Mr. Bailey rose to a privileged question.

Mr. Mann moved that the Senate now adjourn, which motion was lost.

Mr. Watson rose to a question of privilege.

On motion of Mr. Johnson, Senate adjourned.

SENATE CHAMBER,
Wednesday March 7, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Dr. Lillie.

Journal of yesterday read and approved.

The President laid before the Senate the following communication:

IOWA CITY, MARCH 3, 1860.

To the Honorable, the Senate of the State of Iowa :

GENTLEMEN:—I have this day received per mail from your Secretary, Resolutions passed by the Senate on the 27th of February, requiring of the Treasurer of the Institution for the instruction of the Blind, a specific report of the items of expenditure of said Institution for the years 1858–9, together with the receipts and vouchers for the same, and making said resolutions applicable to the other officers and Trustees having vouchers, &c., in possession.

All the receipts and vouchers for money paid by order of the Board of Trustees, are filed in the Secretary's office; and I had furnished the same to Robert Hutchinson, Treasurer of the Board, who had left for Des Moines before I received a copy of your Resolutions. Mr. Hutchinson, with the receipts and vouchers in his possession, will be able to show to the Senate how every dollar has been expended, and that the affairs of the Institution have been conducted with a view to the strictest economy.

I am, very respectfully,
Your obedient servant,
GERGE W. McCLEARY,
Secretary of the Board.

Read and referred to the Committee on Charitable Institutions.

Mr. Anderson, from the Committee on Agriculture, reported back without amendment, House File No. 106, a bill for an act to amend section 940, of the Code of Iowa, and recommend its passage.

On motion of Mr. Bussey, the 11th Rule was suspended, the bill read the 3d time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Brown, Coolbaugh, Davis of Clinton, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—36.

The nays were—None.

Excused—Bowen and Udell. Absent, but not excused—Buechel, Bussey, Davis of Polk, Saunders and Thompson. So the bill was passed, and title agreed to.

Mr. Anderson, from same committee, reported back, without recommendation, Senate File No. 16, a bill for an act to repeal chapter ninety-one, (91,) of the acts of the 7th General Assembly.

Mr. Wilson of Jefferson, moved to indefinitely postpone the passage of the bill.

Mr. Mann moved to lay the bill on the table, upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Brown, Mann, Trumbull—3.

The nays were—Senators Anderson, Angle, Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—36.

Excused—Messrs. Bowen and Udell. Absent, but not excused—Messrs. Drummond and Lewis. So the motion to lay on the table was lost.

The question being on the indefinite postponement of the bill, Mr. Watson demanded the yeas and nays which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Brown, Davis of Clinton, Davis of Polk, Duncombe, Gray, Green, Hagans, Hammer, Henderson, Kent, McPherson, Neal, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—25.

The nays were—Senators Bailey, Bussey, Buechel, Coolbaugh, English, Hastings, Johnson, Lewis, Mann, Pusey, Patterson of Muscatine, Trumbull, Taylor, Williams, Wilson of Dubuque—15.

Excused—Bowen and Udell. Absent but not excused—Mr. Drummond. So the bill was indefinitely postponed.

Message from the House:

Mr. President:—I am directed to inform your honorable body, that the House has passed the following bill, in which the concurrence of the Senate is asked: House File No. 137, an act in amendment of chapter 31 of the laws of the 4th General Assembly of the State of Iowa, entitled "an act granting to Railroad Companies the right of way."

I also return Senate File No. 142, a bill for an act extending the time for completion of 75 miles of Road by the Dubuque & Pacific Railroad Company, the same having passed the House without amendment.

CHARLES ALDRICH, Chief Clerk.

Mr. Coolbaugh, from the special committee to which was referred the question of privilege raised by Mr. Johnson, in reference to an article that appeared in the Burlington Hawkeye, of Feb. 29th, submitted the following, as the report of the majority of said committee:

MR. PRESIDENT:—The committee to whom was referred the question of privilege raised by Senator Johnson, on the 3d inst., and the resolution for the expulsion of the correspondent of the Hawkeye, from his seat and privileges as a reporter, beg leave to report as follows:

Your committee have examined the article complained of by Senator Johnson. While it does not contain any imputation on the official conduct of that Senator, or reflect on his integrity, it nevertheless, in the judgment of your committee, is written in a spirit and in a license of expression, entirely at variance with the duties of a reporter; in violation of every consideration of propriety.

The Senate, in extending the privileges of the floor to reporters for the press, does so for the purpose of enabling such reporters to furnish for the information of the public, a true and faithful account of the official acts and proceedings of their body.

Anything beyond, or short of this, is not, we think, in accordance with the intention of the Senate, in placing desks and stationery at the disposal of reporters. In reporting the proceedings and speeches of Senators, it is almost impossible to avoid comments on the personal character of members, within a proper latitude.

But if the privileges conferred by the Senate on reporters, is so misused or abused as to excite acrimony, or engender bitterness of feeling amongst individual members towards each other, or to degrade the Senate, or any Senator, in public estimation, there cannot, we think, be any proper difference of opinion in expressing the strongest disapprobation of such an abuse.

In the article complained of, the standing and services of a Senator are grossly and unwarrantably assaulted, and held up to public ridicule without any palliation, and in a manner calculated, we think, to do that Senator the greatest injustice.

Your committee therefore recommend that, for the future, the present reporter of the Hawkeye, L. D. Ingersoll, be excluded from the privileges conferred upon him as a reporter on the floor of the Senate.

Signed, W. F. COOLBAUGH,
G. W. GRAY,
H. W. ENGLISH.

Mr. Rankin, from the minorty of said committee, made the following report:

To the Senate of the Eighth General Assembly:

The undersigned, a part of the committee to which was referred the complaint of Mr. Johnson, Senator from Wapello county, with reference to an article that appeared in the Daily Hawkeye of the 29th inst., over the signature of Linkensale, beg leave to report:

The article subscribed "Linkensale," was written by L. D. Ingersoll, a letter writer on the floor of the Senate, while enjoying the privileges of reporters and letter writers, conferred early in the session.

It is an improper commentary on a member of the Senate, a departure from the proprieties that should govern gentlemen on the floor of the Senate, in the capacity of Senators, officers, letter writers and reporters, and therefore to be condemned.

It is highly calculated to wound the feelings of the Senator from Wapello, and detract from his self-respect, and being uncalled for, and unwarranted by the position and privileges of the writer, it is censurable.

It is no indignity to the Senate. It is no indignity to the Senator, in his Senatorial capacity, because it is no reflection on any motive or act, and charges the Senator with no neglect of duty, in act or motive, that would criminally degrade him, or make him amenable to any species of censure or punishment.

It is upon a subject that cannot be investigated, and for the basis of any action, the falsity must be presumed.

The undersigned, a part of the committee, are assured that the article was hastily written, and without any design to wound feeling. They greatly regret that the article was ever introduced to the attention of the Senate, as importance is given to it which it could not otherwise have secured.

Entertaining these convictions, and with every disposition to do

justice to the Senator from Wapello, on account of his position, on account of his bearing on the Senate floor, and the discharge of his duties in a representative capacity, they recommend that no further action be taken.

Very respectfully,

J. W. RANKIN,
W. P. DAVIS.

Mr. Bailey moved to adjourn, which motion was lost.

Mr. Bailey moved to lay both reports on the table, upon which question, Mr. Bussey demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bailey, Brown, Davis of Clinton, Davis of Polk, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Reiner, Saunders, Sherradden, Scott, Thompson, Taylor, Wilson of Jefferson—17.

The nays were—Senators Angle, Ainsworth, Bussey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Hastings, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Powers, Rankin, Trumbull, Watson, Williams, Wilson of Dubuque—22.

Excused—Bowen and Udell. Absent, but not excused—Drummond, Hagans. So the motion to lay on the table did not prevail.

Mr. Duncombe moved to adopt the majority report.

On motion of Mr. Anderson, the Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Duncombe moved a call of the House, which was sustained and ordered.

The following Senators were found to be absent, but not excused: Buechel and Neal.

On motion of Mr. Duncombe, the Sergeant-at-Arms was dispatched for the absentees.

Mr. Angle moved to suspend further proceedings under the call, which motion prevailed.

Message from the House:

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

that the House of Representatives has passed the following bill, in which the concurrence of the Senate is asked:

House Substitute for House File No. 113, a bill for an act creating a County Board of Supervisors, defining their duties, and the duties of certain county officers.

CHARLES ALDRICH, Chief Clerk.

Mr. Wilson of Dubuque, moved to lay the minority report on the table, upon which question, he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Drummond, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Taylor, Williams, Wilson of Dubuque —22.

The nays were—Senators Brown, Davis of Clinton, Davis of Polk, Hagans, Hastings, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—18.

Excused—Bowen and Udell. Absent, but not excused—Mr. Henderson. So the motion to lay on the table, prevailed.

Message from the House:

Mr. President:—I am directed to inform your honorable body, that the House has adopted the following concurrent resolution of the Senate:

Resolved, By the Senate, (the House concurring,) That the Secretary of War be requested to establish a Military Station in the north-western portion of the State of Iowa, for the protection of the settlers in the north-western part of the State, from a band of Sioux Indians, that has, for several years past, and the present winter, committed depredations upon the peaceable citizens in that part of the State, and that the Secretary of State be requested to forward this resolution, forthwith, to the Secretary of War.

CHARLES ALDRICH, Chief Clerk.

Mr. Drummond moved to lay the majority report on the table.

Mr. Duncombe moved a call of the House, which was sustained, and ordered. All the Senators were found to be present.

The question being on the motion to lay the majority report on the table, Mr. Duncombe demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Brown, Davis of Clinton,

Davis of Polk, Drummond, Hagans, Hastings, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—20.

The nays were—Senators Angle, Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Henderson, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Taylor, Williams, Wilson of Dubuque—21.

Excused—Bowen and Udell. So the motion to lay on the table did not prevail.

The question being on the adoption of the majority report, Mr. Wilson of Dubuque, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Henderson, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque—22.

The nays were—Senators Anderson, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Wilson of Jefferson—19.

Excused—Bowen and Udell. So the majority report was adopted.

Mr. Drummond offered the following resolution:

Resolved, That the attention of the House of Representatives be called to a letter written to the *Iowa Democrat*, a newspaper published at Sigourney, in Keokuk county, under date of February 10th, 1860, and signed by H. Campbell, a member of that body, which letter contains language of the most insulting and derogatory character, with regard to the Honorable President of the Senate, as the presiding officer of this body.

The question being on the adoption of the resolution, Mr. Johnson demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Ainsworth, Brown, Bussey, Buechel, Coolbaugh, Davis of Polk, Drummond, Duncombe, English, Green, Hammer, Henderson, Johnson, Kent, Mann, Neal, Pusey, Patterson of Muscatine, Sherradden, Thompson, Trumbull, Taylor, Williams, Wilson of Dubuque—25.

The nays were—Senators Anderson, Bailey, Davis of Clinton,

Hagans, Hastings, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Scott, Wilson of Jefferson—15.

Excused—Messrs. Bowen and Udell. Absent, but not excused—Messrs. Gray and Watson. So the resolution was adopted.

Mr. Sherradden, from the Committee on Enrolled Bills, report Senate File No. 142, an act extending the time for the completion of 75 miles of road, by the Dubuque and Pacific Railroad Company, correctly enrolled.

On motion of Mr. Rankin, Senate adjourned.

SENATE CHAMBER,
Thursday, March 8th, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Summerbell.

Journal of yesterday read and approved.

Mr. Taylor moved to take up the concurrent resolution fixing the time of adjournment, which motion did not prevail.

REPORTS OF COMMITTEES.

Mr. Sherradden, from the Committee on Enrolled bills reported substitute for Senate File No. 86, an act prohibiting the officers of counties, and other municipal corporations, from dealing in the indebtedness of their counties or corporations. Also, Senate File No. 82, an act to amend an act entitled an act to authorize the Dubuque and Pacific Railroad Company, and others, to bridge the Mississippi River, at Dubuque, correctly enrolled.

Also, the Committee on Enrolled Bills, have presented to his Excellency, the Governor, for his approval, an act to pay the claim of William McHargue. Also, an act to authorize the Governor to provide for the protection of the citizens of the north-western frontier of this State. Also, joint resolution for mail facilities.

Also, Senate File No. 142, an act extending the time for the completion of 75 miles of road, by the Dubuque and Pacific Railroad Company.

Mr. Brown, from the Committee on Schools and University, made the following reports:

The remonstrance of William Williams, and many others, citizens of Webster county, against the disposal of the School Funds of the State, as recommended in the Governor's Inaugural, was reported back, with a recommendation favorable to the prayer of the remonstrators.

Also, the memorial of the teachers of Wayne county, praying for the passage of a law, enabling teachers to hold Teachers' Institutes, in their respective counties, reported back, with the recommendation that the prayer thereof be not granted.

On motion of Mr. Taylor, the memorial was laid on the table.

Also, the following resolution, with the recommendation that the legislation asked for would be inexpedient:

Resolved, That the Committee on Schools be instructed to inquire into the expediency of amending section 5th, of act No. 11, passed by the Board of Education, December, 1858, by adding the following: "They may appoint a Collector, whose duty it shall be to collect all taxes levied by the District, and he shall receive, for his compensation, such per centum as may be determined by the District Board."

Mr. Taylor introduced Senate File No. 145, a bill for an act entitled an act to provide for the election of members of Congress. Read the 1st and 2d time.

Mr. Brown moved to refer the bill to the Committee on Federal Relations.

Mr. Neal moved to amend by referring the bill to the Committee on Elections, which motion prevailed.

On motion of Mr. Rankin, Mr. Taylor was added to said committee for the consideration of the bill.

PETITIONS.

Mr. Rankin presented the petition of William L. Woods, and 10 others, citizens of Iowa, praying for the passage of a law exempting all permanent improvements made upon the soil of the State, from taxation. Read and referred to the Committee on Ways and Means.

Mr. Rankin also presented the petition of Timothy Fox, and 25 others, citizens of Iowa, praying for the passage of a stringent Registry Law. Read and referred to the Committee on Elections.

Mr. Lewis presented the petition of Ralph Dewey, and 55 others, citizens of Washington county, remonstrating against the repeal of the laws for the suppression of intemperance. Read and referred to the special committee heretofore appointed for a similar purpose, of which Mr. Bailey is Chairman.

Mr. Green presented the petition of Chas. Barroll, and some 75 others, citizens of the city of Bellevue, Iowa, praying for the passage of a law, empowering incorporated cities and towns to regulate the sale of intoxicating liquors. Read and referred to the same committee.

Mr. Davis of Clinton, presented the remonstrance of Martin D. Lockwood, and some 100 others, citizens of Clinton county, remonstrating against the passage of a law in any way interfering with the boundaries of said county.

Also, the petition of M. D. Little, and some 20 others, citizens of Jackson county, remonstrating against the passage of a law in any way interfering with the boundaries of said county, which were read and referred to the Committee on County Boundaries.

Mr. Thompson presented two petitions from F. C. Ramming, and 170 others, citizens of Scott county, against the passage of appraisement or valuation laws. Read and referred to the Judiciary Committee.

Also, the petition of Dr. J. Olehausen, and 54 others, citizens of Scott county, in relation to the officers of R. R. companies being residents of this State. Read and referred to the Committee on R. R.

UNFINISHED BUSINESS.

On motion of Mr. Williams, Substitute for Senate File No. 89, a bill for an act to authorize County Judges to subscribe stock in Agricultural Societies, was taken from the table and considered.

The question being on striking out all after the enacting clause, except sections 5 and 6, Mr. Taylor demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Bailey, Bussey, Buechel, Coolbaugh, English, Gray, Green, Hammer, Hastings, Johnson, Lewis, Neal, Pusey, Patterson of Muscatine, Rankin, Saunders, Trumbull, Williams, Wilson of Dubuque—20.

The nays were—Senators Anderson, Ainsworth, Brown, Davis of Clinton, Davis of Polk, Duncombe, Hagans, Henderson, Kent, Mann, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Thompson, Taylor, Watson—18.

Excused—Bowen and Udell. Absent but not excused—Drummond, McPherson and Wilson of Jefferson. So the amendment was concurred in.

Mr. Johnson moved that the bill be ordered engrossed for its 3d reading on to-morrow, upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bailey, Buechel, Coolbaugh, Davis of Clinton, English, Gray, Green, Hastings, Lewis, Pusey, Patterson of Muscatine, Pattison of Marshall, Rankin, Saunders, Thompson, Williams—16.

The nays were—Anderson Angle, Ainsworth, Brown, Davis of Polk, Duncombe, Hagans, Hammer, Henderson, Kent, Mann, Neal, Powers, Reiner, Sherradden, Scott, Trumbull, Taylor, Watson, Wilson of Jefferson—20.

Excused—Messrs. Bowen and Udell. Absent and not excused—Bussey, Drummond, Johnson, McPherson, Reiner and Wilson of Dubuque. So the motion to order the bill engrossed was lost.

Mr. Powers moved to reconsider the vote last taken.

Mr. Wilson of Jefferson, moved to lay the motion to reconsider on the table, upon which question Mr. Johnson demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Brown, Davis of Clinton, Davis of Polk, Hagans, Henderson, Kent, Lewis, Powers, Reiner, Sherradden, Scott, Taylor, Watson, Wilson of Jefferson—15.

The nays were—Senators Angle, Ainsworth, Bussey, Buechel, Coolbaugh, Drummond, Duncombe, English, Green, Hammer, Hastings, Johnson, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Rankin, Saunders Thompson, Trumbull, Williams.—22.

Excused—Bowen and Udell. Absent but not excused—Bailey, Gray, Mann and Wilson of Dubuque. So the motion to lay on the table was lost.

The question recurring upon the motion to reconsider, it prevailed.

The question then being upon the motion to engross, it was withdrawn by the consent of the Senate.

Mr. Neal moved to reconsider the vote to strike out all after the enacting clause, except section 5 and 6, which motion prevailed.

The question recurring upon the motion to strike out, it was lost.

On motion of Mr. Taylor, the 11th Rule was suspended, the bill read the 3d time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Brown, Bussey, Buechel, Davis of Polk, Drummond, Duncombe, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque—32.

The nays were—Senators Coolbaugh, Davis of Clinton, English, Johnson, Pusey, Rankin, Saunders, Williams, Wilson of Jefferson—9.

Excused—Messrs. Bowen and Udell. So the bill was passed and title agreed to.

Mr. Kent had leave to introduce the petition of Edwin H. Huber, and 204 others, citizens of Cedar county, praying for the passage of a law exempting all permanent improvements made upon the soil of the State, from taxation. Read and referred to the Committee on Ways and Means.

Mr. Kent also presented the petition of E. L. Basset, and 27 others, citizens of Cedar county, praying for a change in the system of our county government. Read and referred to the Committee on County and Township Organization.

Mr. Davis of Clinton, presented the petition of the Mayor and Aldermen of the City of Lyons, asking for the passage of a law authorizing the Assessor of the township of Lyons, in Clinton Co., to re-assess the real estate of said township. Read and referred to the Committee on Ways and Means.

Mr. Davis of Clinton, also presented a similar petition from S. G. Magill, and some 40 others, citizens of the said City of Lyons, which was read, and referred to same committee.

Mr. Drummond presented the petition of William Freeman, and 155 others, citizens of Clayton county, praying for the restoration of prohibitory liquor law, as originally enacted. Read and referred to the special liquor committee, of which Mr. Bailey is Chairman.

Mr. Angle introduced Senate File No. 146, a bill for an act to

exempt from taxation the property of Manual Labor Colleges and Schools. Read the 1st and 2nd time, and referred to the Committee on Schools and University.

On motion of Mr. Duncombe, Senate File No. 62, a bill for an act making appropriations for selecting Swamp Lands, was taken up and considered.

Mr. Duncombe moved to recommit the bill to a special committee of three, which motion prevailed.

The President appointed as said committee, Messrs. Duncombe, Scott and Coolbaugh.

On motion of Mr. Angle, substitute for House File No. 113, a bill for an act creating a County Board of Supervisors, defining their duties and the duties of certain county officers, was taken up, read the 1st and 2nd time, and referred to the Committee on County and Township Organization.

Mr. Powers, from the Committee on Township and County Organization, reported back the petition of Ellis Minor, and some 30 others, praying for certain changes in the boundaries of the counties of Linn and Johnson, and asked that the same be referred to the Committee on County Boundaries. So referred.

Mr. Bussey offered the following resolution:

Resolved, That no member of the Senate be permitted to speak more than ten minutes upon any question, nor more than once until each member desiring to speak has spoken, except on Railroad bills, and the President is requested to strictly enforce this rule.

Lost.

Mr. Coolbaugh moved to take up Senate File No. 50, a bill for an act concerning apprentices. Carried.

Mr. Coolbaugh moved that the Senate refuse to concur in the House amendments to the same, which motion prevailed.

Mr. Taylor moved to take from the table Senate File No. 37, a bill for an act entitled an act for the disposition of the Saline Fund, and make the same the special order for Tuesday next, at 2 o'clock, P. M., which was concurred in.

Mr. Watson had leave to introduce Senate File No. 147, a Joint Resolution for additional mail facilities. Read the 1st and 2nd time, and on motion of Mr. Watson, the 11th Rule was suspended, the resolution read the 3d time and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Henderson, Johnson, Kent, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—34.

The nays were—None.

Excused—Messrs. Bowen and Udell. Absent, but not excused—Messrs. Bussey, Drummond, Hastings, Mann, Neal, Pusey and Thompson. So the resolution was passed and title agreed to.

UNFINISHED BUSINESS.

House File No. 31, a bill for an act relating to incest, was taken from the table, read the 1st and 2nd time, and on motion of Mr. Wilson of Jefferson, referred to the Judiciary Committee.

House File No. 137, a bill for an act in amendment of chapter 31 of the laws of the 4th General Assembly of the State of Iowa, an act granting to Railroad Companies the right of way, was taken up, read the 1st and 2nd time, and referred to the Railroad Committee.

House File No. 222, a bill for an act for the encouragement of Teachers' Institutes, was taken up, read the 1st and 2nd time, and referred to the Committee on Schools and University.

House File No. 87, a bill for an act to prevent larceny of personal property taken on legal process, was taken up, read the 1st and 2nd time, and refered to the Judiciary Committee.

House substitute for House File No. 178, a bill for an act to legalize the levy of road tax in Sioux City for the year 1859, was taken up, read the 1st and 2nd time, and referred to the Judiciary Committee.

BILLS ON THIRD READING.

Senate File No. 114, a bill for an act to amend certain sections of the Criminal Law, was taken up and read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Ainsworth, Bailey, Brown, Buechel, Coolbaugh, Davis of Clinton, Duncombe, Gray, Green,

Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—34.

The nays were—Senators English and Mann.

Excused—Bowen and Udell. Absent but not excused—Messrs. Angle, Bussey, Davis of Polk, Drummond and Saunders. So the bill was passed and title agreed to.

Senate File No. 129, a bill for an act for the relief of all persons heretofore divorced, since the 4th day of July, 1858, was taken up. read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Ainsworth, Bailey, Brown, Buechel, Coolbaugh, Davis of Clinton, Duncombe, Gray, Hammer, Hastings, Henderson, Johnson, Kent, Mann, McPherson, Neal, Pusey, Powers, Rankin, Reiner, Scott, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—28.

The nays were—Senators Davis of Polk, Drummond, English, Green, Hagans, Lewis, Pattison of Marshall, Saunders, Sherradden and Thompson—10.

Excused—Bowen and Udell. Absent but not excused—Angle, Bussey and Patterson of Muscatine. So the bill was passed and title agreed to.

On motion, Senate adjourned

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Bussey moved a call of the House, which was sustained and ordered.

The following Senators were found to be absent and not excused: Ainsworth, Brown, Drummond, Hastings, Neal and Thompson.

Several of the absentees coming in, further proceedings under the call, were suspended.

SPECIAL ORDER.

The special order for 2 o'clock, this afternoon, being the consideration of House File No. 112, a bill for an act to resume all rights

conferred upon the Iowa Central Air Line Railroad Company, by an act approved July 14th, 1856, and to repeal certain laws in relation thereto, it was taken up and considered at length.

4 O'CLOCK, P. M.

On motion of Mr. Ainsworth, the further consideration of the bill was suspended until 9 o'clock to morrow morning.

Mr. Drummond rose to a question of privilege.

Mr. Henderson moved to reconsider the vote, by which L. D. Ingersoll was, on yesterday, expelled from a seat on this floor, as a newspaper correspondent.

Mr. Johnson moved a call of the House, which was sustained and ordered.

The following Senators were found to be absent, but not excused: Brown, Green, Lewis and Powers.

Mr. Wilson, of Jefferson, moved to send the Sergeant-at-Arms for the absentees, which motion was lost.

Mr. Duncombe moved to suspend further proceedings, under the call, which motion was, on motion of Mr. Anderson, laid on the table.

Mr. Wilson, of Jefferson, moved to send the Sergeant-at-Arms for the absentees, which was concurred in.

Mr. Angle moved to suspend further proceedings, under the call, which was not agreed to.

Messrs. Brown and Powers coming in, further proceedings, under the call, were, on motion of Mr. Saunders, dispensed with.

Mr. Angle moved to adjourn, upon which question Mr. Wilson, of Jefferson, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Duncombe, English, Gray, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Taylor, Williams, Wilson of Dubuque—19.

The nays were—Senators Anderson, Brown, Davis of Clinton, Davis of Polk, Drummond, Hastings, Hagans, Henderson, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—19.

Excused—Bowen and Udell. Absent, but not excused—Green, Kent, Lewis. The vote being a tie, the President voted nay. So the motion to adjourn was lost.

Mr. Neal moved a call of the House, which was sustained and ordered.

The Secretary proceeded with the call, when, on motion of Mr. Drummond, further proceedings, under the call, were dispensed with.

The question being on the motion to re-consider, Mr. Ainsworth demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jeff.—20.

The nays were—Angle, Ainsworth, Bailey, Beuchel, Bussey, Coolbaugh, Duncombe, English, Gray, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Taylor, Williams, Wilson of Dubuque.—19.

Excused—Bowen and Udell. Absent, but not excused—Green and Lewis. So the motion to re-consider prevailed.

The question recurring upon the adoption of the majority report relating to the expulsion of L. D. Ingersoll, Mr. McPherson demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Duncombe, English, Gray, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Taylor, Williams and Wilson of Dubuque—19.

The nays were—Senators Anderson, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson and Wilson of Jefferson—20.

Excused—Bowen and Udell. Absent but not excused—Green and Lewis. So the report was not adopted.

Mr. Anderson offered the following resolution:

Resolved, That in the opinion of the Senate, L. D. Ingersoll does not come within the purview and meaning of the resolution admitting newspaper reporters to a seat upon this floor; but as a correspondent, in his strictures upon Senators, has grossly violated all rules of propriety that should control the action of gentlemen, acting as such correspondent; therefore,

Resolved, That we most heartily condemn the action of the said L. D. Ingersoll.

On motion, Senate adjourned.

SENATE CHAMBER,
Friday, March 9th, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Summerbell.

Journal of yesterday read and approved.

Mr. Wilson of Jefferson, moved to refer the pending resolution offered by Mr. Anderson, to a special committee of three, which motion prevailed.

The President appointed as said committee, Wilson of Jefferson, Pusey and Anderson.

Mr. Johnson had leave to introduce Senate File No. 148, a bill for an act for the relief of Greenville Hale. Read the first and second time, and on motion of Mr. Johnson, referred to a special committee of three, with Mr. Coolbaugh as Chairman.

The President appointed as said committee, Coolbaugh, Hagans and Johnson.

On motion of Mr. Wilson, of Jefferson, the committee were instructed to report a bill for a general law granting relief in all similar cases.

Mr. Bussey had leave to introduce Senate File No. 149, a bill for an act to legalize the acts of the Bloomfield Township School District, in Davis county, Iowa. Read the 1st and 2d time, and on motion of Mr. Bussey, the 11th Rule was suspended, the bill read the third time and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Pussey, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden,

Scott, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque —35.

The nays were—None.

Excused—Bowen and Udell. Absent, but not excused—Drummond, Neal, Patterson of Muscatine, Rankin, Thompson, Wilson of Jefferson. So the bill was passed, and title agreed to.

Mr. Saunders had leave to introduce Senate File No. 150, a bill for an act amendatory of an act to provide for annual appropriation for the benefit of a State Historical Society. Read the 1st and 2d time, and referred to the Committee on Ways and Means.

Mr. Hagans had leave to introduce Senate File No. 151, a bill for an act repealing a part of section 28, of chapter 159, of the acts of A. D. 1858. Read the 1st and 2d time, and referred to the Judiciary Committee.

Mr. Lewis offered the following resolution, which was adopted:

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of allowing incorporated towns and cities to regulate or prevent the sale of beer, cider, and native wines, and report at an early day, by bill, or otherwise.

Mr. Ainsworth, from the Judiciary Committee, reported back Senate File No. 93, a bill for an act legalizing the acts of David C. Sperry of Fayette county, Iowa, as a Notary Public, with the recommendation that the same be passed.

On motion of Mr. Ainsworth, the 11th Rule was suspended, the bill read the 3d time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Ainsworth, Bailey, Brown, Bussey, Coolbaugh, Davis of Clinton, Davis of Polk, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Powers, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—33.

The nays were—None.

Excused—Messrs. Bowen and Udell. Absent, but not excused —Messrs. Angle, Buechel, Drummond, Duncombe, English, Pattison of Marshall, Rankin and Reiner. So the bill was passed, and title agreed to.

Mr. Drummond presented the petition of D. Connell, and some 75 others, citizens of Buckingham, Tama county, praying for the passage of a law appropriating money as a reward for the arrest of

Small and Seamans, charged with the murder of Charles and William Bunker. Also, Senate File No. 152, a bill for an act offering a reward for the arrest of Small and Seamans; which was read the first and second time, and on motion of Mr. Drummond, referred to a special committee of three, with instructions to report this week.

The President appointed as said committee, Messrs. Drummond, Trumbull and Watson.

SPECIAL ORDER.

The special order for 9 o'clock this morning, being the consideration of House File No. 112, a bill for an act to resume all rights conferred upon the Iowa Central Air Line Railroad Company, by an act approved July 14th, 1856, and to repeal certain laws in relation thereto, Mr. Mann offered the following amendment to section 1: *Provided*, That nothing in this act shall be so construed as to impair, in any manner, the validity of any bona fide stock, bonds, mortgages, deeds of trust, and just claims for money, labor or materials furnished in the construction of said Iowa Central Air Line Railroad; but the same, when judicially determined, shall be and remain a lien on said lands.

The President laid before the Senate a communication from the Governor.

On motion of Mr. Ainsworth, the communication was laid on the table, and ordered printed.

Message from the House.

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

House File No. 143, act for the relief of tax payers, in certain cases.

House File No. 170, a bill for an act to provide for the establishment of a Commissioner in the City of New York, to promote immigration to the State of Iowa.

House File No. 200, a bill for an act to amend chapter 52 of the Code, in relation to fences.

CHARLES ALDRICH, Chief Clerk.

Consideration of the bill resumed.

Message from the House.

MR. PRESIDENT:—I herewith present for your signature the following bills, the same having passed both branches of the General Assembly, and been duly enrolled in the House of Representatives:

Substitute for House File No. 6, a bill for an act to repeal an act entitled an act to authorize Paul C. Jeffries to transcribe and index tain records of Wapello county.

House File No. 60, a bill for an act to pay Major Wm. Williams, and others, for service and supplies, Spirit Lake expedition, 1857.

House File No. 219, an act to legalize the acts of Noah D. Haskall, as Notary Public, in Polk county, Iowa.

CHARLES ALDRICH, Chief Clerk.

Consideration of the bill resumed.

Mr. Powers moved to re-commit the bill, with instructions to so amend it as to transfer said lands to a Railroad running West from the town of McGregor, in Clayton county, on condition that Congress will assent to such diversion.

On motion, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question being on the motion to re-commit with instructions, Mr. Bussey moved to amend the instructions, by inserting after the words "Clayton county," the words, "and from the State line between the State of Iowa and the State of Missouri, at a point where the North Missouri Railroad terminates, thence to Ottumwa, in Wapello county, via. Bloomfield, in Davis county."

Mr. Mann offered the following as a substitute for his amendment to the bill under consideration:

Provided, That nothing in this act shall be so construed as to impair, in any manner, the validity of any *bona fide* stock, bonds, mortgages, deeds of trust, and just claims for money, labor or material furnished in construction of said Iowa Central Air Line Railroad, but the same, when judicially determined, shall be and remain a lien on said lands, to the extent of the interest of said Company in said lands.

Provided, However, that nothing herein contained shall be so construed as to include or give validity to the bonds or stock which may have been issued for the purpose of obtaining any such lands,

or any other stock or bonds for which there was not a valid and just consideration.

Mr. Wilson, of Jefferson, moved to lay the motion to re-commit with instructions, and the amendment thereto, on the table. Upon which question, Mr. Ainsworth demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Brown, Bussey, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, Kent, Lewis, McPherson, Pusey, Pattison of Marshall, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Williams, Wilson of Jefferson—22.

The nays were—Senators Ainsworth, English, Gray, Green, Hagans, Hammer, Henderson, Johnson, Mann, Neal, Powers, Trumbull, Taylor, Wilson of Dubuque—14.

Excused—Messrs. Bowen and Udell. Absent, but not excused—Messrs. Buechel, Drummond, Hastings, Patterson of Muscatine and Rankin. So the motion to lay on the table prevailed.

The question recurring upon the adoption of the substitute offered by Mr. Mann, Mr. Wilson, of Jefferson, moved to lay it on the table. Upon which question, Mr. Mann called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Brown, Bussey, Davis of Clinton, Davis of Polk, Duncombe, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pusey, Pattison of Marshall, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Wilson of Jefferson—22.

The nays were—Senators Ainsworth, Bailey, Buechel, Coolbaugh, English, Gray, Green, Hammer, Mann, Powers, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque—15.

Excused—Messrs. Bowen, Johnson and Udell. Absent, but not excused—Messrs. Drummond and Patterson of Muscatine. So the motion to lay on the table prevailed.

Mr. Taylor offered a substitute for the bill under consideration, and moved its adoption.

On motion of Mr. Coolbaugh, Senate adjourned.

SENATE CHAMBER,
Saturday, March 10th, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Summerbell.

Journal of yesterday read and approved.

Mr. Brown, from the Committee on Schools and University, had leave to make the following reports:

Senate File No. 133, a bill for an act entitled an act, concerning the purchases of School, Saline and University lands for taxes, reported back with the recommendation that the same be indefinitely postponed.

On motion of Mr. Wilson of Jefferson, the bill was laid on the table.

Senate File No. 111, a bill for an act concerning school lands in Tama county, with a substitute for the same, reported back with the recommendation that the same be referred to the Judiciary Committee. So referred.

Also, Senate File No. 146, a bill for an act to exempt from taxation the property of Manual Labor Colleges and Schools, with the recommendation that the same be indefinitely postponed.

Mr. Angle moved to refer the bill to the Committee on Ways and Means, which motion prevailed.

Mr. Williams had leave to introduce the petition of Henry R. Kendig, and 25 others, citizens of the town of Rochester, Mahaska county, praying for the passage of a law changing the name of the said town of Rochester, to that of Republic. Read and referred to the Judiciary Committee.

Mr. Kent had leave to introduce the petition of James H. Noble, and 18 others, citizens of Clinton and Cedar counties, praying for the passage of a law legalizing a certain sub-district in said counties. Read and referred to the Committee on Schools and University.

Mr. Rankin, from the Judiciary Committee, reported back Senate File No. 153, a bill for an act to establish a Code of Criminal Practice, with sundry amendments, and moved that the consideration of the same be made the special order for Wednesday next at 9 o'clock, which was concurred in.

Mr. Powers, from the Committee on Township and County Or-

ganization, reported back without amendment, House Substitute for House File No. 113, a bill for an act creating a County Board of Supervisors, defining their duties, and the duties of certain county officers, with the recommendation of the majority of said committee, that the same be passed.

On motion of Mr. Powers, the consideration of the bill was made the special order for Tuesday next, at 9 o'clock, A. M.

Mr. Davis of Polk, had leave to introduce Senate File No. 154, a bill for an act to amend chapter 39 of the Session Laws of 1857 and 1858. Read the 1st and 2d time.

Mr. Ainsworth moved to supend the 11th Rule, have the bill read the 3d time, and put upon its final passage, which was not concurred in.

On motion of Mr. Coolbaugh, the bill was laid on the table.

Mr. Coolbaugh had leave to introduce the petition of the Mayor and Aldermen of the city of Burlington, asking the passage of a law accompanying said petition; Senate File No. 155, a bill for an act to regulate Freight and Passenger Tariffs on Railroads in Iowa. Read the 1st and 2d time.

Mr. Wilson of Jefferson, moved to refer the petition to the Committee on Railroads, with instructions to report a bill providing for pro rata rates for passenger and freight transportation, to prevent companies from charging rates for such transportation within this State, greater per mile than the rates charged beyond the State.

Mr. Drummond moved to lay the instructions to the committee on the table, upon which question Mr. Wilson of Jefferson, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Bussey, Buechel, Coolbaugh, Davis of Clinton, Duncombe, Green, Hammer, Hastings, Henderson, Johnson, Kent, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque—25.

The nays were—Senators Ainsworth, Brown, English, Gray, Hagans, Lewis, Mann, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Wilson of Jefferson—14.

Excused—Messrs. Bowen and Udell. Absent but not excused—Messrs. Davis of Polk and Drummond. So the motion to lay on the table prevailed.

Referred, without instructions to the Rail Road Com.

Message from the House.

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

Substitute for House File No. 163, a bill for an act to regulate the manner of administering oaths.

CHAS. ALDRICH, Chief Clerk.

On motion of Mr. Wilson of Dubuque, Senate File No. 70, a bill for an act concerning Railroad Companies, was taken from the table and referred to the Railroad Committee.

SPECIAL ORDER.

The special order for this morning at 9 o'clock being the consideration of House File No. 112, a bill for an act, to resume all rights conferred on the Iowa Central Air Line R. R. Co., by act approved July 14, 1856, and to repeal certain laws in relation thereto.

Mr. Taylor had leave to withdraw his substitute therefor. Bill was considered.

Mr. Thompson had leave to introduce the following resolution, which was adopted:

Resolved, That a committee of five be appointed on the apportionment of the State into Senatorial and Representative Districts, and that they be instructed to confer with House committee on same subject, and report by bill.

The President appointed as said committee, Thompson, Brown, McPherson, Neal and Wilson of Dubuque.

Mr. Bussey moved that the committee be instructed to report on Tuesday next, which motion was not concurred in.

On motion of Mr. Powers, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

The President being absent, the Secretary called the Senate to order.

The question being the election of a President pro tem.

Mr. Drummond nominated Mr. Davis of Polk:

Those voting for Mr. Davis of Polk were—Senators Anderson, Angle, Ainsworth, Bailey, Brown, Buechel, Bussey, Coolbaugh, Davis of Clinton, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Henderson, Kent, Lewis, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Sherradden, Thompson, Trumbull, Taylor, Williams, Wilson of Dubuque—31.

For Mr. Brown—Mr. Davis of Polk.

For Mr. Bailey—Mr. Watson.

Mr. Davis of Polk, having received a majority of all the votes cast was declared duly elected, and took the Chair.

Consideration of special order resumed.

4½ O'CLOCK, P. M.

Mr. Duncombe moved to suspend the 11th Rule, have the bill read the third time, and put upon its final passage, which motion prevailed.

Mr. Duncombe moved a call of the House, which was sustained and ordered.

The following Senators were found to be absent and not excused: Buechel and Mann.

Mr. Mann coming in, further proceedings under the call were, on motion of Mr. Angle, suspended.

The yeas and nays on the passage of the bill were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Brown, Bussey, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, Hagans, Hastings, Henderson, Johnson, Kent, Lewis, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Rankin, Reiner, Saunders, Sherradden, Scott, Wilson of Jefferson—26.

The nays were—Senators Ainsworth, Drummond, English, Gray, Green, Hammer, Mann, Powers, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque—14.

Excused—Bowen and Udell. Absent, but not excused—Buechel. So the bill was passed, and title agreed to.

Message from the House.

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

House File No. 209, a bill for an act to amend the law in reference to the sale of intoxicating liquors.

CHAS. ALDRICH, Chief Clerk.

Mr. Johnson moved to adjourn, which motion was lost.

On motion of Mr. McPherson, Mr. Scott was granted leave of absence for four days.

Mr. Sherradden made the following reports:

The Committee on Enrolled Bills have presented to his excellency the Governor, for his approval;

An act to prohibit the officers of counties and other municipal corporations from dealing in the indebtedness of their counties or corporations.

Also, an act to amend an act entitled an act to authorize the Dubuque and Pacific Railroad Company, and others, to bridge the Mississippi River at Dubuque.

Also, the Committee on Enrolled Bills have examined the following bills, and find them correctly enrolled:

Senate File No. 10, an act to amend section 1240 of the Code of Iowa.

Also, Senate File No. 80, an act to release to Martin McHugo the right of the State by escheat to a parcel of land in Henry Co., Iowa.

On motion, Senate adjourned.

SENATE CHAMBER,
Monday, March 12, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Waring.

Journal of Saturday read and approved.

PETITIONS.

Mr. Sherradden presented the pitition of Edward Zitschke, Enrolling Clerk of the Senate, asking that he may be empowered to employ assistants for enrolling the new Code.

On motion of Mr. Bussey, the petition was laid on the table.

Mr. Hagans presented the petition of John A. Miller, and some

75 others, citizens of Iowa, asking for the passage of a law enabling certain pre-emptors, and their assigns of School Lands, in Ringgold county, to secure title to the same. Read, and referred to the Committee on Schools and University.

Mr. Udell presented the remonstrance of S. H. Sawyers, and some 50 others, citizens of Iowa, against the passage of a law exempting permanent improvements from taxation. Read, and referred to the Committee on Ways and Means.

Mr. Rankin presented the petition of J. A. Durkee, and 24 others, citizens of Iowa, asking the passage of a law, exempting the permanent improvements made upon the soil of the State, from taxation. Read, and referred to the Committee on Ways and Means.

Mr. Duncombe presented a similar petition from Datus E. Coon, and some 30 others, citizens of Cerro Gordo county. Read, and referred to the same committee.

Mr. Kent presented the petition of Thomas Williams, and 28 others, citizens of Cedar county, praying for the passage of a law organizing a new county out of the counties of Cedar, Scott, Clinton, Jones and Jackson. Read and referred to the Committee on New Counties.

Mr. English presented the petition of T. F. Fugitt, and 43 others citizens of Iowa, asking for the passage of a law establishing a State road from Bedford, in Taylor county, via Amity, in Page county, Hannibal, in Fremont county, to the Missouri River, opposite Nebraska City; and also, that Congress be memorialized to establish a mail route along said road. Read and referred to the Committee on the Judiciary.

NOTICES OF BILLS.

Mr. Rankin gave notice that he would on to-morrow, or some subsequent day of the session, introduce a bill appointing three commissioners to dispose of the grant of lands made to the Iowa Central Air Line Railroad Company and resumed; to adjust any indebtedness that should ultimately be paid out of said grant.

Mr. Coolbaugh gave notice that he would on to-morrow, or some subsequent day of the session, introduce a bill regulating the admission of inmates in the different Charitable Institutions of the State.

Mr. Wilson of Jefferson, had leave to introduce Senate No. 156, a bill for an act amending an act entitled an act to regulate the interest on money, the same being chapter 37 of the acts of the 4th General Assembly. Read the 1st and 2nd time.

Mr. Wilson of Jefferson, moved to make the bill the special order for Friday next, at 2 o'clock, P. M., which motion prevailed. Read 1st and 2nd time.

Mr. Ainsworth moved to take up House File No. 170, which was agreed to.

On motion of Mr. Wilson of Jefferson, the bill was referred to a special committee of five.

The President appointed as said committee, Messrs. Ainsworth. Wilson of Jefferson, Thompson, Wilson of Dubuque and Drummond.

Mr. Bussey had leave to introduce Senate File 157, a bill for an act to provide for issuing the bonds of the State to the School Fund for $57,500 borrowed of said fund, January 1st, 1857. Read 1st and 2nd time, and referred to the Committee on Ways and Means.

Mr. English had leave to introduce Senate File No. 158, a Joint Resolution for additional mail facilities. Read the 1st and 2nd time, and on motion of Mr. English, the 11th Rule was suspended, the resolution read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Ainsworth, Bailey, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Thompson, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—37.

The nays were—None.

Excused—Messrs. Bowen and Scott. Absent, but not excused —Angle, Drummond, Rankin and Watson. So the resolution was passed and title ageed to.

Mr. Wilson of Dubuque, had leave to introduce Senate File No. 159, a bill for an act to carry into effect the provisions of section 5, of chapter 21 of the acts of the 7th General Assembly, and amendatory thereto. Read the 1st and 2nd time, and referred to the Committee on County and Township Organization.

Message from the House.

MR. PRESIDENT:—I herewith present, for your signature, House File No. 106, a bill for an act to amend section 940 of the Code of Iowa, the same having passed both branches of the General Assembly, and been duly enrolled in the House of Representatives.

CHARLES ALDRICH, Chief Clerk.

Mr. Saunders, from the Committee on Ways and Means, reported back Senate File No. 76, a bill for an act making appropriations for the general support of the Iowa Penitentiary, and to supply the deficiency in the appropriation made by the 7th General Assembly, with the recommendation that the same be passed.

On motion of Mr. Saunders, the 11th Rule was suspended, the bill was read a third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, Green, Hagans, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumball, Wilson of Jefferson—27.

The nays were—Senators Ainsworth, English, Hammer, Johnson, Pusey, Patterson of Muscatine, Taylor, Udell, Williams, Wilson of Dubuque—10.

Excused—Bowen and Scott. Absent but not excused—Drummond, Gray, Rankin and Watson. So the bill was passed and title agreed to.

Mr. Kent, from the special committee, to which was referred Senate File No. 143, a bill for an act concerning and regulating partition fences, and fences in common, reported the same back, with a substitute, and recommended the adoption and passage of the substitute. Report adopted.

On motion of Mr. Taylor, the 11th Rule was suspended, the bill read the third time, and put upon its final passage. The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Pusey, Pattison of Marshall, Powers, Reiner, Sherradden, Taylor, Williams—24.

The nays were—Senators Duncombe, English, Neal, Saunders, Thompson, Trumbull, Watson, Wilson of Jefferson—8.

Excused—Messrs. Bowen and Scott. Absent, but not excused—Messrs. Anderson, Bailey, Bussey, Drummond, Johnson, Patterson of Muscatine, Rankin, Udell and Wilson of Dubuque. So the bill was passed, and title agreed to.

M. Coolbaugh, from the Committee on Ways and Means, reported back House File No. 53, a bill for an act making appropriations to meet the expenses of the Deaf and Dumb Asylum, with the recommendation that the Senate do not recede from its amendments thereto, and asked a committee of conference, which report was cocurred in.

The President appointed as such committee, Coolbaugh and Wilson, of Jefferson.

SPECIAL ORDER.

The special order for 9 o'clock this morning, being the consideration of Senate File No. 59, a bill for an act for the regulation of Railroad Companies, the report of the committee was adopted, and bill considered.

On motion of Mr. Angle, the bill was re-committed.

Mr. Duncombe moved to reconsider the vote by which Senate File No. 76, a bill for an act making appropriations for general support of Iowa Penitentiary, to supply the deficiency in the appropriation made by the 7th General Assembly, was passed.

Mr. Wilson, of Jefferson, moved to lay the motion to reconsider on the table; upon which question, Mr. Duncombe demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Brown, Davis of Clinton, Davis of Polk, Hagans, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Watson, Wilson of Jefferson—17.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Drummond, Duncombe, English, Gray, Green, Hammer, Hastings, Johnson, Mann, Neal, Pusey, Thompson, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—22.

Excused—Messrs. Bowen and Scott. Absent but not excused—Patterson of Muscatine and Rankin. So the motion to lay on the table did not prevail.

The question being on the motion to reconsider, it prevailed.

On motion of Mr. Bussey, the 11th Rule was suspended, the bill read the third time, and again put put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Gray, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Thompson, Trumbull, Wilson of Jefferson—24.

The nays were—Senators Ainsworth, Bailey, Bussey, Duncombe, English, Green, Hammer, Johnson, Mann, Neal, Pusey, Taylor, Udell, Watson, Williams, Wilson of Dubuque—16.

Excused—Bowen and Scott. Absent but not excused—Rankin. So the bill was passed and title agreed to.

Mr. Johnson had leave to introduce Senate File No. 160, a bill for an act to repeal section 25, chapter 91, of the acts of the 7th General Assembly of the State of Iowa. Read the 1st and second time, and on motion of Mr. Johnson, referred to a special committee of three.

The President appointed as said committee, Johnson, McPherson and Hagans.

Mr. Bussey had leave to introduce Senate File No. 161, a bill for an act to amend section 2548 of the Code, amending said section by making 10 hours a day instead of 6 hours. Read the 1st and 2d time.

Mr. Mann moved to amend section 1, by striking out the word "ten," and inserting the word "eight," which was not concurred in.

On motion of Mr. Udell, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Powers moved a call of the Senate, which was sustained and ordered.

The following Senators were found to be absent and not excused: Anderson, Buechel, McPherson, Rankin and Reiner.

On motion of Mr. Ainsworth, Mr. Rankin was excused on account of illness.

On motion of Mr. Wilson of Dubuque, further proceedings under the call were dispensed with.

Mr. Wilson of Jefferson, moved to refer the bill under consideration to the Committee on County and Township Organization. Carried.

Mr. Ainsworth, from the Judiciary Committee, reported back Substitute for House File No. 178, a bill for an act to legalize the levy of road tax, in Sioux City, in the year 1859, with the recommendation that the same be passed.

The 11th Rule was suspended, the bill read the 3d time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Angle, Ainsworth, Bailey, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque—36.

The nays were—Senators Drummond, Wilson of Jefferson—2.

Excused—Bowen, Rankin and Scott. Absent, but not excused—Anderson and McPherson. So the bill was passed, and title agreed to.

Mr. Saunders, from the Committee on Ways and Means, reported back Senate File No. 29, a bill for an act to amend chapter 148, of the laws of 1858, entitled an act to authorize the Register of the State Land Office, and Governor of Iowa, to issue patents to the purchasers of the Des Moines River Improvement Lands, approved March 23, 1858, and recommended that the same be indeffinitely postponed, which was concurred in.

Also, Mr. Saunders, from the same committee, reported back sundry petitions, relating to the exemption of permanent improvements, made upon the soil of the State, from taxation, with the recommendation that no legislation, upon that subject, be had.

Mr. Bussey moved to lay the petitions and report on the table.

Mr. Ainsworth moved a call of the Senate, which was sustained and ordered.

The following Senators were found to be absent, but not excused: Angle and Drummond.

Mr. Ainsworth moved to send the Sergeant-at-Arms for the absentees, which motion prevailed.

Mr. Wilson, of Dubuque, moved to suspend further proceedings under the call. Lost.

Mr. Powers moved to reconsider the vote last taken. Carried.

The question being on suspending further proceedings under the call, it was not agreed to.

The Sergeant-atArms brought in the absentees, who were, on motion, excused.

The question recurring upon the motion to lay the petitions and report on the table, Mr. Powers demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Gray, Green, Hammer, Hastings, Henderson, Johnson, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Reiner, Saunders, Trumbull, Udell—23.

The nays were—Senators Angle, Brown, Drummond, Duncombe, English, Hagans, Kent, Lewis, Mann, Powers, Sherradden, Thompson, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—17.

Excused—Bowen, Rankin and Scott. So the motion to lay on the table prevailed.

Mr. Duncombe, from the special Committee, to which was referred House File No. 80, a bill for an act to punish the makers of chattel mortgages, in certain cases, reported the same back, without recommendation.

On motion of Mr. Duncombe, the 11th Rule was suspended, the bill read the 3d time, and put upon its final passage. The yeas and nays were as follows:

The yeas were—Senators Angle, Bailey, Bussey, Buechel, Coolbaugh, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Thompson, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—33.

The nays were—Senators Anderson, Ainsworth, Brown, Davis of Clinton, Sherradden, Trumbull—6.

Excused—Bowen, Rankin and Scott. Absent but not excused—Watson. So the bill was passed and title agreed to.

UNFINISHED BUSINESS.

House File No. 161, a bill for an act to regulate the manner of administering oaths, was taken up, and read the first and second time.

Mr. Wilson, of Jefferson, moved to refer the bill to the Judiciary Committee. Upon which question Mr. Pusey demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Thompson, Wilson of Jefferson—19.

The nays were—Senators Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—19.

Excused—Messrs. Bowen, Rankin and Scott. Absent, but not excused—Messrs. Ainsworth and Watson. The vote being a tie, the President voted yea. So the motion to refer prevailed.

House File No. 143, a bill for an act for the relief of tax payers in certain cases, was taken up, read the first and second time, and on motion of Mr. Neal, referred to the Committee on Ways and Means, with instructions to report in three days.

House File No. 209, a bill for an act to amend the law in reference to the sale of intoxicating liquors, was taken up, and read the first and second time.

Mr. Wilson, of Jefferson, moved to refer the bill to the special committee heretofore appointed, of which Mr. Bailey is Chairman.

Mr. Duncombe moved to amend the motion to refer, by instructing the committee as follows: "and that the committee be instructed to report a license law, and repeal all laws now in force on the subject of intoxicating liquors."

The President ruled Mr. Duncombe's amendment out of order, on the ground that it would make the reference of the bill useless and unnecessary; from which ruling Mr. Duncombe appealed.

The question being, shall the ruling of the President be sustained, Mr. Duncombe demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Brown, Davis of Clinton, Drummond, Hagans, Hastings, Henderson, Johnson, Kent, Lewis, McPherson, Pattison of Marshall, Reiner, Saunders, Sherradden, Thompson—17.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Davis of Polk, Duncombe, Gray, Green, Hammer, Mann, Neal, Pusey, Patterson of Muscatine, Powers, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—21.

Excused—Messrs. Bowen, Rankin and Scott. Absent, but not excused—Mr. English. So the Senate refused to sustain the ruling of the President.

The question being on the amendment offered by Mr. Duncombe, he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Sherradden, Thompson, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—22.

The nays were—Senators Anderson, Angle, Brown, Bussey, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, Neal, Powers, Reiner, Saunders, Watson, Wilson of Jefferson—18.

Excused—Messrs. Bowen, Rankin and Scott. So the amendment was concurred in.

The question recurring upon the motion to refer as amended, Mr. Duncombe called the yeas and nays, which were taken, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Duncombe, English, Gray, Hammer, Johnson, Mann, McPherson, Pusey, Patterson of Muscatine, Thompson, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—21.

The nays were—Senators Anderson, Angle, Brown, Davis of Clinton, Davis of Polk, Drummond, Green, Hagans, Hastings, Henderson, Kent, Lewis, Neal, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Watson—19.

Excused—Messrs. Bowen, Rankin and Scott. So the motion to refer with instructions to report a license law prevailed.

On motion of Mr. Saunders, the Committee on Ways and Means had leave of absence for the rest of the afternoon.

Mr. Angle had leave to introduce Senate File No. 162, a bill for an act to carry into execution the trust conferred upon the State of Iowa, in respect to the lands granted by an act of Congress approved May 15th, 1856, to aid in the construction of a Railroad from Lyons City across the State of Iowa, and near the 42d parallel, to the Mississippi River. Read the first and second time, and on motion of Mr. Drummond, laid on the table and ordered printed.

On motion of Mr. Mann, the resolution relating to adjournment was taken up and considered.

Mr. McPherson moved to lay the resolution on the table; upon which question Mr. Angle demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Brown, Davis of Clinton, Davis of Polk, Drummond, Henderson, McPherson, Pattison of Marshall, Reiner, Sherradden, Thompson, Udell, Watson, Wilson of Dubuque, Wilson of Jefferson—15.

The nays were—Senators Ainsworth, Bailey, Bussey, Buechel, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Lewis, Mann, Pusey, Patterson of Muscatine, Powers, Trumbull, Taylor, Williams—19.

Excused—Messrs. Anderson, Bowen, Coolbaugh, Johnson, Kent, Neal, Rankin, Saunders and Scott. So the motion to lay on the table was lost.

On motion, Senate adjourned.

SENATE CHAMBER,
Thursday, March 13th, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Journal of yesterday read, corrected and approved.

Message from the House:

Mr. President:—I herewith return to your honorable body, the following Senate Files, the same having passed the House without amendment:

Senate File No. 100, a bill for an act to regulate the foreclosure of mortgages.

Senate File No. 93, an act legalizing the acts of David C. Sperry, of Fayette county, Iowa, as a Notary Public.

Senate File No. 33, a bill for an act to amend chapter 107 of the acts of the 6th General Assembly, entitled "an act to legalize the sale of School Lands made by John Jordan, School Fund Commissioner of Decatur county, Iowa.

CHARLES ALDRICH, Chief Clerk.

The question being on concurring in the House amendment to the resolution fixing the time of adjournment, Mr. Powers moved to lay the motion to concur on the table, upon which question Mr. Bussey demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Ainsworth, Davis of Clinton, Davis of Polk, Duncombe, Hammer, Henderson, Kent, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Thompson, Udell, Watson, Wilson of Dubuque, Wilson of Jefferson—21.

The nays were—Senators Anderson, Bailey, Brown, Bussey, Buechel, Coolbaugh, English, Gray, Green, Hagans, Johnson, Mann, Pusey, Rankin, Trumbull, Taylor, Williams—17.

Excused—Bowen and Scott. Absent, but not excused—Drummond, Hastings and Neal. So the motion to lay on the table prevailed.

Mr. Rankin had leave to introduce Senate File No. 163, a bill for an act appointing Commissioners to make a contract with a R. Road Co., and dispose of the lands heretofore granted to the Iowa Central Air Line R. R. Co., and resumed, and to make a settlement of certain debts contracted by said company. Read the 1st and 2d time.

On motion of Mr. Powers, the bill was laid on the table, and ordered printed.

Mr. Henderson had leave to introduce Senate File No. 164, a bill for an act to regulate the compensation of Clerks of the District Court. Read the 1st and 2d time, and referred to the Committee on Township and County Organization.

Mr. Wilson of Dubuque, had leave to introduce Senate File No. 165, a bill for an act securing liens to mechanics, laborers and others. Read the 1st and 2d time.

Mr. Duncombe moved to refer the bill to a special committee of three, of which Mr. Wilson of Dubuque, shall be Chairman; which motion prevailed.

The President appointed as said committee: Wilson of Dubuque, McPherson and Ainsworth.

SPECIAL ORDER.

The special order for this morning at 9 o'clock, being the consideration of House Substitute for House File No. 113, a bill for an act creating a County Board of Supervisors, defining their duties, and the duties of certain county officers.

Mr. Powers moved to read and act upon the bill, section by section, which motion prevailed.

Mr. Pasey from the Committee on Township and County Organization, made the following as the minority report of said committee, upon the bill under consideration:

REPORT.

The undersigned, members of the Committee on "Township and County Organization," to whom was referred Substitute for House File No. 113, a bill for an act creating a County Board of Supervisors, defining their duties, and the duties of certain county officers," recommend the indefinite postponement of the bill for the following reasons:

1st—We are of opinion that such a Board of Supervisors would be too cumbersome and inefficient a body to transact the business of the county.

2d—That the provisions of the bill would so conflict with the existing system of laws for county and township government, and is in itself so imperfect, that should it become a law, the interests of the people would suffer material damage.

3d—That the Board of Supervisors proposed cannot in fifteen days, (as is proposed by the bill) transact the business of the county.

4th—The system is too expensive for the Legislature to inaugurate at this time of financial depression, when our people are already ground down with taxation.

5th—That while it might possible be an efficient and popular system in a few of the more densely settled counties bordering on the Mississippi, yet in all the sparsely settled counties, it would be ruinous to the interests of the people.

6th—That in giving to each township, irrespective of population, a member of the Board, you will destroy the true theory of a representative government, and thereby jeopardize the interests of the country.

It is the opinion of the undersigned, that while the people demand some change or modification of our present County Judge system, they do not require, nor would it be compatible with the interest of the State at large to grant so radical a change in our county government as is proposed by this bill.

Respectfully submitted,

JAMES C. HAGANS,
W. H. M. PUSEY.

Mr. Watson moved to lay the report on the table.

Mr. Brown moved a call of the House, which was sustained and ordered.

The following Senators were found to be absent and not excused: Coolbaugh and Neal.

On motion of Mr. Powers, Mr. Neal was excused.

Mr. Powers moved to suspend further proceedings under the call, which was agreed to.

The question being on the motion to lay on the table, Mr. Pusey called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Ainsworth, Brown, Davis of Clinton, Davis of Polk, Drummond, Gray, Green, Hammer, Hastings, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Thompson, Watson, Wilson of Jefferson—18.

The nays were—Senators Anderson, Bailey, Bussey, Buechel, Duncombe, English, Hagans, Henderson, Johnson, Mann, Pusey, Patterson of Muscatine, Rankin, Reiner, Saunders, Sherradden, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—21.

Excused—Messrs. Bowen, Neal and Scott. Absent, but not excused—Mr. Coolbaugh. So the motion to lay on the table did not prevail.

Mr. Mann moved to postpone the consideration of the minority report until Friday next, at 9 o'clock, A. M. Upon which question, Mr. Hagans demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Ainsworth, Bailey, Brown, Davis of Clinton, Davis of Polk, Drummond, Gray, Green, Ham-

mer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Pattison of Marshall, Powers, Saunders, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque, Wilson of Jefferson—25.

The nays were—Senators Anderson, Bussey, Beuchel, Coolbaugh, Duncombe, English, Hagans, Johnson, Pusey, Patterson of Muscatine, Rankin, Reiner, Sherradden, Udell, Williams—15.

Excused—Bowen, Neal and Scott. So the motion to postpone prevailed.

Mr. Bailey moved that the bill under consideration be recommitted to the Committee on Township and County Organization with instructions to amend the same by reducing the number of supervisors to three, and to modify the bill accordingly.

Also, to insert a section in the bill, that in any county, by a vote of the people, the number of supervisors may be increased to a number amounting to one from each civil township.

Mr. Wilson of Jefferson, moved to take from the table the resolutions of instruction to the Committee on Township and County Organization, offered by him some time since, and make the same a substitute for the instructions offered by Mr. Taylor; which motion prevailed.

Mr. Coolbaugh moved that the bill under consideration be referred to a select committee of five, with instructions to report within three days, a bill providing for the election of associate judges or commissioners for each county, and restricting the county judge so as to place the finances and supervision of roads of each county under control of such associate judges or commissioners, except in cases expressly provided for by law.

On motion of Mr. McPherson all the motions to recommit were laid on the table.

The bill was now read entire, and reading by sections for the action of the Senate commenced.

Mr. Wilson, of Jefferson, moved to amend section 2 by striking out the words "one from," in the first line, and inserting, "the Township Clerk of," and in the second line, striking out all after the word "township."

Mr. Bussey offered the following as a substitute for section 2: "In each organized county there shall be two Commissioners, or Associate Justices, who, together with the County Judge, shall constitute the County Court, for the transaction of county business, as hereinafter provided, who shall hold their office two years.

Mr. Duncombe offered the following as a substitute for the amendment and substitute: Between the words "of" and "one," in the first line of section 2, strike out "one from each civil township, to be elected as hereinafter provided," and insert, "three legal voters, no two of whom shall reside in the same township; who shall be elected by the county at large, as hereinafter provided."

The question being on its adoption, Mr. Duncombe demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bailey, Buechel, Bussey, Coolbaugh, Duncombe, English, Hagans, Lewis, Pusey, Reiner, Sherradden, Udell, Williams—14.

The nays were—Senators Angle, Ainsworth, Brown, Davis of Clinton, Davis of Polk, Drummond, Gray, Green, Hammer, Hastings, Henderson, Johnson, Kent, Mann, McPherson, Pattison of Marshall, Powers, Saunders, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque, Wilson of Jefferson—24.

Excused—Messrs. Bowen, Neal and Scott. Absent, but not excused—Messrs. Patterson of Muscatine, and Rankin. So the amendment was lost.

Mr. Wilson, of Dubuque, offered the following as a substitute for the pending amendment and substitute:

SEC. 2. In each organized county there shall be a Board of Supervisors, consisting of the County Judge and four other members; and for the purpose of the organization of such Board, each county shall be divided into four districts, each containing, as near as possible, the same population; each of which said districts, for itself, shall elect a Supervisor, who shall reside in said district. The said County Judge shall be elected as heretofore, by the voters of the whole county.

Mr. Mann moved to amend the substitute of Mr. Wilson, of Dubuque, by striking out the words, "County Judge and four other members," and inserting, "five Supervisors." Lost.

The question being on the adoption of the substitute offered by Mr. Wilson, of Dubuque, Mr. Hammer demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Hagans, Henderson, Lewis, Pusey, Reiner, Saunders, Sherradden, Trumbull, Udell, Williams, Wilson of Dubuque—18.

The nays were—Senators Angle, Ainsworth, Brown, Davis of Clinton, Davis of Polk, Drummond, Gray, Green, Hammer, Hastings, Johnson, Kent, Mann, McPherson, Pattison of Marshall, Powers, Thompson, Taylor, Watson, Wilson of Jefferson—20.

Excused—Messrs. Bowen, Neal and Scott. Absent, but not excused—Messrs. Patterson of Muscatine, and Rankin. So the substitute was not adopted.

Mr. Taylor offered the following as a substitute for the pending amendment and substitute: "Strike out all after the word "Supervisor," and insert the words, "consisting of five legal voters, to be elected by districts, as hereinafter provided, who shall hold their offices for two years."

On motion of Mr. Brown, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Powers moved a call of the House, which was sustained and ordered.

The following Senators were found to be absent, and not excused: Bailey, Coolbaugh, Pusey, Rankin and Wilson, of Jefferson.

Mr. Brown moved to send the Sergeant-at-Arms for the absentees, which motion prevailed.

Messrs. Bailey, Coolbaugh and Pusey coming in, Mr. Duncombe moved to suspend further proceedings under the call, which motion did not prevail.

The Sergeant-at-Arms brought in Mr. Wilson, of Jefferson, and reported Mr. Rankin sick. On motion, they were excused.

Mr. Watson moved to suspend further proceedings under the call, which motion prevailed.

The question recurring on the adoption of the substitute offered by Mr. Taylor, he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bailey, Buechel, Bussey, Coolbaugh, Duncombe, English, Kent, Mann, McPherson, Pusey, Patterson of Muscatine, Reiner, Sherradden, Trumbull, Taylor, Williams, Wilson of Dubuque—18.

The nays were—Senators Angle, Ainsworth, Brown, Davis of

Clinton, Davis of Polk, Drummond, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Lewis, Neal, Pattison of Marshall, Powers, Saunders, Thompson, Udell, Watson, Wilson of Jefferson—22.

Excused—Bowen, Rankin, Scott. So the substitute was not adopted.

The question then recurring upon the amendment offered by Mr. Wilson, of Jefferson, Mr. Taylor called for the yeas and nays, which were taken, and were as follows:

The yeas were—Senators Anderson, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Kent, McPherson, Reiner, Saunders, Wilson of Jefferson—10.

The nays were—Senators Angle, Ainsworth, Bailey, Bussey, Buechel, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Lewis, Mann, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Sherradden, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque—30.

Excused—Bowen, Rankin and Scott. So the amendment was not concurred in.

Mr. Wilson, of Dubuque, moved to amend section 2 as follows:

After 'township,' in 2d line, insert, 'but if the population of any such township exceeds five thousand, and is less than ten thousand, there shall be elected one additional Supervisor from such township or townships, and one additional Supervisor for each five thousand inhabitants over and above ten thousand, the number of inhabitants to be determined by the last preceding State or Federal census; said Supervisors to be elected as hereinafter provided, and hold their offices for two years, except as hereinafter provided.'

Mr. Pusey moved to amend the amendment, by striking out 'five thousand,' and inserting 'three thousand,' which was not concurred in.

The question being on the amendment offered by Mr. Wilson, of Dubuque, he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Ainsworth, Bailey, Gray, Green, Hammer, Hastings, Lewis, McPherson, Neal, Pattison of Marshall, Reiner, Saunders, Trumbull, Wilson of Dubuque—15.

The nays were—Senators Angle, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Drummond, Duncombe, English,

Hagans, Henderson, Kent, Mann, Pusey, Patterson of Muscatine, Powers, Sherradden, Thompson, Taylor, Udell, Watson, Williams, Wilson of Jefferson—23.

Excused—Bowen, Rankin and Scott. Absent, but not excused—Davis of Polk, Johnson. So the amendment was not concurred in.

Mr. Udell moved to amend section 6, by striking out all between the words "Monday" and "court house," and inserting the words "every month," which was not concurred in.

Mr. Pusey moved to amend section 7, by inserting after the words, "open doors," the words, "in the summer time," which motion was lost.

Mr. Thompson moved to strike out sub-division 8, in section 11, which was not concurred in.

Mr. Neal moved to amend section 11, by inserting the word "thereon," after the word "buildings," in the first line of sub-division 9, which was not agreed to.

Mr. Duncombe moved to strike out all after the word "purposes," in sub-division 9, of said section, which motion did not prevail.

Mr. Thompson moved to amend section 11, by striking out sub-division 12; upon which question, Mr. Ainsworth demanded the yeas and nays, which were ordered, and were as follows:

Yeas—Anderson, Bailey, Buechel, Bussey, Coolbaugh, Davis of Clinton, Hastings, Johnson, McPherson, Sherradden, Thompson, Udell, Williams and Wilson of Dubuque—14.

Nays—Angle, Ainsworth, Brown, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Kent, Lewis, Mann, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Trumbull, Taylor, Watson, Wilson of Jefferson—25.

Excused—Bowen and Scott. Absent, but not excused—Henderson and Neal. So the amendment was not concurred in.

Mr. Thompson moved to amend section 11, by striking out sub-division 13, which motion was lost.

Mr. Hagans moved to amend said section by striking out sub-division 17, upon which question, Mr. Brown called the yeas and nays, which were taken, and were as follows:

The yeas were—Senators Anderson, Bailey, Bussey, Davis of Clinton, Davis of Polk, English, Hagans, Hastings, Henderson,

Kent, Lewis, McPherson, Pattison of Marshall, Rankin, Reiner, Saunders, Sherradden, Thompson, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—22.

The nays were—Senators Angle, Ainsworth, Brown, Buechel, Coolbaugh, Drummond, Duncombe, Gray, Green, Hammer, Johnson, Mann, Pusey, Patterson of Muscatine, Powers, Trumbull, Taylor, Udell—18.

Excused—Bowen and Scott. Absent, but not excused—Neal. So the amendment prevailed.

Message from the House.

MR. PRESIDENT:—I am directed to inform your honorable body, that the House of Representatives has ordered the printing of 5000 copies of the special message of Gov. Kirkwood, in relation to the requisition of the Governor of Virginia, for one Barclay Coppic.

CHARLES ALDRICH, Chief Clerk.

Mr. Taylor moved to amend section 11, of the bill under consideration, by inserting the words, "or bridges," after the word, "buildings," in the fifth line of sub-division 23, upon which question he called the yeas and nays, which were taken, and were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Bussey, Buechel, Davis of Clinton, Davis of Polk. Drummond, English, Green, Hastings, Johnson, Kent, McPherson, Neal, Reiner, Thompson, Taylor, Udell, Watson, Williams—21.

The nays were—Senators Ainsworth, Brown, Coolbaugh, Duncombe, Gray, Hagans, Hammer, Henderson, Lewis, Mann, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Saunders, Sherradden, Trumbull, Wilson of Dubuque, Wilson of Jefferson—20.

Excused—Messrs. Bowen and Scott. So the motion prevailed.

Mr. Udell moved to amend section 11 by striking out $2000 and inserting $500 in lieu thereof, in sub-division 23, which was not concurred in.

Mr. Sherradden moved to strike out said $2000 and insert $1000 in lieu thereof.

Upon which question Mr. Udell demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bailey, Bussey, Buechel,

Coolbaugh, English, Hagans, Hastings, Johnson, Pusey, Rankin, Sherradden, Udell, Williams—14.

The nays were—Senators Angle, Ainsworth, Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Gray, Green, Hammer, Henderson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque, Wilson of Jefferson—27.

Excused—Messrs. Bowen and Scott. So the motion to strike out $2000 and insert $1000 did not prevail.

Mr. Wilson of Dubuque, moved to amend section 16 by striking out "fifteen days," and in lieu thereof inserting "thirty days."

Upon which question Mr. Coolbaugh demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bussey, Patterson of Muscatine, Trumbull, Williams, Wilson of Dubuque—5.

The nays were—Senators Anderson, Angle, Ainsworth, Bailey, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Taylor, Udell, Watson, Wilson of Jefferson—34.

Excused—Bowen and Scott. Absent but not excused—Buechel and Thompson. So the motion was not concurred in.

Mr. Udell moved to amend section 17 by striking out "five," in the fourth line, and inserting instead thereof "four and a half."

Mr. Thompson moved to strike out said "five" and insert "ten," which motion was lost.

The question recurring upon the motion to strike out "five" and insert "4½," it was not agreed to.

Mr. Udell moved to amend section 21 by striking out "1860," and inserting "1862," which motion did not prevail.

Mr. Udell moved to amend section 21 by inserting after the word "county court," in the third line, the words "nor the Legislature;" which motion was lost.

Mr. Bussey moved the following as an additional section to the bill:

"Any violation of the provisions of this act by the County Judge of any county shall be punished by imprisonment in the Peniten-

tiary not less than five nor more than twenty years, one half the penalty to go to the informant;" not concurred in.

Mr. Thompson moved to reconsider the vote by which the Senate refused to amend section 2, by striking out "8000" and inserting "5000;" upon which question Mr. Coolbaugh demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Ainsworth, Brown, Drummond, Gray, Green, Hammer, Hastings, Henderson, Kent, Neal, Patterson of Muscatine, Saunders, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque, Wilson of Jefferson—19.

The nays were—Senators Angle, Bailey, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Hagans, Johnson, Lewis, Mann, McPherson, Pusey, Pattison of Marshall, Powers, Reiner, Sherradden, Udell, Williams—22.

Excused—Messrs. Bowen and Scott. So the motion to reconsider did not prevail.

Mr. Pusey moved to postpone the further consideration of the bill until the 4th of July next, upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Hagans, Johnson, Neal, Pusey, Patterson of Muscatine, Rankin, Reiner, Sherradden, Taylor, Udell, Williams—18.

The nays were—Senators Angle, Ainsworth, Brown, Davis of Clinton, Davis of Polk, Drummond, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Pattison of Marshall, Powers, Saunders, Thompson, Trumbull, Watson, Wilson of Dubuque, Wilson of Jefferson—23.

Excused—Bowen and Scott. So the motion to postone did not prevail.

On motion of Mr. Drummond, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Brown, Davis of Clinton, Davis of Polk, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Pattison of Marshall, Powers, Thompson, Trumbull, Watson, Wilson of Dubuque—19.

The nays were—Senators Anderson, Angle, Bailey, Bussey, Buechel, Coolbaugh, Drummond, Duncombe, English, Hagans, Johnson, Neal, Pusey, Patterson of Muscatine, Rankin, Reiner, Saun-

ders, Sherradden, Taylor, Udell, Williams, Wilson of Jeff.—22.

Excused—Messrs. Bowen and Scott. The bill not having received a constitutional majority was lost.

Mr. Drummond moved to reconsider the vote last taken, upon which question Mr. ——— demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Angle, Ainsworth, Bailey, Brown, Davis of Clinton, Davis of Polk, Drummond, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque, Wilson of Jefferson—27.

The nays were—Senators Anderson, Bussey, Buechel, Coolbaugh, Duncombe, English, Hagans, Johnson, Neal, Pusey, Patterson of Muscatine, Sherradden, Udell, Williams—14.

Excused—Messrs. Bowen and Scott. So the motion to reconsider prevailed.

On motion of Mr. Drummond, the bill was made the special order for Friday next, at 9 o'clock, A. M.

Mr. Ainsworth, from the special committee, to which was referred House File No. 170, a bill for an act to provide for the establishment of a Commissioner, in the city of New York, to promote immigration to the State of Iowa, substituted the following report:

Your committee, to which was referred House File No. 170, have had the same under consideration, beg leave to submit the following report:

We find that, in 1856, the State of Wisconsin had a Commissioner in the city of New York, and that, for one month, from the 1st to the 30th day of June, of that year, the emmigrants to that State were 2842, and to Iowa, in the same month, only 387, making a difference in favor of Wisconsin, of 2455 persons in one month. The amount of capital taken to Wisconsin by those emigrants, was $216,441 50, while to Iowa, during the same time, there was brought only $33,962 50, making a difference in favor of Wisconsin, of $182,479, while the passengers arriving at Castle Garden, during eleven months of said year, for Wisconsin, was 10,457, with a cash capital of $1,045,661 38, while the number arriving, at the same place, for Iowa, was only 1855, bringing with them a cash capital of $248,335 40, which leaves a balance of

cash capital in favor of Wisconsin, of $797,325 98, together with an excess of increase in population over Iowa, of 8602 persons. Your committee, being unable to discover any natural advantage which Wisconsin has over this State, either in climate or soil, can attribute this marked difference only to the labors of the Wisconsin Commissioner of Emigration. A further proof of the estimation in which the workings of this system are held, is found in the fact that Wisconsin has already gone a step farther, and has now a Commissioner of Emigration on the other side of the Atlantic. We also find that the other States have seen the benefit of the system, and that Minnesota, during the last session of its Legislature, made liberal appropriations for printing and circulating documents in the old countries. Your committee, therefore, heartily recommend the passage of the bill, as one fraught with much good to the State.

L. L. AINSWORTH,
DAVID S. WILSON,
JNO. W. THOMPSON,
THOS. DRUMMOND.

In the above report, I do not concur.

J. F. WILSON.

On motion of Mr. Coolbaugh, the report was received, and committee discharged.

The question being on the adoption of the report, and the passage of the bill as recommended by the committee, Mr. Neal moved to amend section 1, by inserting in the 2d line after the word "Governor," the words, "with the advice and consent of the Senate," upon which question he called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bussey, Buechel, Coolbaugh, English, Gray, Green Hammer, Johnson, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Reiner, Taylor, Udell, Watson, Williams, Wilson of Dubuque—20.

The nays were—Senators Anderson, Angle, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, Pattison of Marshall, Powers, Rankin, Saunders, Sherradden, Thompson, Trumbull—17.

Excused—Bowen, and Scott. Absent, but not excused—Bailey, Brown, Duncombe and Wilson of Jefferson. So the amendment was adopted.

Mr. Davis of Polk, moved to amend section 6, by inserting the

word "Daily" before the words "Iowa State Register," and "Iowa State Journal," which amendment was concurred in.

On motion of Mr. Bussey, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Brown, Buechel, Davis of Polk, Drummond, Green, Hagans, Hastings, Henderson, Mann, Pattison of Marshall, Rankin, Trumbull, Watson, Wilson of Dubuque—15.

The nays were—Senators Anderson, Angle, Bailey, Bussey, Coolbaugh, Davis of Clinton, English, Gray, Hammer, Johnson, Kent, Lewis, McPherson, Neal, Pusey, Patterson of Muscatine, Powers, Reiner, Saunders, Sherradden, Thompson, Taylor, Udell —23.

Excused—Messrs. Bowen and Scott. Absent, but not excused —Duncombe, Williams and Wilson of Jefferson.

The bill not having received a constitutional majority, was lost.

Mr. Wilson of Dubuque, had leave to introduce Senate File No. 166, a bill for an act declaratory of the meaning of an act, entitled an act for extending the time of the completion of 75 miles of road, by the Dubuque and Pacific R. R. Co., approved March 7, 1860. Read the 1st and second time, and referred to the Judiciary Committee.

Mr. Sherradden offered the following resolution, which was adopted:

Resolved, That the Enrolling Clerk be instructed not to employ any assistants to aid him in enrolling the Code of Civil and Criminal Practice, except at his own expense.

On motion of Mr. Taylor, Senate File No. 37, a bill for an act entitled an act for the disposition of the Saline Fund was taken up and made the special order for Saturday next, at 10 o'clock, A. M.

On motion of Mr. Udell, Senate File No. 56, a bill for an act authorizing the County Judge of Appanoose county, to appropriate a portion of the proceeds of the Swamp Land Fund, for the erection of a Court House, was taken up and ordered engrossed for its 3d reading to-morrow.

On motion of Mr. Wilson of Jefferson, Substitute for House File No. 84, a bill for an act to prevent counties, cities and towns from taking stock in works of internal improvement and banking insti-

tutions, was taken from the table, and made the special order for Tourday next, at 9 o'clock, A. M.

On motion of Mr. Taylor, Senate adjourned.

SENATE CHAMBER,
Wednesday March 14, 1860, 9 o'clock, A. M.

The President being absent, the Secretary called the Senate to order.

Prayer by the Rev. Mr. Waring.

The question being the election of a President *pro tempore*, Mr. Bussey nominated Mr. Anderson.

Mr. Ainsworth nominated Mr. Neal.

The following Senators voted for Mr. Anderson:

Messrs. Angle, Bowen, Brown, Bussey, Hastings, Hagans, Henderson, Lewis, McPherson, Neal, Powers, Rankin, Reiner, Sanders, Sherradden, Scott, Taylor, Watson, Wilson of Jefferson—19.

The following Senators voted for Mr. Neal:

Messrs. Anderson, Ainsworth, Bailey, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Kent, Mann, Pusey, Patterson of Muscatine, Trumbull, Udell, Williams—17.

Absent, but not excused—Buechel, Davis of Clinton, Davis of Polk, Drummond, Pattison of Marshall, Thompson and Wilson of Dubuque—6.

Mr. Anderson having received a majority of all the votes cast, was declared duly elected, and took the Chair.

The Journal of yesterday was now read and approved.

SPECIAL ORDER.

The special order for 9 o'clock this morning being the consideration of Senate File No. 153, a bill for an act to establish a Code of Criminal Practice,

Mr. Wilson of Jefferson, moved that the Senate go into the Committee of the Whole Senate on said bill, which motion prevailed.

The Senate went into the Committee of the Whole with Mr. Wilson of Jefferson, in the Chair.

10½ O'CLOCK, A. M.

The committee rose and reported back to the Senate the following amendments, and recommended their adoption, which was concurred in:

Page 32, section 225 in 2d line, strike out the words, "and none other."

Page 39, sub-division 2d, of section 269, strike out all after the word "thereon," in the third line.

Page 46, sub-division 1st, read, "affinity, or consanguinity, within the ninth degree."

Page 48, seventh sub-division of section 356, read, "the Court shall then charge the jury, in writing, without oral explanation or qualification."

Page 48, section 359, read, "the Court shall not restrict," &c.

Page 50, section 380, read, "the Court shall, on the trial of every indictment, (when requested by either party,") &c.

Mr. Johnson moved a call of the House, which was sustained, and ordered. The following Senators were found to be absent, and not excused—Coolbaugh, Patterson of Muscatine and Scott.

The absentees coming in, further proceedings under the call, were, on motion of Mr. Angle, dispensed with.

Mr. Ainsworth moved to amend the bill under consideration by striking out section 99, upon which question, he demanded the yeas and nays, which were ordered, and were as follows:

Yeas—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Saunders, Trumbull, Taylor, Udell, Williams and Wilson of Dubuque—21.

Nays—Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Watson and Wilson of Jefferson—22.

So the motion to strike out was lost.

Mr. Udell moved to indefinitely postpone the further consideration of the bill, upon which question he called the yeas and nays, which were taken, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Drummond, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—21.

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—22.

So the motion to indefinitely postpone, was lost.

Mr. Taylor moved to amend section 356, by striking out subdivisions "5" and "6," upon which question Mr. Ainsworth demanded the yeas and nays, which were ordered, and were as follows:

Yeas—Anderson, Bailey, Brown, Bussey, Buechel, Coolbaugh, Davis of Clinton, Drummond, Duncombe, English, Gray, Green, Hagans, Henderson, Johnson, Kent, Lewis, Mann, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Scott, Thompson, Trumbull, Taylor, Watson and Wilson of Dubuque—30.

Nays—Ainsworth, Bowen, Davis of Polk, Hammer, Hastings, McPherson, Rankin, Sherradden and Wilson of Jefferson—9.

Absent, but not excused—Angle, Saunders, Williams.

So the motion to strike out prevailed.

Mr. Wilson of Jefferson, moved to amend section 222, by striking out all after the word "direct," in the third line, which motion prevailed.

Mr. Thompson moved to amend section 225, by striking out all after the word "court," in the 3d line; upon which question, Mr. Wilson of Dubuque, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Coolbaugh, Davis of Clinton, Duncombe, English, Gray, Green, Johnson, Kent, Patterson of Muscatime, Thompson, Trumbull, Taylor, Wilson of Dubuque—12.

The nays were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Bussey, Davis of Polk, Drummond, Hagans, Hammer, Hastings, Henderson, Lewis, Mann, McPherson, Neal, Pusey, Pattison of Marshall, Rankin, Reiner, Saunders, Sherradden, Udell, Watson, Williams, Wilson of Jefferson—28.

Absent, but not excused—Buechel, Powers and Scott.

So the motion to strike out, was lost.

Mr. Wilson of Dubuque, moved to amend section 232, by inserting before it, the following: The indictment may charge different offences, but the District Attorney may be compelled by the defence, to elect which count he will proceed to trial upon; but if the indictment charges but one offence, &c. Upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bailey, Buechel, Coolbaugh, Davis of Clinton, Drummond, English, Green, Hammer, Taylor, Udell, Wilson of Dubuque—11.

The nays were—Senators Anderson, Ainsworth, Bowen, Brown, Davis of Polk, Duncombe, Gray, Hagans, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Williams, Wilson of Jefferson—30.

Excused—Angle. Absent, but not excused—Bussey.

So the amendment was not concurred in.

Mr. Drummond moved to re-consider the vote by which House Substitute for House File No. 113, a bill for an act creating a County Board of Supervisors, defining their duties, and the duties of certain county officers, was on yesterday made the special order for Friday next, at 9 o'clock A. M.

Mr. Rankin moved to adjourn. Lost.

The question being on the motion to re consider, Mr. Ainsworth called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Ainsworth, Bailey, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Thompson, Taylor, Watson, Wilson of Jefferson—28.

The nays were—Senators Anderson, Bussey, Buechel, Coolbaugh, English, Johnson, Neal, Pusey, Patterson of Muscatine, Rankin, Saunders, Udell, Williams, Wilson of Dubuque—14.

Absent, but not excused—Trumbull.

So the motion to re-consider prevailed.

Mr. Drummond moved a call of the House, which was sustained

and ordered. The Secretary proceeded with the call, when, on motion of Mr. Powers, further proceedings under the call were dispensed with.

On motion of Mr. Johnson, the special order was suspended, for the consideration of House Substitute for House File No. 113, a bill for an act creating a County Board of Supervisors, defining their duties, and the duties of certain county officers.

On motion of Mr. Wilson of Dubuque, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Wilson, of Dubuque, moved to amend section 2 of the bill under consideration, as follows: Strike out last four lines of section 2, and "who," in fifth line, and insert the following after the word "township," in fifth line: "But if the population of any such township exceeds four thousand, and is less than eight thousand, there shall be elected an additional Supervisor from such township, or townships, and one additional Supervisor for each four thousand inhabitants over and above eight thousand, the number of inhabitants to be determined by the last preceding State or Federal Census, each of which Supervisors, &c."

Mr. Pusey offered the following as a substitute for the amendment offered by Mr. Wilson, of Dubuque:

Additional section—Each organized county shall be divided into four districts, by the County Surveyor, Treasurer and County Clerk, which divisions shall be as near equal in territory and population as possible.

In section 2, strike out the words, "from each civil township," and insert, "from each district, and one by the county at large; *Provided*, That no two of the four officers to be elected under this section, shall be residents of the same township."

The question being on the adoption of the substitute, Mr. Drummond demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Hagans, Mann, Pusey, Patterson of Muscatine, Rankin, Reiner, Saunders, Sherradden, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—20.

The nays were—Senators Angle, Ainsworth, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Gray, Green, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, McPherson, Neal, Pattison of Marshall, Powers, Scott, Thompson, Watson, Wilson of Jefferson—23.

So the substitute was not adopted.

The question recurring upon the amendment of Mr. Wilson, of Dubuque, he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Ainsworth, Bailey, Brown, Buechel, Drummond, Gray, Green, Hammer, Hastings, Henderson, McPherson, Pusey, Patterson of Muscatine, Powers, Rankin, Saunders, Scott, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque—23.

The nays were—Senators Anderson, Bowen, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Johnson, Kent, Lewis, Mann, Neal, Pattison of Marshall, Reiner, Sherradden, Udell, Williams, Wilson of Jefferson—18.

Absent, but not excused—Messrs. Bussey and Hagans. So the amendment was concurred in.

On motion of Mr. Drummond, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Angle, Ainsworth, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Pattison of Marshall, Powers, Scott, Thompson, Trumbull, Watson, Wilson of Dubuque—23.

The nays were—Senators Anderson, Bailey, Bussey, Buechel, Coolbaugh, Duncombe, English, Hagans, Johnson, Neal, Pusey, Patterson of Muscatine, Rankin, Reiner, Saunders, Sherradden, Taylor, Udell, Williams, Wilson of Jefferson—20.

So the bill was passed, and title agreed to.

Messages from the House:

Mr. President:—I am directed to inform your honorable body, that the House has ordered printed two hundred copies each of the following special reports of the Auditor of State:

The special report in regard to the items paid on the Geological Survey, as stated on page 15 of the Auditor's reports.

The special report in regard to the items paid for the support of

the Frontier Army, as stated on page 8 of the Auditor's report.

The special report giving the items of the Miscellaneous Disbursements, as stated on page 9 of said report.

The special report giving the items of the amount paid on the General Contingent Fund, as stated on page 9 of said report.

The special report giving the items of the amount paid out for Insane Asylum, as stated in said report.

CHARLES ALDRICH, Chief Clerk.

Also,

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

House File No. 271, "a bill for an act making appropriation for the payment of the mileage of members of the General Assembly."

I also return Senate File No. 149, a bill for an act to legalize the acts of the Bloomfield Township School District, in Davis county, Iowa, the same having passed the House without amendment.

CHAS. ALDRICH, Chief Clerk.

3½ O'CLOCK, P. M.

The consideration of the special order was resumed.

Mr. Rankin offered the following as a substitute for sub-divisions five and six, of section 356:

Fifth—When the evidence is concluded, unless the case is submitted to the jury on either side, or both sides, without argument, the District Attorney must commence, the defendant follow by one or two counsel, at his option, unless the Court should permit him to be heard by a larger number, and the District Attorney conclude, confining himself to a response to the arguments of the defendant's counsel; provided, that where two or more defendants are on trial for the same offense, they may be heard by one counsel each; and provided, further, that the Court, when the affirmative of the issue is with the defendant, may, in its discretion, award to the defendant the last argument.

Mr. Wilson, of Dubuque, moved to amend the amendment, by striking out that which makes the District Attorney's concluding reply a response to the arguments of the defendant's counsel.

Upon which question Mr. Rankin called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Drummond, Duncombe, English,

Green, Hammer, Henderson, Johnson, Kent, Mann, Neal, Pusey, Powers, Reiner, Taylor, Watson, Wilson of Dubuque—16.

The nays were—Senators Anderson, Angle, Ainsworth, Brown, Buechel, Coolbaugh, Davis of Polk, Hagans, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Rankin, Saunders, Sherradden, Scott, Thompson, Williams, Wilson of Jefferson—20.

Absent, but not excused—Messrs. Bailey, Bowen, Bussey, Davis of Clinton, Gray, Trumbull and Udell.

So the amendment was not concurred in.

The question being on the adoption of the substitute offered by Mr. Rankin, it was adopted.

Mr. Ainsworth moved to strike out section 409; upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bussey, Buechel, Davis of Clinton, Drummond, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Johnson, Kent, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Powers, Rankin, Reiner, Saunders, Sherradden, Thompson, Taylor, Williams, Wilson of Jefferson—31.

The nays were—Senators Bowen, Coolbaugh, Davis of Polk, Hagans, Lewis, Pattison of Marshall—6.

Absent, but not excused—Messrs. Brown, Scott, Trumbull, Udell, Watson, and Wilson of Dubuque.

So the motion to strike out section 409 prevailed.

Mr. Mann moved to amend section 555, by adding the words, 'under the seal from said clerk,' after the word 'certificate,' in 5th line, which was concurred in.

Mr. Taylor moved to strike out section 380, upon which question, he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Bailey, Buechel, Duncombe, English, Kent, Thompson, Taylor, Udell, Williams, Wilson of Dubuque—11.

The nays were—Senators Anderson, Ainsworth, Bowen, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Green, Hagans, Hammer, Henderson, Lewis, Mann, McPherson, Neal, Pattison of Marshall, Rankin, Reiner, Saunders, Sherradden, Scott, Trumbull, Wilson of Jefferson—23.

Absent, but not excused—Brown, Bussey, Gray, Hastings, Johnson, Pusey, Patterson of Muscatine, Powers and Watson.

The motion to strike out was lost.

Mr. Mann moved to add to section 558, the words, 'in which case, the deposite shall be returned to the defendant.' Carried.

Mr. Scott moved to amend section 357, by striking out the words, 'the last section,' and insert 'section 269,' which amendment was concurred in.

Mr. Taylor moved to amend section 357, by striking out the words, 'and the substance of what he expects to prove by him on trial,' which motion prevailed.

Mr. Wilson, of Dubuque, moved to strike out chapter 42, and insert the substitute prepared by Mr. Barker, and found on pages 101 to 104, inclusive, of the report of the Code Commissioners on Criminal Practice; upon which motion, Mr. Ainsworth called the yeas and nays, which were taken, and were as follows:

The yeas were—Senators Bailey, Bussey, Buechel, Coolbaugh, Drummond, Duncombe, Green, Johnson, Mann, Pusey, Thompson, Trumbull, Udell, Williams, Wilson of Dubuque—15.

The nays were—Senators Anderson, Ainsworth, Bowen, Brown, Davis of Clinton, Davis of Polk, Gray, Hagans, Hammer, Hastings, Henderson, Lewis, McPherson, Neal, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Taylor, Wilson of Jefferson—23.

Absent, but not excused—Angle, English, Kent, Patterson of Muscatine, and Watson.

So the motion did not prevail.

Mr. Thompson moved to amend section 232, as follows: strike out the words, 'and in one form only,' and add to the first sentence, 'or may be therein charged in different forms, to meet the evidence in the case,' which amendment was agreed to.

Mr. Taylor offered the following as an additional section, after section 657:

Sec. 658. When the defendant is acquitted, the Justice shall, if he is satisfied that the prosecution was malicious, or without probable cause, tax the costs against the prosecuting witness, and render judgment therefor.

Which amendment was concurred in.

Mr. Wilson, of Dubuque, moved to strike out sections 189 to 197, inclusive, which motion did not prevail.

Mr. Taylor moved to amend section 264, by striking out all after the word 'thereon,' in the 5th line, to the word 'found,' in the 7th line, upon which question Mr. Duncombe demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bailey, Bussey, Davis of Clinton, Drummond, Duncombe, English, Green, Hastings, Kent, Mann, Neal, Rankin, Reiner, Scott, Thompson, Trumbull, Taylor, Williams, Wilson of Dubuque, Wilson of Jefferson—21.

The nays were—Senators Ainsworth, Bowen, Brown, Davis of Polk, Gray, Hagans, Hammer, Johnson, McPherson, Pusey, Pattison of Marshall, Powers, Saunders, Sherradden, Udell, Watson—16.

Absent but not excused—Angle, Buechel, Coolbaugh, Henderson, Lewis and Patterson of Muscatine.

So the amendment was concurred in.

5 O'CLOCK, P. M.

Mr. Powers moved to reconsider the vote by which House File No. 170, a bill for an act to provide for the establishment of a Commissioner in the city of New York to promote immigration to the State of Iowa, was on yesterday lost, upon which question Mr. Thompson called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Brown, Buechel, Davis of Clinton, Davis of Polk, Drummond, Green, Hagans, Hammer, Hastings, Henderson, Mann, McPherson, Pattison of Marshall, Powers, Rankin, Saunders, Scott, Thompson, Trumbull, Watson, Wilson of Dubuque, Wilson of Jefferson—22.

The nays were—Senators Anderson, Angle, Bailey, Bowen, Bussey, Coolbaugh, Duncombe, English, Gray, Johnson, Kent, Lewis, Neal, Pusey, Reiner, Sherradden, Taylor, Udell, Williams—19.

Absent but not excused—Messrs. Ainsworth, Patterson of Muscatine.

So the motion to reconsider prevailed.

On motion of Mr. Powers, the bill was laid on the table.

Mr. Coolbaugh moved to take up House File No. 271, a bill for an act making appropriation for the payment of mileage of members of the 8th General Assembly, which motion prevailed.

The bill was read the first and second time, and on motion of

Mr. Coolbaugh, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Anderson, Bailey, Bowen, Bussey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pattison of Marshall, Rankin, Reiner, Sherradden, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—32.

The nays were—Angle, Brown, Drummond, Gray, Johnson, Pusey, Powers, Saunders and Scott—9.

Absent but not excused—Ainsworth and Patterson of Muscatine.

So the bill was passed and title agreed to.

On motion, Senate adjourned

SENATE CHAMBER,
Thursday, March 15, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Chamberlain.

Journal of yesterday read and approved.

Mr. Hammer rose to a question of privilege.

Mr. McPherson had leave to introduce Senate File No. 167, a bill for an act to repeal an act entitled an act requiring witness's fees to be paid into the county treasury. Read the first and second time, and referred to the Committee on Ways and Means.

Mr. Pusey, from the Committee on Banks, reported back Senate File No. 102, a bill for an act to regulate Brokers, with the recommendation of the majority of said committee, that the same be indefinitely postponed.

On motion of Mr. Thompson, the bill was laid on the table.

On motion of Mr. Angle, Senate File No. 162, a bill for an act to carry into execution the trust conferred upon the State of Iowa, in respect to the lands granted by an act of Congress, approved

May 15th, 1856, to aid in the construction of a Railroad from Lyons City, across the State of Iowa, and near the 42d parallel, to the Mississippi River, was taken from the table, and referred to the Railroad Committee.

Mr. Bowen had leave to present the memorial of George Andrews, a citizen of Johnson county, praying for relief for the loss he has sustained in the depreciation of property, by the removal of the Capital from Iowa City to Des Moines. Read and referred to the Judiciary Committee.

Mr. Angle, from the Committee on Claims, reported back the memorial of Edward H. Thayer, County Judge of Muscatine county, relating to Swamp Lands, with the recommendation that the several counties should pay for selecting and contesting the title of the county to said Lands. Report was tabled.

Mr. Davis, of Clinton, from the Committee on Charitable Institutions, to whom was referred the communication of R. Hutchinson, in relation to vouchers for the amount of expenditures of funds, by the Iowa Institution for the Education of the Blind,

Also, the communication of George W. McCleary, Secretary of the Board of Directors, upon the same subject, have had the matter under consideration, and directed me to report, that they have made a partial examination of the vouchers presented by Mr. Hutchinson, and find them to correspond with the reported expenditures.

From the investigation made, your committee have no doubt but the vouchers presented cover the whole amount reported by the Board of Trustees, as having been expended between the 1st of January, 1858, and January 1st, 1860.

Your committee had no means of determining as to the propriety of many of the items of expenditure, and therefore refrain from expressing any opinion thereon. They find, however, one item of $1000, as salary for Principal of the Institution, which they deem extravagant, and they are decidedly of the opinion that it should be reduced.

A statement of the amount of material bought by the Institution for manufacturing purposes, the amount of manufactured articles sold, and the amount yet on hand, was laid before the committee by Samuel Bacon, Principal of the Institution, which is herewith transmitted to the Senate.

Your committee, from information, are induced to believe that heretofore sufficient care has not been taken in keeping a proper set of books in the Institution in which to record receipts and disbursements, purchases of material, and sales of wares. They are informed, however, that a reformation in that regard has been instituted, commencing with the 1st of the present year.

All of which is respectfully submitted.

GEORGE M. DAVIS, *Chairman.*

Mr. Wilson of Jefferson, moved to lay the report on the table, which was concurred in.

Mr. Kent, from the Committee on Ways and Means, to whom was referred the report on mileage, submit the following report:

NAMES.	NO. OF MILES.	AMOUNT.
Angle,	260	$39.00
Anderson,	200	30.00
Ainsworth,	600	90.00
Bailey,	300	45.00
Buechel,	380	57.00
Bussey,	260	39.00
Bowen,	260	39.00
Brown,	400	60.00
Coolbaugh,	340	51.00
Davis of Clinton,	420	63.00
Davis of Polk,	20	3.00
Drummond,	320	48.00
Duncombe,	180	27.00
English,	400	60.00
Gray,	700	105.00
Green,	480	72.00
Hagans,	200	30.00
Hammer,	600	90.00
Hastings,	460	69.00
Henderson,	40	6.00
Johnson,	200	30.00
Kent,	340	51.00
Lewis,	260	39.00
Mann,	360	54.00
McPherson,	80	12.00
Neal,	80	12.00
Pusey,	300	45.00

NAMES.	NO. OF MILES.	AMOUNT.
Patterson of Muscatine,	340	59.00
Pattison of Marshall,	120	18.00
Powers,	600	90.00
Rankin,	380	57.00
Reiner,	280	42.00
Saunders,	280	42.00
Sherradden,	240	36.00
Scott,	80	12.00
Thompson,	380	57.00
Trumbull,	480	72.00
Taylor,	360	54.00
Udell,	300	45.00
Watson,	220	33.00
Wilson of Jefferson,	240	36.00
Wilson of Dubuque,	480	72.00
Williams,	160	24.00

A. SAUNDERS,
W. F. COOLBAUGH,
J. H. POWERS,
J. M. KENT,
J. E. NEAL,
J. A. JOHNSON,
DAN'L ANDERSON. } *Committee.*

The question being on the adoption of the report, Mr. Thompson demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Bowen, Brown, Bussey, Buechel, Coolbaugh, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Trumbull, Taylor, Udell, Wilson of Dubuque, Wilson of Jefferson—38.

The nays were—Davis of Clinton, Thompson, Williams—3.

Absent but not excused—Lewis and Watson.

So the report was adopted.

Mr. Bailey, from the Committee on Agriculture, reported back House File No. 197, a bill for an act for the protection of the owners of cattle, hogs and sheep, against the depredations of

thieves and others, with the recommendation that the same be passed.

Mr. Wilson of Jefferson, moved to lay the bill on the table, which motion was lost.

The reading of the bill being called for, it was read.

On motion of Mr. Wilson of Jefferson, the bill was laid on the table.

Message from the House.

MR. PRESIDENT:—I am directed to return to your honorable body, the following bill, which has passed the House without amendment:

Senate File No. 126, "an act to establish a Code of Civil Practice at Law and in Equity."

I am also directed to inform the Senate, that the House has concurred in the Senate's amendment to House File No. 113, and House File No. 35.

I am further directed to inform the Senate that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 239, a bill for an act to allow hotel and boarding house keepers certain liens.

House File No. 272, an act to repeal part of section 845, of chapter 31, of the Code of Civil Practice.

House File No. 278, a bill for an act exempting certain articles from attachment and execution.

House File No. 276, a bill for an act to provide for the election of a Clerk of the Supreme Court of the State of Iowa.

House File No. 274, a bill for an act to amend an act fixing the times of holding Courts in the Eleventh Judicial District.

CHARLES ALDRICH, Chief Clerk.

Mr. Bailey, from the special committee to which was referred House File No. 209, a bill for an act to amend the law in reference to the sale of intoxicating liquors, with instructions to report a License Law, made a report in conformity with said instructions.

Mr. Rankin moved that the report be not received, on account of informality, and that the bill be re-committed, with instructions to report to-morrow morning at 9 o'clock; upon which question, Mr. Bussey demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Hagans, Henderson, Lewis, Mann, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Taylor, Wilson of Jefferson—20.

The nays were—Senators Angle, Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Drummond, Duncombe, English, Gray, Green, Hammer, Johnson, Kent, Neal, Pusey, Patterson of Muscatine, Trumbull, Udell, Watson, Williams, Wilson of Dubuque —22.

Absent but not excused—Mr. Hastings.

So the motion to recommit was lost.

Mr. Drummond moved to reconsider the vote last taken, upon which question Mr. Ainsworth demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Buechel, Davis of Clinton, Davis of Polk, Drummond, Hagans, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Trumbull, Watson, Wilson of Jefferson—23.

The nays were—Senators Ainsworth, Bailey, Bussey, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Taylor, Udell, Williams, Wilson of Dubuque—18.

Absent but not excused—Messrs. Hastings and Thompson.

The motion to reconsider prevailed.

The bill was recommitted with instructions to report to-morrow morning at 9 o'clock.

Mr. Henderson had leave to introduce Senate File No. 168, a bill for an act authorizing the County Judge of Warren county to pay money to school districts Nos. 3 and 8, in Jefferson township.

Read the first and 2nd time, and on motion of Mr. Henderson, the 11th Rule was suspended, the bill read the third time and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Angle, Bowen, Brown, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thomp-

son, Trumbull, Taylor, Udell, Wilson of Dubuque, Wilson of Jefferson—34.

The nays were—None.

Absent but not excused—Messrs. Anderson, Ainsworth, Bailey, Bussey, Coolbaugh, English, Johnson, Watson and Williams.

So the bill was passed and title agreed to.

Mr. Wilson of Jefferson, moved to make substitute for House File No. 84, a bill for an act to prevent counties, cities and towns from taking stock in works of internal improvement and banking institutions, the special order for this afternoon at 2 o'clock, which was concurred in.

Mr. Saunders offered the following resolution:

Resolved, That the Committee on Enrolled Bills be authorized to employ such additional assistants as may be necessary to enable the Enrolling Clerk to perform his work in proper time.

Mr. Johnson called the yeas and nays, on the adoption of the resolution, which were taken, and were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson —39.

The nays were—Senators Bussey, Duncombe, Johnson, Neal —4.

So the resolution was adopted.

Mr. Pusey moved that Mr. Mann have leave of absence from and after the 26th inst.

Mr. Coolbaugh asked leave of absence from and after the 18th inst.

Mr. Wilson of Jefferson, moved to postpone the granting of the requests of leave for absence until the 20th inst, which motion prevailed.

On motion, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

The special order being the consideration of House substitute for House File No. 84, a bill for an act to prevent counties, cities and towns from taking stock in works of internal improvements and banking institutions.

Mr. Wilson of Jefferson, moved that the report of the Committee on Railroads accompanying said bill be received. Carried.

The question being on striking out the word "hereafter," in the third line of the 1st section, as recommended by the committee; it was stricken out.

Mr. Coolbaugh moved to amend section 1 by adding the following proviso: Provided, however, that the provisions of this act shall not be construed so as to interfere with, or impair the rights of the respective parties, in any suits now pending in any of the Courts of this State.

Upon which question Mr. Taylor demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bailey, Bussey, Coolbaugh, Davis of Clinton, Duncombe, English, Green, Hammer, Henderson, Johnson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—19.

The nays were—Senators Anderson, Angle, Ainsworth, Buechel, Davis of Polk, Drummond, Gray, Hagans, Hastings, Kent, Lewis, Mann, McPherson, Rankin, Reiner, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—20.

Excused—Bowen and Saunders. Absent, but not excused—Brown and Powers.

So the amendment was not concurred in.

The question being on the adoption of the following committee amendment to section 2, "All bonds or other evidences of debt hereafter issued by any county or other municipal corporation, to any Railroad Company as capital stock, shall be null and void; and no assignment of the same shall give them validity." Mr. Taylor demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Buechel, Davis of Clinton, Davis of Polk, Drummond, English, Gray, Green, Hagans, Hastings, Henderson, Johnson, Kent, Lewis, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Rankin, Reiner, Sherradden, Scott, Thompson, Udell, Watson, Wilson of Jefferson—29.

The nays were—Senators Ainsworth, Coolbaugh, Duncombe, Hammer, Mann, Trumbull, Taylor, Williams, Wilson of Dubuque —9.

Excused—Bowen, Powers and Saunders. Absent but not excused—Brown and Bussey.

So the amendment was adopted.

Mr. Davis of Polk, offered the following amendment to section 1: after the word purpose insert, "to an amount in the aggregate exceeding 2 per centum on the value of the taxable property within such county or corporation, to be ascertained by the last State or county tax lists previous to incurring of such indebtedness: upon which question Mr. Taylor demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bussey, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, Hammer, Thompson, Trumbull, Taylor, Wilson of Dubuque—11.

The nays were—Senators Anderson, Angle, Bailey, Buechel, Drummond, English, Gray, Green, Hagans, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Rankin, Reiner, Sherradden, Scott, Udell, Williams, Wilson of Jefferson—27.

Excused—Messrs. Bowen, Powers and Saunders. Absent but not excused—Brown and Watson.

So the amendment was lost.

Mr. Wilson of Jefferson, offered the following as an additional section to the bill:

SEC. 3. This act shall take effect and be in force from and after its publication in the Iowa State Register and the Iowa State Journal, newspapers published at Des Moines.

The question being on its adoption, Mr. Ainsworth called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Gray, Green, Hagans, Hastings, Henderson, Johnson, Kent, Lewis, McPherson, Pusey, Pattison of Marshall, Rankin, Reiner, Sherradden, Trumbull, Udell, Watson, Williams, Wilson of Jefferson—25.

The nays were—Senators Ainsworth, Bussey, Buechel, Coolbaugh, English, Hammer, Mann, Neal, Patterson of Muscatine, Scott, Thompson, Taylor, Wilson of Dubuque—13.

Excused—Bowen, Powers and Saunders. Absent but not excused—Brown and Watson.

So the amendment was adopted.

On motion of Mr. Wilson of Jefferson, the 11th Rule was suspended, the bill read the third time, and put upon its final passage. The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Buechel, Coolbaugh, Davis of Clinton, Drummond, English, Gray, Green, Hagans, Hastings, Henderson, Johnson, Kent, Lewis, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Rankin, Reiner, Sherradden, Scott, Udell, Williams, Wilson of Jefferson—28.

The nays were—Senators Ainsworth, Bussey, Davis of Polk, Duncombe, Hammer, Mann, Thompson, Trumbull, Taylor, Wilson of Dubuque—10.

Excused—Messrs. Bowen, Powers and Saunders. Absent, but not excused—Messrs. Brown and Watson.

So the bill was passed.

Mr. Taylor offered the following as a substitute for the title of the bill: A bill for an act entitled an act declaring the people incapable of self government: upon which question Mr. Wilson of Jefferson, demanded the yeas and nays, which were taken, and were as follows:

The yeas were—None.

The nays were—Senators Anderson, Angle, Ainsworth, Bailey, Bussey, Beuchel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—38.

Excused—Bowen, Powers and Saunders. Absent but not excused—Brown and Watson.

So the substitute was lost, and original title agreed to.

On motion of Mr. Wilson, of Jefferson, House File No. 272, a bill for an act to repeal part of section 845, of chapter 31 of the Code of Civil Practice, was taken up, and read the first and second time.

Mr. Mann moved to indefinitely postpone the further consideration of the bill; upon which question Mr. Wilson, of Jefferson,

called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bussey, Buechel, Duncombe, English, Gray, Mann, Trumbull, Williams—9.

The nays were—Senators Anderson, Angle, Davis of Clinton, Davis of Polk, Drummond, Green, Hagans, Hammer, Henderson, Johnson, Kent, Lewis, McPherson, Neal, Rankin, Reiner, Sherradden, Scott, Taylor, Udell, Watson, Wilson of Jefferson—22.

Excused—Messrs. Bowen, Powers and Saunders. Absent, but not excused—Messrs. Bailey, Brown, Coolbaugh, Hastings, Pusey, Patterson of Muscatine, Pattison of Marshall, Thompson, Wilson of Dubuque.

So the motion to indefinitely postpone was lost.

On motion of Mr. Wilson, of Jefferson, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, English, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Rankin, Reiner, Sherradden, Scott, Thompson, Taylor, Watson, Wilson of Dubuque, Wilson of Jefferson—30.

The nays were—Senators Ainsworth, Duncombe, Gray, Mann, Trumbull, Williams—7.

Excused—Messrs. Bowen, Powers and Saunders. Absent, but not excused—Messrs. Brown, Bussey and Udell.

So the bill was passed, and title agreed to.

On motion of Mr. Wilson, of Jefferson, the Secretary was directed to take the bill just passed to the House, without delay.

Mr. Sherradden made the following reports: The Committee on Enrolled Bills have presented to His Excellency, the Governor, for his approval, the following acts:

An act entitled an act to amend section 1240 of the Code of Iowa.

Also, an act to release to Martin McHugo the right of the State, by escheat, to a parcel of land in Henry county, Iowa.

Also, they have examined Senate Files Nos. 33 and 93, and find them correctly enrolled.

An act to amend chapter 107 of the laws of the Sixth General Assembly, in relation to John Jordan, School Fund Commissioner of Decatur county.

Also, an act to legalize the acts of David C. Sperry, a Notary Public of Fayette county, Iowa.

O. P. SHERRADDEN, Ch'm.

Mr. Coolbaugh made the following report:

The committee of conference, (on the part of the Senate,) to which was referred the difference between the two Houses on House File No. 53, a bill for an act making appropriation to meet the expenses of the Deaf and Dumb Asylum, recommend that the Senate *recede* from their addition to the first section of said bill, on the following words, to-wit: "*Provided*, However, that the salaries of the principal Matron and assistant teachers, shall be so regulated by the Board of Trustees, as not to exceed, in the aggregate, the sum of fifteen hundred dollars per annum."

W. F. COOLBAUGH, }
J. F. WILSON, } Com.

Report received and concurred in.

On motion of Mr. Wilson, of Jefferson, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Bussey, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Lewis, McPherson, Pattison of Marshall, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Wilson of Dubuque, Wilson of Jefferson—27.

The nays were—Senators Ainsworth, Buechel, Drummond, English, Mann, Neal, Pusey, Udell, Williams—9.

Excused—Messrs. Bowen, Powers and Saunders. Absent, but not excused—Messrs. Brown, Kent, Patterson of Muscatine, and Watson.

So the bill was passed and title agreed to.

Mr. Angle, from the Committee on Claims, reported Senate File No. 169, a bill for an act to pay C. B. Van Gent for services as Clerk of the Penitentiary, with the recommendation that the same be passed.

On motion of Mr. Rankin, the bill was laid on the table.

Mr. Anderson, from the Committee on Agriculture, reported back House File No. 200, a bill for an act to amend chapter 52 of the Code, in relation to fences, with the recommendation that the same be indefinitely postponed.

On motion of Mr. Neal, the bill was referred to the Judiciary Committee.

Mr. Rankin made the following report:

The Committee on the Judiciary, having had House File No. 148, "a bill for an act to purchase 150 copies of Dillon's Digest," under consideration, instruct me to report the same back with the following amendments, and when so amended, recommend its passage:

1—Amend the title of the bill by striking out "150," and inserting "300."

2—Amend section one by striking out "one hundred and fifty," and inserting "three hundred."

3—Amend section three by inserting after the third line, "to each Judge of the Supreme Court of this State, to each District Judge in this State, to the Judge of the District Court of the United States for the District of Iowa, to the Attorney General, and each District Attorney in this State."

The amendments were not concurred in.

On motion of Mr. Thompson, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Davis of Clinton, Davis of Polk, Duncombe, Hagans, Hastings, Henderson, Mann, McPherson, Patterson of Muscatine, Powers, Rankin, Sherradden, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque, Wilson of Jefferson—20.

The nays were—Senators Ainsworth, Bailey, Buechel, Coolbaugh, Drummond, English, Gray, Green, Hammer, Johnson, Kent, Lewis, Neal, Pusey, Pattison of Marshall, Reiner, Scott, Udell, Williams—19.

Excused—Messrs. Bowen and Saunders. Absent, but not excused—Messrs. Brown and Bussey.

The bill not having a constitutional majority, was lost.

Mr. Angle, from the Committee on Claims, reported back House File No. 117, a bill for an act to pay a certain reward heretofore offered by the Governor of the State of Iowa, and recommended its passage.

Mr. Johnson moved a call of the House; which was sustained, and ordered. The Secretary proceeded with the call, when, on

motion of Mr. Mann, further proceedings under the call were dispensed with.

Mr. Udell moved the indefinite postponement of the bill under consideration; which was not concurred in.

On motion of Mr. Angle, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Buechel, Davis of Clinton, Davis of Polk, Gray, Green, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Reiner, Scott, Thompson, Trumbull, Taylor, Watson—22.

The nays were—Senators Ainsworth, Bussey, Coolbaugh, Duncombe, English, Hammer, Johnson, Mann, Neal, Pusey, Sherradden, Udell, Williams, Wilson of Jefferson—14.

Excused—Messrs. Bowen, Powers and Saunders. Absent, but not excused—Messrs. Brown, Drummond, Rankin, and Wilson of Dubuque.

The bill not having received a two-thirds vote, as required by the Constitution, was lost.

Mr. Angle, from the Committee on Claims, reported back the petition of John Bryam, relating to a claim which he sets forth as due him for work done for the State, with the recommendation that the prayer of the petitioner be not granted; which was concurred in.

On motion of Mr. Mann, Senate adjourned.

SENATE CHAMBER,
Friday, March 16th, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Chamberlain.

Journal of yesterday read, corrected and approved.

Mr. Duncombe moved to take up House File No. 274, a bill for an act to amend an act fixing the times of holding courts in 11th Judicial District; which was concurred in.

The bill was read the first and second time, and on motion of Mr. Duncombe, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bowen, Brown, Buechel, Bussey, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Neal, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Thompson, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—37.

The nays were—None.

Excused—McPherson. Absent but not excused—Bailey, Mann, Patterson of Muscatine, Scott and Watson.

So the bill was passed and title agreed to.

SPECIAL ORDER.

The special order for 9 o'clock this morning, being the consideration of Senate File No. 156, a bill for an act amending an act entitled an act to regulate the interest on money, the same being chapter 37, of the acts of the Fourth General Assembly.

Mr. Ainsworth offered as a substitute for the same, a bill for an act repealing chapter 37, of the acts of the Fourth General Assembly, of the State of Iowa.

Message from the House.

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

House File No. 283, a bill for an act to legalize the acts of H. B. Horton, a Notary Public in Clinton county, Iowa.

CHAS. ALDRICH, Chief Clerk.

The question being on the adoption of the Substitute, Mr. Wilson of Jefferson, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Buechel, Gray, Green, Mann, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Thompson, Williams, Wilson of Dubuque—14.

The nays were—Senators Anderson, Angle, Bowen, Bussey, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Dun-

combe, English, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Taylor, Udell, Watson, Wilson of Jefferson—28.

Excused—McPherson. Absent, but not excused—Trumbull.

So the substitute was not adopted.

Mr. Thompson offered the following amendment: Add, after the word "contract" in the line before the last—"and the Court shall render judgment against the defendant for the amount contracted for, without costs, in favor of the School Fund, and against the plaintiff, for costs."

SECTION 2. All acts or parts of acts in any way contravening the provisions of this act, are hereby repealed.

Mr. Mann moved to indefinitely postpone the bill and amendment, upon which question, Mr. Powers demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Buechel, Duncombe, Gray, Hammer, Johnson, Kent, Mann, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Saunders, Taylor, Williams, Wilson of Dubuque—18.

The nays were—Senators Anderson, Angle, Bowen, Bussey, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, English, Green, Hagans, Hastings, Henderson, Lewis, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Udell, Wilson of Jefferson—22.

Excused—McPherson. Absent, but not excused—Trumbull and Watson.

So the motion to indefinitely postpone, was lost.

The question being on Mr. Thompson's amendment, Mr. Wilson of Jefferson, moved to strike out the words, "the amount contracted for," and insert "principal;" upon which question Mr. Drummond demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Brown, Buechel, Coolbaugh, Davis of Polk, Drummond, Hammer, Hastings, Kent, Lewis, Powers, Rankin, Reiner, Sherradden, Scott, Trumbull, Udell, Wilson of Dubuque, Wilson of Jefferson—18.

The nays were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Davis of Clinton, Duncombe, English, Gray, Green, Hagans, Henderson, Johnson, Mann, Neal, Pusey, Patterson of Mus-

catine, Pattison of Marshall, Saunders, Thompson, Taylor, Watson, Williams—23.

Excused—Mr. McPherson. Absent, but not excused—Bussey.

So the amendment did not prevail.

Mr. Drummond moved to amend section 1, as follows: "Strike out the words, "amount contracted for," and insert, "the interest and one half the principal;" which was not concurred in.

Mr. Bowen moved to amend said section as follows: "that the Court shall render a judgment in favor of the plaintiff for the principal; one half of which shall go to said plaintiff and the other half to the School Fund."

Mr. Johnson moved to lay the amendment offered by Mr. Bowen, on the table, which motion prevailed.

Mr. Wilson of Jefferson, moved to lay the amendment offered by Mr. Thompson on the table; upon which question, Mr. Taylor demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, English, Gray, Green, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, Pusey, Pattison of Marshall, Powers, Saunders, Sherradden, Trumbull, Udell, Wilson of Jefferson—26.

The nays were—Senators Bailey, Bowen, Brown, Buechel, Duncombe, Hagans, Neal, Rankin, Scott, Thompson, Taylor, Watson, Williams, Wilson of Dubuque—14.

Excused—Mr. McPherson. Absent, but not excused—Bussey and Patterson of Muscatine.

So the motion to lay on the table prevailed.

Mr. Mann moved the following as an additional section to the bill:

SECTION 2. "Any person who shall sell any property for more than its appraised cash value, shall forfeit and pay to the School Fund the amount so received."

Mr. English moved to lay the amendment on the table, upon which question, Mr. Ainsworth demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Pattison of Marshall, Powers, Rankin,

Reiner, Sherradden, Trumbull, Taylor, Udell, Watson, Wilson of Dubuque, Wilson of Jefferson—29.

The nays were—Senators Ainsworth, Bailey, Brown, Johnson, Mann, Neal, Pusey, Saunders, Williams—9.

Excused—McPherson. Absent, but not excused—Bussey, Patterson of Muscatine, Scott and Thompson.

So the motion to lay on the table, prevailed.

Mr. Saunders offered the following amendment: Insert in section 1, after the word "amount," the words, "of such excess," and strike out the words, "of principal and interest;" upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Ainsworth, Bailey, Brown, Buechel, Duncombe, Gray, Hammer, Johnson, Kent, Mann, Neal, Pusey, Pattison of Marshall, Saunders, Thompson, Taylor, Williams, Wilson of Dubuque—19.

The nays were—Senators Angle, Bowen, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, English, Green, Hagans, Hastings, Henderson, Lewis, Powers, Rankin, Reiner, Sherradden, Scott, Trumbull, Udell, Watson, Wilson of Jefferson—21.

Excused—McPherson. Absent, but not excused—Bussey and Patterson of Muscatine.

So the motion was lost.

On motion, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Mann had leave to introduce Senate File No. 171, a joint resolution for additional mail facilities. Read the first and second time, and on motion of Mr. Mann, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Buechel, Bussey, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hastings, Henderson, Kent, Lewis, Mann, Neal, Pusey, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson,

Trumbull, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—37.

The nays were—None.

Excused—McPherson and Taylor. Absent but not excused—Hammer, Johnson, Patterson of Muscatine and Pattison of Marshall.

So the resolution was passed, and title agreed to.

Mr. Drummond offered the following resolution, which was adopted:

Resolved, That the Judiciary Committee be instructed to prepare and report, as soon as possible, a bill conforming all existing laws to the provisions of the act already passed, creating a Board of Supervisors in each county.

Mr. Rankin moved to reconsider the vote by which House File No. 117, a bill for an act to pay a certain reward, heretofore offered by the Governor of the State of Iowa, was, on yesterday, lost; upon which question Mr. Ainsworth demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Bowen, Brown, Buechel, Davis of Clinton, Davis of Polk, Drummond, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Williams.—30.

The nays were—Senators Ainsworth, Coolbaugh, Duncombe, English, Mann, Neal, Udell, Wilson of Dubuque—8.

Excused—McPherson. Absent, but not excused—Bussey, Johnson, Patterson of Muscatine and Taylor.

So the motion to reconsider prevailed.

Mr. Drummond moved to reconsider the vote by which House File No. 148, a bill for an act to authorize the purchase and distribution of 150 copies of Dillon's Digest was on yesterday lost; upon which question, Mr. Coolbaugh called the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Angle, Bowen, Brown, Bussey, Davis of Clinton, Drummond, Duncombe, Hagans, Hastings, Henderson, Kent, Mann, Patterson of Muscatine, Powers, Rankin, Saunders, Sherradden, Thompson, Watson, Wilson of Dubuque—20.

The nays were—Senators Anderson, Ainsworth, Bailey, Buechel, Coolbaugh, English, Gray, Green, Hammer, Lewis, Pusey,

Reiner, Scott, Trumbull, Udell, Williams, Wilson of Jefferson—17.

Excused—McPherson and Taylor. Absent, but not excused—Davis of Polk, Johnson, Neal and Pattison of Marshall.

So the motion to reconsider prevailed.

Mr. Thompson moved to make the bill just reconsidered, the special order for to-morrow morning at 10 o'clock; which was concurred in.

Mr. Powers had leave to introduce Senate File No. 172, a bill for an act defining what shall constitute a tender in certain cases. Read the first and second time.

Mr. Anderson moved to refer the bill to a special committee of three, of which Mr. Powers shall be Chairman; which motion prevailed.

The President appointed as said committee, Powers, Patterson of Muscatine, and Johnson.

Message from the House.

Mr. President:—I am directed to present for your signature, the following bills, the same having passed both branches of the General Assembly, and been duly enrolled in the House:

House File No. 112, a bill for an act to resume all rights conferred upon the Iowa Central Air Line Railroad Company, by an act approved July 14, 1856, and to repeal certain laws in relation thereto.

House File No. 271, a bill for an act making appropriation for the payment of the mileage of the members of the 8th General Assembly.

Substitute for House File No. 178, a bill for an act to legalize the levy of road tax in Sioux City, for the year 1859.

House File No. 80, a bill for an act to punish the makers of chattel mortgages in certain cases.

I am also directed to inform your honorable body, that the House has passed Senate File No. 88, "a bill for an act to regulate the foreclosure of deeds of trust and mortgages, with power of sale on real estate," with sundry amendments, in which the concurrence of the Senate is asked.

I am further directed to "request the Senate to return to the House, House File No. 276, a bill for an act providing for the election of the Clerk of the Supreme Court by the people."

CHARLES ALDRICH, Chief Clerk.

Mr. Coolbaugh moved to reconsider the vote by which the reso-

lution instructing the Committee on Enrolled Bills to employ assistants to aid the Enrolling Clerk in enrolling the new Code, was on yesterday passed.

Mr. Powers moved to lay the motion to reconsider on the table, upon which question Mr. Coolbaugh demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Polk, Drummond, Duncombe, Hagans, Henderson, Kent, Lewis, Mann, Patterson of Muscatine, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Williams, Wilson of Jefferson—22.

The nays were—Senators Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, English, Gray, Green, Hammer, Hastings, Johnson, Neal, Pusey, Trumbull, Udell, Watson, Wilson of Dubuque—17.

Excused—McPherson and Taylor. Absent but not excused—Davis of Clinton and Pattison of Marshall.

So the motion to lay on the table prevailed.

Mr. Coolbaugh moved to reconsider the vote by which the Senate did on yesterday adopt the report of the committee on the mileage of members.

Mr. Powers moved to lay the motion to reconsider on the table, upon which question Mr. Coolbaugh demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Buechel, Bussey, Davis of Clinton, Davis of Polk, Duncombe, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Patterson of Muscatine, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—30.

The nays were—Senators Brown, Coolbaugh, Drummond, English, Gray, Green, Johnson, Mann, Neal, Pusey—10.

Excused—McPherson and Taylor. Absent but not excused—Pattison of Marshall.

So the motion to lay on the table prevailed.

Mr. Coolbaugh moved to reconsider the vote by which the Senate on yesterday passed House File No. 84, a bill for an act preventing counties, cities and towns from taking stock in works of internal improvements and banking institutions.

Mr. Powers moved to lay the motion to reconsider upon the ta-

ble, upon which question Mr. Coolbaugh demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Anderson, Angle, Bowen, Buechel, Bussey, Davis of Clinton, Drummond, Gray, Green, Hagans Hastings, Henderson, Kent, Lewis, Pusey, Patterson of Muscatine, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Jefferson—26.

The nays were—Senators, Ainsworth, Bailey, Brown, Coolbaugh, Davis of Polk, Duncombe, English, Hammer, Johnson. Mann, Neal, Saunders, Wilson of Dubuque.

Excused—McPherson and Taylor. Absent but not excused—Pattison of Marshall and Watson.

So the motion to lay on the table prevailed.

On motion of Mr. Rankin, Senate File No. 163, a bill for an act appointing commissioners to make a contract with a Railroad Company, and dispose of the lands heretofore granted to the Iowa Central Air Line Railroad Company and resumed, and to make a settlement of certain debts contracted by said company, was taken up and referred to the Railroad Committee.

Mr. Johnson offered the following resolution:

Resolved, That on and after Monday next, there shall be held, on each evening, a session commencing at 7 o'clock, for the purpose of giving the verbose members of the Senate an opportunity of speaking upon the bills before the Senate, *Provided*, That there shall be no call of the Senate at such sessions.

2d. That hereafter, no member of the Senate shall speak for more than five minutes, at any one time, during the day sessions.

Mr. Wilson, of Jefferson, moved to strike out all after the word 'Senate,' in the first resolution.

Mr. Neal moved to lay the resolutions and amendment on the table, upon which question Mr. Coolbaugh demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Hagans, Hastings, Henderson, Kent, Lewis, Neal, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Udell, Watson Williams, Wilson of Dubuque, Wilson of Jefferson—33.

The nays were—Senators Brown, Bussey, Green, Hammer, Johnson, Mann, Neal, Pusey—8.

Excused—McPherson and Taylor.

So the motion to lay on the table prevailed.

Mr. Wilson, of Dubuque, from the select committee to which was referred Senate File No. 165, a bill for an act securing leins to mechanics, laborers and others, reported the same back, with sundry amendments, and recommended the adoption of the amendments and the passage of the bill as amended.

Mr. Bailey, from the special committee to which was referred House File No. 209, a bill for an act to amend the law in reference to the sale of intoxicating liquors, with instructions to report a license law, for the majority of said committee, reported Senate File No. 172, a bill for an act for the suppression of intemperance, and to regulate the sale of malt, spirituous and vinous liquors, in the State of Iowa. Read the first and second time.

Mr. Thompson, from the minority of said committee, reported Senate File No. 172, a bill for an act for the suppression of intemperance, and to regulate the sale of liquors. Read the first and second time.

Mr. Wilson of Jefferson, moved that the reports be received, and the committee be discharged from the further consideration of the subject, which motion prevailed.

Mr. Mann moved to lay the special order, Senate File No. 156, a bill for an act amending an act entited an act to regulate the interest on money, the same being chapter 37, of the acts of the Fourth General Assembly, on the table, upon which question Mr. Gray demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Bussey, Coolbaugh, Duncombe, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Saunders, Trumbull, Watson, Williams, Wilson of Dubuque—19.

The nays were—Senators Anderson, Angle, Bowen, Buechel, Davis of Clinton, Davis of Polk, Drummond, English, Hagans, Hastings, Henderson, Kent, Lewis, Pattison of Marshall, Powers, Rankin, Reiner, Sherradden, Scott, Thompson, Udell, Wilson of Jefferson—22.

Excused—McPherson and Taylor.

So the motion to lay on the table was lost, and the consideration of the special order resumed.

Mr. Saunders moved to amend section 1, by striking out the words, "principal and."

Mr. Udell moved to refer the bill and amendment to a special committee of three, of which, Mr. Wilson of Jefferson, shall be Chairman, which motion prevailed.

The President appointed as such committee, Wilson of Jefferson, Udell and English.

Message from the House:

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

Substitute for House File No. 232, a bill for an act for the relief of Michael Sweeney, and others.

CHAS. ALDRICH, Chief Clerk.

Mr. Saunders had leave to introduce Senate File No. 174, a bill for an act to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks, and promissory notes. Read the first and second time, and referred to the Committee on Banks.

Mr. Drummond had leave to introduce Senate File No. 175, a bill for an act authorizing the Governor to offer rewards for the arrest and delivery of persons charged with the commission of capital offenses. Read the first and second time, and referred to the Judiciary Committee.

Mr. Bussey moved to take up the reports of the committee on matters relating to the Prohibitory Liquor Law; upon which question he called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Davis of Clinton, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Johnson, Kent, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Udell, Watson, Williams, Wilson of Dubuque—25.

The nays were—Senators Anderson, Bowen, Brown, Davis of Polk, Drummond, Hagans, Lewis, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Wilson of Jefferson—16.

Excused—McPherson and Taylor.

So the motion to take up said reports not having received a two-thirds vote, was lost.

Mr. Drummond moved to suspend the regular order of business, upon which question he demanded the yeas and nays, which were ordered, and were as follows:

Yeas—Angle, Ainsworth, Bailey, Bussey, Coolbaugh, Davis of Clinton, Drummond, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Udell, Watson, Williams and Wilson of Dubuque—24.

Nays—Anderson, Bowen, Brown, Buechel, Davis of Polk, Hagans, Pattison of Marshall, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson and Wilson of Jefferson—14.

Excused—McPherson and Taylor. Absent, but not excused—Powers.

The motion to suspend the regular order, not having received a two-thirds vote, was lost.

UNFINISHED BUSINESS.

The question being the consideration of Senate File No. 153, a bill for an act to establish a Code of Criminal Practice; Mr. Rankin moved a call of the House, which was sustained and ordered. Mr. Taylor was found to be absent, and not excused.

On motion of Mr. Wilson of Dubuque, Mr. Taylor was excused, from illness.

Mr. Rankin moved to amend section 99, by striking out all after the word "same," in third line from top of page seventeen; which motion prevailed.

On motion of Mr. Rankin, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—23.

The nays were—Senators Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Duncombe, English, Gray, Green, Johnson, Mann, Neal, Pusey, Patterson of Muscatime, Trumbull, Udell, Williams, Wilson of Dubuque—18.

Excused—McPherson and Taylor.

So the bill was passed, and title agreed to.

Mr. Patterson of Muscatine, from the special committee, to which was referred Senate File No. 172, a bill for an act entitled an act to define what shall be legal tender in certain cases, made the following report:

The committee to whom was referred Senate File No. 172, entitled "an act to define what shall be a legal tender in certain cases," beg leave to make the following report, to wit:

Your committee have labored assiduously over the above bill, and have brought a very large amount of legal ability, of a very high order, to bear upon it, and it is with great tribulation, after spending many sleepless days and nights over it, and, independent of the wisdom, intelligence, and strength of mind they have spent over said bill, they have consulted talent, the possessors of which would not, in the least, be insulted if compared with a Webster, Choate, or Reverdy Johnson.

(Your committee, of course, mean members of this honorable body,) and are sorry to have to give it as their opinion, that such an act, would doubtless be very useful indeed, and no doubt result beneficially to a large number of the citizens of this State, if it was not for a very foolish provision contained in an equally foolish and useless instrument, commonly called "the Constitution" of the United States, which a lot of fellows adopted at Philadelphia a few years ago, (when it would have been better for the human family, no doubt, had the framers of said instrument stayed at home and broke prairie.) Said provision will be found by any of the members of this body, who can read the English language, in article 1st, section *ten*, of that instrument, which emphatically says that no State shall "make anything but gold and silver coin a tender in payment of debts."

Your committee beg leave to express their regret that the *fellows* who framed that instrument, had no knowledge of a *higher law*, nor never consulted the General Assembly of Iowa, or they certainly would have included in that instrument, not only cattle, sheep, and grain, as a legal tender in payment of debts, but *spotted* pigs and pointer dogs.

J. H. POWERS,
J. A. JOHNSON,
A. O. PATTERSON.

Mr. Drummond moved that the Secretary be instructed to return to the House, House File No. 276, a bill for an act to provide for the election of a Clerk in the Supreme Court of Iowa; which motion prevailed.

Mr. Sherradden made the following reports:

The Committee on Enrolled Bills have presented to His Excellency, the Governor, for his approval, the following acts:

An act to legalize the acts of David C. Sperry, of Fayette Co., Iowa, as a Notary Public.

Also, an act to amend chapter 107 of the acts of the 6th General Assembly, entitled an act to legalize the sale of School Lands made by John Jordan, School Fund Commissioner of Decatur Co., Iowa.

Also, they have examined the following acts, and find them correctly enrolled:

Senate File No. 100, an act to regulate the foreclosure of mortgages.

Also, Senate File No. 149, an act to legalize the acts of the Bloomfield Township School District, in Davis county, Iowa.

O. P. SHERRADDEN, Ch'm.

Mr. Davis, of Clinton, made the following report:

The Committee on Charitable Institutions, to which was referred Senate File No. —, a bill for an act for the location and erection of an Institution for the education of the Deaf and Dumb at Indianola, have had the same under consideration, and have directed me to report that, in the view of the present pecuniary resources of the State, they deem it inexpedient, at this time, for the State to undertake the erection of such a building as will be necessary to accommodate the Deaf and Dumb within her limits. The committee therefore recommend the indefinite postponement of the bill.

G. M. DAVIS, Chairman.

On motion, the report was adopted.

On motion of Mr. Duncombe, Senate adjourned.

SENATE CHAMBER,
Saturday, March 17th, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Chamberlain.

Journal of yesterday read.

Mr. Pusey moved to strike from the Journal all relating to Senate File No. 172, a bill for an act defining what shall constitute a tender in certain cases.

Mr. Bussey moved to lay the motion to expunge upon the table; which motion prevailed.

Journal approved.

SPECIAL ORDER.

The special order being the consideration of Senate File No. 37, a bill for an act entitled an act for the disposition of the Saline Fund, Mr. Bowen moved to postpone its consideration for one week; which was not agreed to.

Mr. Bowen moved to refer the bill to the Committee on Schools and University, with instructions to report a substitute granting the Saline Lands to the State University.

Upon which question Mr. Taylor demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bowen, Brown, Davis of Polk, Gray, Hastings, Henderson, Rankin, Thompson, Watson, Wilson of Jefferson—10.

The nays were—Senators Anderson, Angle, Ainsworth, Bailey, Buechel, Coolbaugh, Davis of Clinton, Duncombe, English, Green, Hagans, Johnson, Kent, Lewis, Mann, Neal, Pusey, Pattison of Marshall, Reiner, Sherradden, Scott, Trumbull, Taylor, Udell, Williams—25.

Excused—Mr. McPherson. Absent, but not excused—Messrs. Bussey, Drummond, Hammer, Patterson of Muscatine, Powers, Saunders, and Wilson of Dubuque.

So the motion to refer did not prevail.

Mr. Bowen offered a substitute for the bill, which was read.

Mr. Taylor moved to lay the substitute on the table; upon which question he called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Davis of Clinton, Duncombe, English, Green, Hagans, Hammer, Hastings, Johnson, Kent, Lewis, Mann, Neal, Pusey, Pattison of Marshall, Reiner, Saunders, Sherradden, Scott, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—29.

The nays were—SenatorsAngle, Bowen, Brown, Davis of Polk, Drummond, Gray, Henderson, Patterson of Muscatine, Powers, Rankin, Thompson, Watson, Wilson of Jefferson—13.

Excused—Mr. McPherson.

So the motion to lay on the table prevailed.

Message from the House.

MR. PRESIDENT:—I am directed to inform your honorable body, that the House of Representatives has ordered printed for the use of this General Assembly, 5,000 copies of the report of the committee to examine and inquire into the affairs of the Iowa Hospital for the Insane.

CHAS. ALDRICH, Chief Clerk.

Mr. Bowen offered the following amendment to the bill under consideration: amend section 1 by adding the words, "except the Saline Lands not yet sold, the proceeds of which shall become a part the University Fund."

The question being on its adoption, Mr. Bowen demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Gray, Hastings, Lewis, Patterson of Muscatine, Powers, Rankin, Saunders, Sherradden, Wilson of Jefferson—14.

The nays were—Senators Angle, Ainsworth, Bailey, Buechel, Bussey, English, Green, Hagans, Hammer, Henderson, Johnson, Kent, Mann, Neal, Pusey, Pattison of Marshall, Reiner, Scott, Thompson, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque —24.

Excused—Mr. McPherson. Absent, but not excused—Messrs. Coolbaugh, Drummond, Duncombe and Watson.

So the amendment was not concurred in.

Message from the House:

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

House File No. 291, a bill for an act limiting the powers and defining the duties of County Judges, in certain cases.

CHARLES ALDRICH, Chief Clerk.

On motion of Mr. Udell, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Brown, Buechel, Bussey, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, Neal, Pusey, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—35.

The nays were—Senators Bowen, Patterson of Muscatine, Rankin, Saunders, Wilson of Jefferson—5.

Excused—Mr. McPherson. Absent, but not excused—Messrs. Drummond and Watson.

So the bill was passed, and title agreed to.

Mr. Udell moved to reconsider the vote last taken.

Mr. Bailey moved to lay the motion to reconsider on the table; upon which question Mr. Coolbaugh demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Davis of Clinton, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, Neal, Pusey, Pattison of Marshall, Reiner, Sherradden, Scott, Taylor, Udell, Williams, Wilson of Dubuque—30.

The nays were—Senators Bowen, Brown, Drummond, Patterson of Muscatine, Powers, Rankin, Saunders, Thompson, Wilson of Jefferson—9.

Excused—Mr. McPherson. Absent, but not excused—Messrs. Davis of Polk, Trumbull and Watson.

So the motion to lay on the table prevailed.

SPECIAL ORDER.

The special order for 10 o'clock this morning being the consideration of House File No. 148, a bill for an act to authorize the purchase and distribution of 150 copies of Dillon's Digest.

Mr. Lewis moved the indefinite postponement of the bill.

Mr. Thompson moved a call of the House, which was sustained and ordered.

Mr. Trumbull was found to be absent but not excused.

Mr. Bussey moved to suspend further proceedings under the call, which motion did not prevail.

Mr. Trumbull, coming in, further proceedings under the call were, on motion of Mr. Bussey, suspended.

The question being on the motion to indefinitely postpone, Mr. Lewis demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Ainsworth, Bailey, Bussey, English, Gray, Green, Hammer, Johnson, Kent, Lewis, Neal, Pusey, Reiner, Saunders, Sherradden, Trumbull, Udell, Williams, Wilson of Jefferson—19.

The nays were—Senators Anderson, Angle, Brown, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Hagans, Hastings, Henderson, Mann, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Scott, Thompson, Taylor, Watson, Wilson of Dubuque—21.

Excused—McPherson. Absent but not excused—Bowen and Coolbaugh.

So the motion to indefinitely pospone was lost.

Mr. Udell moved to amend section 1 by adding the words, "and 150 copies of Beck's Medical Jurisprudence," which was not concurred in.

Mr. Ainsworth moved to amend section 3 by inserting the words, "Judges of the District Courts and District Attorneys," after the words "of this State;" upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Ainsworth, Buechel, Bussey, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Gray, Hagans, Hammer, Hastings, Henderson, Kent, Pattison of Marshall, Powers, Reiner, Thompson, Trumbull, Udell, Watson, Wilson of Dubuque—22.

The nays were—Senators Angle, Bailey, Bowen, Brown, Coolbaugh, English, Green, Johnson, Lewis, Neal, Pusey, Patterson of Muscatine, Rankin, Saunders, Sherradden, Scott, Taylor, Williams, Wilson of Jefferson—19.

Excused—McPherson. Absent, but not excused—Mann.

So the amendment was adopted.

On motion of Mr. Johnson, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Hagans, Hastings, Henderson, Patterson of Muscatine, Pattison

of Marshall, Powers, Rankin, Thompson, Watson, Wilson of Dubuque—19.

The nays were—Senators Bailey, Buechel, Bussey, Coolbaugh, English, Gray, Green, Hammer, Johnson, Kent, Lewis, Mann, Neal, Pusey, Reiner, Saunders, Sherradden, Scott, Trumbull, Taylor, Udell, Williams, Wilson of Jefferson—23.

Excused—McPherson.

The bill not having received a constitutional majority, was lost.

Mr. Pusey moved to reconsider the vote last taken.

Mr. Bussey moved to lay the motion to reconsider on the table, upon which question Mr. Mann demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Ainsworth, Bailey, Brown, Bussey, Coolbaugh, Davis of Clinton, English, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Neal, Pusey, Powers, Reiner, Sherradden, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—26.

The nays were—Senators Bowen, Buechel, Drummond, Duncombe, Gray, Green, Mann, Patterson of Muscatine, Pattison of Marshall, Rankin, Saunders, Scott, Thompson—13.

Excused—McPherson. Absent, but not excused—Angle, Davis of Polk and Watson.

So the motion to lay on the table prevailed.

Mr. Brown had leave to introduce Senate File No. 177, a bill for an act to legalize the levy of taxes in Greene county, and the delivery of the tax list to the treasurer of said county. Read the first and second time, and referred to the Judiciary Committee.

Mr. Bowen moved to take from the table the report of the Committee on Schools and University, relating to the amount claimed by M. L. Fisher, as due him for services as Superintendent of Public Instruction, which motion prevailed.

On motion of Mr. Bowen, the report was adopted.

Mr. Hastings, from the Committee on Engrossed Bills, reported Senate File No. 56, a bill for an act authorizing the County Judge of Appanoose county to appropriate a portion of the proceeds of the Swamp Land Fund for the erection of a court house, correctly engrossed.

UNFINISHED BUSINESS.

House File No. 291, a bill for an act limiting the powers and de-

fining the duties of County Judges in certain cases, was taken up. Read the first and second time.

Mr. Hagans moved to amend section 1 by inserting the word "hereafter," after the word "contract," in the third line, which was concurred in.

Mr. Bailey moved to reconsider the vote last taken, which motion prevailed.

The question recurring upon the insertion of the word "hereafter," Mr. Duncombe demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Buechel, Coolbaugh, Davis of Polk, Duncombe, Hagans, Henderson, Kent, Lewis, Patterson of Muscatine, Pattison of Marshall, Rankin, Saunders, Sherradden, Thompson, Trumbull, Taylor, Wilson of Dubuque —18.

The nays were—Senators Anderson, Angle, Bailey, Bowen, Bussey, Davis of Clinton, Drummond, English, Gray, Green, Hammer, Hastings, Johnson, Mann, Neal, Scott, Watson, Williams, Wilson of Jefferson—19.

Excused—McPherson. Absent, but not excused—Brown, Powers, Pusey, Reiner, Udell.

So the amendment was lost.

On motion of Mr. Bussey, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Bowen, Brown, Beuchel, Bussey, Davis of Clinton, Drummond, English, Gray, Green, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, Pattison of Marshall, Rankin, Reiner, Saunders, Sherradden, Scott, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—30.

The nays were—Senators Ainsworth, Coolbaugh, Duncombe, Hagans, Neal, Pusey, Patterson of Muscatine, Thompson, Trumbull—19.

Excused—McPherson. Absent but not excused—Davis of Polk, Powers and Udell.

So the bill was passed and title agreed.

House File No 278, a bill for an act exempting certain articles from attachment and execution, was taken up, read the first and second time and referred to the Judiciary committee.

House File No. 232, a bill for an act for the relief of Michael Sweeny and others, was taken up, read the first and second time.

Mr. Mann moved to refer the bill to the Committee on Claims; which was not concurred in.

On motion of Mr. Duncombe, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Buechel, Coolbaugh, Davis, of Clinton, Davis, of Polk, Duncombe, English, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Neal, Pusey, Patterson, of Muscatine, Pattison, of Marshall, Rankin, Reiner, Saunders, Sherraden, Scott, Thompson, Trumbull, Taylor, Udell, Williams, Wilson, of Dubuque, Wilson of Jefferson—35.

The nays were—Senators Brown, Bussey, Gray, Mann—4.

Excused—McPherson. Absent, but not excused—Drummond, Powers and Watson.

So the bill was passed and title agreed to.

Mr. Coolbaugh moved to reconsider the vote last taken.

Mr. English moved to lay the motion to reconsider on the table; which motion prevailed.

Senate File No. 56, a bill for an act authorizing the County Judge of Appanoose county to appropriate a portion of the proceeds of the Swamp Land Fund, for the erection of a Court House, was taken up, read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bowen, Buechel, Bussey, Davis, of Clinton, Davis, of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Henderson, Kent, Mann, Neal, Pusey, Patterson, of Muscatine, Pattison, of Marshall, Rankin, Reiner, Sherraden, Scottt, Trumbull, Taylor, Udell, Williams, Wilson, of Dubuque—30.

The nays were—Senators Bailey, Coolbaugh, Hastings, Lewis, Saunders, Thompson, Wilson, of Jefferson—7.

Excused—McPherson. Absent, but not excused—Brown, Drummond, Johnson, Powers, Watson.

So the bill was passed and title agreed to.

On motion of Mr. Bowen, Senate File No. 78, a bill for an act to amend an act entitled an act for the government and regulation of the State University of Iowa, passed by the Board of Educa-

tion, and approved December 24th, 1858, was taken from the table and considered.

Mr. Bowen moved to amend the report of the committee by striking out that part relating to section 17, which was concurred in.

The committee amendment to section 16 was concurred in.

Mr. Bowen moved to amend section 4, by inserting after the word 'Board,' in the 4th line, 'but shall not have the privilege of voting in said Board,' which was concurred in.

Mr. Davis, of Polk, offered the following as a substitute for section 7:

Hereafter, when any specimens of Natural History are collected by the State Geologist, or other person authorized by the State to investigate its Natural History, it shall be the duty of such person, as far as practicable, to obtain duplicates, one of which shall belong to the State University, to be used in forming a cabinet for the use and benefit of said University, in imparting instruction in the branches of education of which such specimens may be made illustrative; the other shall be the property of the State, and be duplicated in the office of the Secretary of the Board of Agriculture, and by him preserved and arranged so as to be open to public inspection, until such time as the State Agricultural College shall be in condition to receive, arrange and preserve the same, when they shall become the property of said Agricultural College for the purposes of instruction.

The substitute was adopted.

On motion of Mr. Bowen, the bill was ordered engrossed for its third reading, on Monday next.

On motion of Mr. Bailey, the Senate adjourned.

SENATE CHAMBER,
Monday, March 19, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Stoddard.

Journal of Saturday read and approved.

SPECIAL ORDER.

The special order for 9 o'clock this morning being the consideration of Senate File No. 165, a bill for an act securing liens to mechanics, laborers, and others, Mr. Pusey moved its suspension, which was concurred in.

Mr. Johnson moved to take from the table the resolution relating to adjournment; upon which question, he called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Bailey, Brown, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Johnson, Kent, Lewis, Mann, Pusey, Patterson of Muscatine, Rankin, Trumbull, Taylor, Williams, Wilson of Dubuque—23.

The nays were—Senators Bowen, Davis of Clinton, Davis of Polk, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Udell, Wilson of Jefferson—13.

Excused—Bussey. Absent, but not excused—Anderson, Ainsworth, Drummond, Henderson, Neal, Watson.

So the motion prevailed.

The question being on concurring in the House amendment to the same, Mr. Udell moved to amend, by striking out 'March 27,' and inserting 'April 2d.'

Mr. Rankin moved to lay the resolution and amendment on the table; upon which question, Mr. Johnson called the yeas and nays, which were taken, and were as follows:

The yeas were—Senators Bowen, Brown, Davis, of Clinton, Davis, of Polk, Drummond, Kent, Lewis, McPherson, Pattison, of Marshall, Powers, Rankin, Reiner, Saunders, Sherraden, Scott, Thompson, Udell, Wilson, of Jefferson—18.

The nays were—Senators Angle, Ainsworth, Bailey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Johnson, Mann, Pusey, Trumbull, Taylor, Williams, Wilson, of Dubuque—19.

Excused—Anderson, Bussey. Absent, but not excused—Henderson, Neal, Patterson, of Muscatine, and Watson.

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

The question being on Mr. Udell's amendment, Mr. Johnson demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Bowen, Davis of Clinton, Davis of

ılk, Drummond, Kent, McPherson, Reiner, Sherraden, Thomp-
ı, Udell—10.

The nays were—Senators Anderson, Angle, Ainsworth, Bailey, own, Buechel, Coolbaugh, Duncombe, English, Gray, Green, ıgans, Hammer, Hastings, Johnson, Lewis, Mann, Pusey, Pat-son of Muscatine, Pattison of Marshall, Powers, Rankin, Saun-rs, Scott, Trumbull, Taylor, Watson, Williams, Wilson of Du-que, Wilson of Jefferson—30.

Excused—Bussey. Absent, but not excused—Henderson and eal.

So the motion was lost.

Mr. Anderson moved to strike out "March 27th," and insert March 29th;" upon which question Mr. Johnson called the yeas ıd nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Hagans, Lewis, McPher-ın, Scott, Watson, Wilson of Jefferson—7.

The nays were—Senators Angle, Ainsworth, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hammer, Hastings, Johnson, Kent, Mann, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Thomp-son, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—33.

Excused—Mr. Bussey. Absent, but not excused—Messrs. Hen-derson and Neal.

So the motion was lost.

Mr. Scott moved to strike out "March 27th," and insert "March 28th;" upon which question Mr. Johnson demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Drummond, Hagans, Hastings, Kent, Lewis, McPherson, Rankin, Sherradden, Scott, Watson, Wilson of Jefferson—14.

The nays were—Senators Ainsworth, Bailey, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Pusey, Patterson of Muscatine, Powers, Reiner, Saunders, Thompson, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—25.

Excused—Mr. Bussey. Absent, but not excused—Messrs. Henderson and Neal.

So the motion did not prevail.

The question being upon concurring in the House amendment to the resolution, Mr. Ainsworth called the yeas and nays, which were taken, and were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Brown, Buechel, Coolbaugh, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Johnson, Kent, Lewis, Mann, Pusey, Patterson of Muscatine, Powers, Rankin, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque—28.

The nays were—Senators Bowen, Davis of Clinton, Davis of Polk, McPherson, Pattison of Marshall, Reiner, Saunders, Sherradden, Scott, Thompson, Udell, Wilson of Jefferson—12.

Excused—Mr. Bussey. Absent, but not excused—Messrs. Henderson and Neal.

So the House amendment was concurred in.

Mr. Rankin offered the following resolutions, which were adopted:

Resolved, That after Thursday next, no new business shall be introduced to the Senate, without the unanimous consent of the members; but this resolve shall not apply to reports of committees based on references or instructions.

Also,

Resolved, That the Committee on Schools and University be instructed to inquire into the expediency of providing some mode by which the property taken as security by J. M. Beck, the agent of the State, may be taken by the State at an estimated value, diminishing the amount of the indebtedness on the loans of James D. Eads, according to the value of the property so taken; or provide some scheme by which the property taken as aforesaid shall be protected, and not lost to the State.

Message from the House.

MR. PRESIDENT:—I am directed to inform your honorable body, that the House of Representatives has concurred in the recommendations of the joint committee to which was referred House File No. 53, a bill for an act making appropriation to meet the expenses of the Deaf and Dumb Asylum.

I am also directed to inform the Senate that the House has passed House File No. 262, a bill for an act for the relief of Benj. Keller, and others, in which the concurrence of the Senate is asked.

CHARLES ALDRICH, Chief Clerk.

Mr. Duncombe offered the following resolution:

Resolved, That the Committee on Ways and Means be required,

ithin three days, to report upon Senate File No. 22, a bill for an ct to abolish the office of State Printer and State Binder, and to ovide for letting of the State Printing and State Binding to the west responsible bidder. Also, Senate File No. 134, an act entled an act providing for the pay of State Printer and State inder, and defining their duties.

The question being on its adoption, Mr. Duncombe demanded ie yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Buechel, Coolaugh, Davis of Clinton, Duncombe, English, Gray, Green, Hagans, Iammer, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Scott, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—30.

The nays were—Senators Angle, Bowen, Brown, Davis of Polk, Drummond, Hastings, Sherradden, Thompson, Wilson of Jefferson —9.

Excused—Mr. Bussey. Absent, but not excused—Messrs. Anderson, Henderson and Watson.

So the resolution was adopted.

Mr. Bussey offered the following resolution, which was adopted:

Resolved, That from and after Thursday next, the Senate convene in evening sessions, commencing at 7 o'clock, and that the morning session shall commence at 8½ o'clock, after this day.

Mr. Rankin, from the Judiciary Committee, reported back the petition of F. T. Wilson, and 75 others, citizens of Davis county, praying for the passage of a law in relation to the execution of property, with the report that no further legislation on the subject was necessary.

Report concurred in.

Also, the petition of T. F. Fugett, and 52 others, asking the establishment of a State road from Bedford, in Taylor county, to Nebraska City, with the report that no legislation was necessary.

Report roncurred in.

Also, Senate File No. 138, a bill for an act to legalize the acts of Charles A. Bannon, as Notary Public, with the recommendation that the same be passed.

On motion of Mr. Ainsworth, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, Gray, Green, Hagans, Hammer, Hastings, Johnson, Kent, Lewis, Mann, McPherson, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—37.

The nays were—Senators Drummond, English—2.

Excused—Mr. Bussey. Absent, but not excused—Messrs. Henderson, Neal, and Patterson of Muscatine.

So the bill was passed, and title agreed to.

Also, the memorial of George Andrew, praying for relief from loss by the removal of the Capital from Iowa City to Des Moines, with the recommendation that no legislation be had on the subject.

Report concurred in.

Also, the petition of Henry R. Kennedy, and others, praying for the passage of a law changing the name of the town of Rochester, to the name of Republic, with the recommendation that no legislation is necessary.

Report concurred in.

Also, Senate File No. 166, a bill for an act declaratory of the meaning of an act entitled an act for extending the time of completion of 75 miles of road by the Dubuque & Pacific Railroad Company, approved March 7th, 1860, with the recommendation that the same be passed.

On motion of Mr. Powers, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Buechel, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Wilson of Dubuque, Wilson of Jefferson—38.

The nays were—None.

Excused—Mr. Bussey. Absent, but not excused—Messrs. Coolbaugh, Drummond, Henderson and Williams.

So the bill was passed, and title agreed to.

Also, House File No. 87, a bill for an act to prevent larceny of personal property taken on legal process, with sundry amendments,

which were concurred in, and bill ordered to its third reading on to-morrow.

Also, House File No. 3, a bill for an act relating to incest, with the recommendation that the same be passed.

Mr. Udell moved to so amend the bill as to forbid marriage of first cousins; which was not concurred in.

On motion of Mr. Ainsworth, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Coolbaugh, Davis of Clinton, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—36.

The nays were—Senators Buechel, Drummond—2.

Excused—Mr. Bussey. Absent, but not excused—Messrs. Davis of Polk, Henderson, Johnson and Reiner.

So the bill was passed, and title agreed to.

Also, House File No. 150, a substitute for Nos. 8 and 27, a bill for an act providing for the appraisement of property taken on execution, with the recommendation that the same do not pass.

Also, Senate File No. 6, a bill for an act providing for the appraisement of property sold on execution, with sundry amendments, and recommended the adoption of the amendments, and that the bill be then put upon its passage.

Also, Senate File No. 176, a bill for an act authorizing the Governor to offer a reward for the arrest and delivery of persons charged with the commission of capital crimes, with the recommendation that the last two sections of the bill be stricken out, and the bill then passed.

Report was adopted.

On motion of Mr. Rankin, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Buechel, Davis of Clinton, Drummond, Hagans, Hastings, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saun-

ders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson —21.

The nays were—Senators Ainsworth, Bailey, Brown, Coolbaugh, Duncombe, English, Gray, Hammer, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—17.

Excused—Bussey. Absent, but not excused—Davis of Polk, Green, Henderson and Patterson of Muscatine.

The bill not having received a constitutional majority, was lost.

Also, Senate File No. 151, a bill for an act repealing a part of section 28, chapter 159, of the acts of the General Assembly of 1858, with one amendment, and recommended the adoption of amendment and the passage of the bill as amended.

Report concurred in.

On motion of Mr. Ainsworth, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Ainsworth, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Johnson, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—37.

The nays were—Angle, Neal—2.

Excused—Mr. Bussey. Absent but not excused—Drummond, Henderson and Kent.

So the bill was passed and title agreed to.

Also, Senate File No. 170, a bill for an act to legalize certain bonds heretofore issued by the county of Story, with the recommendation that the same be passed. Report adopted.

On motion of Mr. Scott, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Ainsworth, Bowen, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, Gray, Green, Hagans, Hammer, Hastings, Kent, Mann, McPherson, Neal, Pusey, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson—29.

The nays were—Senators English, Johnson, Lewis, Patterson of Muscatine, Williams—5.

Excused—Bussey. Absent, but not excused—Angle, Bailey, Brown, Drummond, Henderson, Rankin, Wilson of Dubuque, Wilson of Jefferson.

So the bill was passed and title agreed to.

Mr. Ainsworth, from the Judiciary Committee, reported back Senate File No. 177, a bill for an act to legalize the levy of taxes in the county of Grundy, and the delivery of the tax list to the Treasurer of said county, with the recommendation that the same be passed.

On motion of Mr. Ainsworth, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Ainsworth, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Gray, Green, Hagans, Hammer, Hastings, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams—33.

The nays were—Senators Bailey, Duncombe, English, Johnson—4.

Excused—Bussey. Absent, but not excused—Angle, Henderson, Rankin, Wilson of Dubuque, Wilson of Jefferson.

So the bill was passed and title agreed to.

Mr. Duncombe, from the special committee, to which was referred Senate File No. 62, a bill for an act making appropriations for selecting swamp lands, reported a substitute for same, and recommended its adoption and passage.

On motion of Mr. Duncombe, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

Mr. Thompson moved a call of the House, which was sustained, and ordered.

The following Senators were found to be absent and not excused: Angle, Coolbaugh, Henderson, Rankin and Wilson of Jefferson.

On motion of Mr. Ainsworth, Mr. Henderson was excused.

Mr. Thompson moved that the Sergeant-at-Arms be sent for the absentees, which motion prevailed.

ders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson —21.

The nays were—Senators Ainsworth, Bailey, Brown, Coolbaugh, Duncombe, English, Gray, Hammer, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—17.

Excused—Bussey. Absent, but not excused—Davis of Polk, Green, Henderson and Patterson of Muscatine.

The bill not having received a constitutional majority, was lost.

Also, Senate File No. 151, a bill for an act repealing a part of section 28, chapter 159, of the acts of the General Assembly of 1858, with one amendment, and recommended the adoption of amendment and the passage of the bill as amended.

Report concurred in.

On motion of Mr. Ainsworth, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Ainsworth, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Johnson, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—37.

The nays were—Angle, Neal—2.

Excused—Mr. Bussey. Absent but not excused—Drummond, Henderson and Kent.

So the bill was passed and title agreed to.

Also, Senate File No. 170, a bill for an act to legalize certain bonds heretofore issued by the county of Story, with the recommendation that the same be passed. Report adopted.

On motion of Mr. Scott, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Ainsworth, Bowen, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, Gray, Green, Hagans, Hammer, Hastings, Kent, Mann, McPherson, Neal, Pusey, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson—29.

The nays were—Senators English, Johnson, Lewis, Patterson of Muscatine, Williams—5.

Excused—Bussey. Absent, but not excused—Angle, Bailey, Brown, Drummond, Henderson, Rankin, Wilson of Dubuque, Wilson of Jefferson.

So the bill was passed and title agreed to.

Mr. Ainsworth, from the Judiciary Committee, reported back Senate File No. 177, a bill for an act to legalize the levy of taxes in the county of Grundy, and the delivery of the tax list to the Treasurer of said county, with the recommendation that the same be passed.

On motion of Mr. Ainsworth, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Ainsworth, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Gray, Green, Hagans, Hammer, Hastings, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams—33.

The nays were—Senators Bailey, Duncombe, English, Johnson—4.

Excused—Bussey. Absent, but not excused—Angle, Henderson, Rankin, Wilson of Dubuque, Wilson of Jefferson.

So the bill was passed and title agreed to.

Mr. Duncombe, from the special committee, to which was referred Senate File No. 62, a bill for an act making appropriations for selecting swamp lands, reported a substitute for same, and recommended its adoption and passage.

On motion of Mr. Duncombe, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

Mr. Thompson moved a call of the House, which was sustained, and ordered.

The following Senators were found to be absent and not excused: Angle, Coolbaugh, Henderson, Rankin and Wilson of Jefferson.

On motion of Mr. Ainsworth, Mr. Henderson was excused.

Mr. Thompson moved that the Sergeant-at-Arms be sent for the absentees, which motion prevailed.

Several of the absentees coming in, further proceedings under the call were, on motion of Mr. Ainsworth, dispensed with.

The yeas and nays, on the passage of the bill, were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Green, Hagans, Hastings, Kent, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Taylor, Watson—24.

The nays were—Senators Ainsworth, Bailey, Buechel, Coolbaugh, English, Gray, Hammer, Johnson, Mann, Neal Trumbull, Williams, Wilson of Dubuque, Wilson of Jefferson—14.

Excused—Bussey and Henderson. Absent, but not excused—Angle, Pusey, and Udell.

The bill was passed, and title agreed to.

Mr. Powers, from the Committee on Township and County Organization, reported back, without recommendation, Senate File No. 119, a bill for an act to authorize the County Court, in certain cases, to establish election precincts.

On motion of Mr. Bailey, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Bailey, Bowen, Buechel, Davis of Polk, English, Gray, Hammer, Kent, Mann, McPherson, Pusey, Pattison of Marshall, Sherradden, Scott Thompson, Taylor, Udell, Watson, Williams, Wilson of Dubuque—20.

The nays were—Senators Anderson, Ainsworth, Brown, Coolbaugh, Davis of Clinton, Drummond, Duncombe, Green, Hagans, Hastings, Johnson, Lewis, Neal, Patterson of Muscatine, Powers, Rankin, Reiner, Saunders, Trumbull, Wilson of Jefferson—20.

Excused—Bussey and Henderson. Absent, but not excused—Angle.

The bill not having received a constitutional majority, was lost.

Message from the House.

Mr. President:—I am directed to present for your signature, the following bill, the same having passed both branches of the General Assembly, and been duly enrolled in the House:

Substitute for House File No. 113, a bill for an act creating a County Board of County Supervisors, defining their duties, and the duties of certain county officers.

Mr. President:—I herewith present for your signature, the

following bill, the same having passed both branches of the General Assembly, and been duly enrolled in the House:

House File No. 372, a bill for an act to repeal part of section 845, of chapter 31, of the Code of Civil Practice.

CHARLES ALDRICH, Chief Clerk.

Mr. Davis, of Polk, moved to take up Senate File No. 6, a bill for an act to provide for the appraisement of property sold under execution, which motion prevailed.

The amendments to the bill reported by the Judiciary Committee were concurred in.

On motion of Mr. English, section 7 was stricken out.

On motion of Mr. Wilson, of Jefferson, the following words were added to section 1: "unless as otherwise ordered."

Mr. Taylor moved to amend said section, by adding the following words: "or unless differently mentioned and expressed in the contract on which such judgment is rendered;" upon which question Mr. Drummond demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Ainsworth, Bailey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Saunders, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque—21.

The nays were—Senators Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Johnson, Kent, Lewis, Mann, McPherson, Powers, Rankin, Reiner, Sherradden, Udell, Wilson of Jefferson—18.

Excused—Bussey and Henderson. Absent but not excused—Angle and Scott.

So the amendment was adopted.

On motion of Mr. Mann, the bill was ordered engrossed for its third reading on to-morrow.

Mr. Hagans, from the Committee on Township and County Organization, reported back Senate File No. 159, a bill for an act to carry into effect the provisions of section 5, of chapter 21, of the acts of the 7th General Assembly, and amendatory thereto, with one amendment, and recommended the adoption of the amendment and the passage of the bill as amended. Report adopted.

On motion of Mr. Powers, the 11th Rule was suspended, the bill read the third time and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bailey, Bowen, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Green, Hagans, Hammer, Hastings, Kent, Lewis, Mann, McPherson, Neal, Pusey, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—32.

The nays were—Senators Ainsworth, Duncombe, English, Gray, Johnson, Taylor—6.

Excused—Bussey and Henderson. Absent but not excused—Angle, Patterson of Muscatine and Rankin.

The bill was passed, and title agreed to.

Mr. Neal, from the Committee on Ways and Means, to which was referred Senate File No. 61, a bill for an act to provide for the publication and distribution of the annual reports of the Iowa State Agricultural Society, reported a substitute for the same, and recommended its adoption and passage. Report concurred in.

Mr. Neal moved the following amendment, as an additional section to the bill: That so much of chapter 188, of the laws of the 6th General Assembly, approved Jan. 28th, 1857, as required the reports of the Iowa State Agricultural Society to be published by the State, and all acts and part of acts, conflicting with the provisions of this act, be and the same are hereby repealed.

Mr. Wilson, of Jefferson, moved to strike out all after the enacting clause, except section 1; upon which question, the yeas and nays were called and ordered, and were as follows:

The yeas were—Senators Bailey, Bowen, Buechel, Coolbaugh, Davis of Polk, Duncombe, English, Gray, Hammer, Hastings, Johnson, McPherson, Neal, Pusey, Powers, Rankin, Saunders, Sherradden, Scott, Thompson, Trumbull, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—25.

The nays were—Senators Anderson, Angle, Ainsworth, Brown, Davis of Clinton, Drummond, Green, Hagans, Kent, Lewis, Mann, Pattison of Marshall, Reiner, Taylor, Watson—15.

Excused—Bussey and Henderson. Absent, but not excused—Patterson of Muscatine.

So the motion to strike out prevailed.

Mr. Wilson of Jefferson, moved to strike out of section 1, as amended, the words "and all acts and parts of acts conflicting with the provisions of this act, which was concurred in.

On motion of Mr. Powers, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Bailey, Bowen, Buechel, Coolbaugh, Davis of Polk, Duncombe, English, Gray, Hammer, Hastings, Johnson, McPherson, Pusey, Powers, Rankin, Saunders, Sherradden, Scott, Thompson, Trumbull, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—25.

The nays were—Senators Anderson, Angle, Ainsworth, Brown, Davis of Clinton, Drummond, Green, Hagans, Kent, Lewis, Mann, Pattison of Marshall, Reiner, Taylor, Watson—15.

Excused—Bussey and Henderson. Absent but not excused—Neal and Patterson of Muscatine.

So the bill was passed.

Mr. Wilson of Jefferson, offered the following as a substitute for the title of the bill, which was adopted: A bill for an acts repealing part of chapter 188 of the laws of the 6th General Assembly.

On motion of Mr. English, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Neal, from the Committee on Ways and Means, to which was referred the petition of the Mayor and Aldermen of the City of Lyons, in Clinton county, State of Iowa, and the petition of sundry voters of said city, praying for the passage of a special act authorizing the assessor of Lyons township, in said county, to make a new assessment of the real estate of said city, to be returned with the assessment of the personal property of Lyons township, for 1860, and with the same to be used as the basis for all taxation, made the following report:

The Committee on Ways and Means, after mature consideration of the subject, report that the legislation prayed for in said petition is prohibited by section 30 of article 3 of the Constitution of the State of Iowa. Report concurred in.

Mr. Powers, from the Committee on County and Township Organization, reported back sundry petitions relating to a change in county government, and moved that they be laid on the table, as

the legislation prayed for had already been accomplished, which motion prevailed.

Mr. Hagans from the same committee, to which was referred a resolution instructing said committee to report a bill separating the offices of Treasurer and Recorder, reported a bill in accordance with said instructions, Senate File No. 178, a bill for an act separating the offices of Recorder and Treasurer, and establishing the office of Register and defining his duties. Read first and second time, and referred to the Committee on Ways and Means.

On motion of Mr. Wilson of Dubuque, the special order, Senate File No. 165, a bill for an act securing liens to mechanics, laborers and others, was taken up.

Mr. Davis of Polk, moved to amend section 6 by striking out "90 days," and inserting in lieu thereof "180 days, which was not concurred in.

On motion of Mr. Johnson, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey. Bowen, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk. Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Kent, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Wilson of Dubuque. Wilson of Jefferson—34.

The nays were—Senators Johnson, Neal, Rankin, Watson, Williams—5.

Excused—Bussey and Henderson. Absent but not excused—Brown and Saunders.

So the bill was passed and title agreed to.

Mr. Hastings moved to reconsider the vote by which Senate File No. 62, a bill for an act making appropriations for selecting swamp lands, was passed.

Mr. Angle moved to lay the motion to reconsider on the table, upon which question Mr. Johnson called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Davis of Polk, Drummond, Green, Henderson, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Udell, Wilson of Jeff.—19.

The nays were—Senators Ainsworth, Bailey, Buechel, Coolbaugh, Hagans, Hammer, Hastings, Johnson, Kent, Lewis, Neal, Pusey, Trumbull, Williams, Wilson of Dubuque—15.

Excused—Bussey. Absent but not excused—Brown, Duncombe, English, Gray, Mann, Taylor and Watson.

So the motion to lay on the table prevailed.

Mr. Wilson of Dubuque, from the Judiciary Committee, to which was referred Senate File No. 140, a bill for an act providing for the appointment of a Supreme Court Reporter, and defining his duties, reported a substitute for the same and recommended its adoption; which was concurred in.

Mr. Taylor offered the following as a substitute for section 1:

SEC. 1. *Be it enacted, by the General Assembly of the State of Iowa*, That at the general election in the year 1860, there shall be elected a Reporter for the Supreme Court, who shall hold his office for the term of four years, from and after the 1st day of January, 1861, and until his successor is elected and qualified.

Mr. Bowen moved a call of the Senate, which was sustained and ordered.

Messrs. Angle and Duncombe were found to be absent and not excused.

Mr. Johnson moved to suspend further proceedings under the call, which was not concurred in.

The absentees coming in, further proceedings under the call were dispensed with.

Mr. Wilson of Jefferson, moved to lay the substitute on the table, upon which question Mr. Taylor demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—23.

The nays were—Senators Ainsworth, Bailey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—19.

Excused—Bussey.

So the substitute was tabled.

Mr. Bowen moved to amend section 2, by striking out "$10,000" and inserting "5000," which was not agreed to.

Mr. Bowen moved to strike out "200," and insert "50," in sec. 8, which motion was lost.

Mr. Coolbaugh moved to amend section 9, by striking out "500," and inserting "250," upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bailey, Buechel, Coolbaugh, English, Gray, Green, Hagans, Hammer, Hastings, Johnson, Kent, Lewis, Neal, Pusey, Patterson of Muscatine, Trumbull, Taylor, Udell, Watson, Williams—21.

The nays were—Senators Angle, Ainsworth, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Henderson, Mann, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Wilson of Dubuque, Wilson of Jefferson—21.

Excused—Bussey.

The amendment not having received a majority, was lost.

Mr. Johnson moved to amend section 8, by striking out the words, "or any other person," which was not concurred in.

Mr. Drummond moved to strike out "500" and insert "400," in section 9, upon which question he demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Davis of Clinton, Drummond, Duncombe, Gray, Green, Johnson, Lewis, Mann, Scott, Thompson, Trumbull—11.

The nays were—Senators Anderson, Ainsworth, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Polk, English, Hagans, Hammer, Hastings, Henderson, Kent, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Taylor, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—29.

Excused—Mr. Bussey. Absent, but not excused—Angle and Watson.

So the amendment was not concurred in.

Mr. Patterson of Muscatine, moved to strike out "500," in said section, and insert "300," upon which question he called the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Anderson, Bailey, Buechel, Coolbaugh, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer,

Hastings, Johnson, Kent, Lewis, Neal, Patterson, of Muscatine, Reiner, Taylor, Udell, Williams—21.

The nays were—Senators Angle, Ainsworth, Bowen, Brown, Davis, of Clinton, Davis, of Polk, Henderson, Mann, McPherson, Pusey, Pattison of Marshall, Powers, Rankin, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Wilson of Dubuque, Wilson of Jefferson—21.

Excused—Mr. Bussey.

The amendment not receiving a majority, was lost.

Mr. Neal moved to strike out "500" in said section, upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Buechel, Coolbaugh, Drummond, Duncombe, English, Gray, Green, Johnson, Kent, Mann, Neal, Pusey, Patterson of Muscatine, Reiner, Scott, Thompson, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—23.

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Hastings, Henderson, McPherson, Pattison of Marshall, Powers, Rankin, Saunders, Sherradden, Watson, Wilson of Jefferson—16.

Excused—Mr. Bussey. Absent but not excused—Hagans, Hammer and Lewis.

The motion to strike out prevailed.

Mr. Bowen moved to fill the blank with 499, upon which question he demanded the yeas and nays which were ordered, and were as follows:

The yeas were—Senators Angle, Ainsworth, Bowen, Brown, Davis of Polk, Duncombe, Henderson, McPherson, Powers, Rankin, Sherradden, Trumbull, Watson, Wilson of Dubuque, Wilson of Jefferson—15.

The nays were—Senators Bailey, Buechel, Davis of Clinton, Drummond, English, Gray, Green, Hagans, Hammer, Hastings, Johnson, Kent, Lewis, Mann, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Reiner, Saunders, Scott, Thompson, Taylor, Udell, Williams—25.

Excused—Mr. Bussey. Absent, but not excused—Anderson and Coolbaugh.

So the amendment was lost.

Mr. Davis of Polk, moved to fill the blank with "475;" which was not concurred in.

Mr. Johnson moved to fill the blank with "451;" upon which question, he demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bowen, Brown, Davis of Polk, Duncombe, Hagans, Hastings, Henderson, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Powers, Rankin, Sherradden, Trumbull, Watson, Wilson of Dubuque, Wilson of Jefferson—22.

The nays were—Senators Bailey, Buechel, Davis of Clinton, English, Gray, Green, Hammer, Johnson, Kent, Neal, Pattison of Marshall, Reiner, Saunders, Scott, Thompson, Taylor, Udell, Williams—18.

Excused—Bussey. Absent, but not excused—Coolbaugh and Drummond.

So the motion to insert 451 prevailed.

Mr. Angle moved to suspend the 11 Rule, have the bill read the third time, and put upon its passage.

Mr. Johnson moved the previous question, which was sustained, and the main question ordered to be put.

The yeas and nays on the passage of the bill were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Green, Hagans, Hastings, Henderson, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Trumbull, Watson, Wilson of Dubuque, Wilson of Jefferson—29.

The nays were—Senators Bailey, Buechel, Coolbaugh, English, Gray, Hammer, Johnson, Kent, Neal, Thompson, Taylor, Udell, Williams—13.

Excused—Bussey.

The bill was passed and title agreed to.

Message from the House:

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

House File No. 298, a bill for an act requiring Trustees, Managers, Commissioners and Inspectors of public buildings, improve

ments and institutions, to take and subscribe an oath, and punishing a violation of the same.

CHAS. ALDRICH, Chief Clerk.

Mr. Scott, from the Committee on Incorporations, to which was referred House File No. 139, a bill for an act entitled an act to legalize the official acts of the city of Clinton, Clinton county, State of Iowa, reported a substitute for the same, and recommended its adoption; which was concurred in.

On motion of Mr. Ainsworth, the 11th Rule was suspended, the bill read the third time and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, Green, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Sherradden, Scott, Taylor, Udell—21.

The nays were—Senators Ainsworth, Bailey, Buechel, Coolbaugh, Drummond, English, Gray, Hammer, Johnson, Mann, Pusey, Powers, Rankin, Reiner, Saunders, Thompson, Trumbull, Watson, Williams, Wilson of Jefferson—20.

Excused—Bussey. Absent but not excused—Wilson of Dubuque.

The bill not having received a constitutional majority, was lost.

Mr. Scott, from the same committee, reported a substitute for House File No. 192, a bill for an act legalizing the official acts of the City Council of Maquoketa, and the election of the Mayor of said city, and recommended its adoption; which was concurred in.

On motion of Mr. Green, the 11th Rule was suspended, the bill read the third time and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Coolbaugh, Duncombe, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Wilson of Dubuque—26.

The nays were—Senators Bailey, Bowen, Buechel, Drummond, English, Kent, Lewis, Powers, Rankin, Reiner, Watson, Williams, Wilson of Jefferson—13.

Excused—Bussey. Absent, but not excused—Brown, Davis of Clinton, Davis of Polk.

The bill was passed and title agreed to.

Mr. Scott, from the same committee, reported back House File No. 30, a bill for an act to legalize the election of the President and Town Council, and other officers, of Chariton, Lucas county, and the official acts of the same, with the recommendation that the same be passed.

On motion of Mr. Hammer, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Saunders, Sherradden, Scott, Taylor, Udell—29.

The nays were—Senators Bailey, Buechel, English, Powers, Rankin, Reiner, Thompson, Trumbull, Williams, Wilson of Jefferson—10.

Excused—Bussey. Absent, but not excused—Lewis, Watson and Wilson of Dubuque.

The bill was passed, and title agreed to.

Mr. Hammer moved to reconsider the vote by which House File No. 139, a bill for an act to legalize the official acts of the city of Clinton, Clinton county, State of Iowa, was lost; upon which question Mr. Ainsworth demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Williams—31.

The nays were—Senators Ainsworth, Bailey, Buechel, Coolbaugh, English, Johnson, Rankin, Watson, Wilson of Dubuque, Wilson of Jefferson—10.

Excused—Bussey. Absent but not excused—Gray.

So the motion to reconsider prevailed.

On motion of Mr. Hammer, the 11th Rule was suspended, and the bill again put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell—29.

The nays were—Senators Ainsworth, Buechel, English, Johnson, Rankin, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—9.

Excused—Bussey. Absent, but not ezcused—Bailey, Drummond, Gray and Powers.

The bill was passed and title agreed to.

INTRODUCTION OF BILLS.

Mr. Scott introduced Senate File No. 179, a bill for an act to authorize the Trustees of the Agricultural College and Farm, to sell lands. Read the first and second time, and referred to the Committee on Agriculture.

Also, Senate File No. 180, a bill for an act for the relief of John Bell, a defaulting School Fund Commissioner, and the sureties upon his official bonds. Read the first and second time, and referred to the Committee on Schools and University.

Also, Senate File No. 181, a bill for an act to prevent the sale and transfer of certain swamp lands. Read the first and second time, and referred to the Committee on Public Lands.

Mr. Angle introduced Senate File No. 182, a bill for an act providing for the printing of the laws, as revised and enacted, at the present session of the General Assembly. Read the first and second time, and referred to the Committee on Ways and Means.

Mr. Neal, from the Committee on Ways and Means, to which was referred Senate File No. 106, a bill for an act to provide for adjusting and paying costs incurred in the management of the School Fund of the State, or the interest on the same, reported back the same with a substitute and recommended the adoption of the substitute; which was concurred in.

Mr. Taylor moved to amend section 1, by striking out "County Treasury" and inserting State Treasury.

On motion of Mr. Wilson of Jefferson, Senate adjourned.

SENATE CHAMBER,
Tuesday, March 20, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. S. S. Howe.

Journal of yesterday read.

Mr. Neal moved that the Journal of yesterday be corrected so as to show that Senate File No. 62, not having received a constitutional majority, was not passed.

Mr. Powers offered the following resolution, which was adopted:

Resolved, That the motion of Mr. Neal be referred to the Judiciary Committee; and that said committee be instructed to give their opinion as to the constitutionality of the vote upon Senate File No. 62, which was declared passed, and that they be instructed to report to-morrow morning, and that the bill be retained in the possession of the Senate, until said report is made.

Mr. Duncombe offered the following resolution, which was adopted:

Resolved, That the Judiciary Committee be instructed to inquire whether any legislation is necessary to provide for the selection of swamp lands in unorganized counties.

UNFINISHED BUSINESS.

The question being on striking out "County Treasury," and inserting "State Treasury," in section 1, of the bill under consideration, Mr. Taylor had leave to withdraw the amendment.

Mr. Taylor offered the following amendment, which was adopted: Add to section 1, the words, "nor to allow or authorize the County Judge to employ other counsel in case of the neglect of the District Attorney to prosecute such suits."

Mr. Taylor moved to insert after the word "shall," in eighth line of said section, the words, "in cases where the same cannot be secured from the party against whom judgment was rendered."

Mr. Johnson moved to re-commit the bill and amendment, and that Mr. Taylor be added to the committee, for its consideration, which motion prevailed.

Mr. Udell moved to reconsider the vote by which Senate File No. 6, a bill for an act providing for the appraisement of property sold on execution, was, on yesterday, ordered to be engrossed for

its third reading; upon which question, Mr. Taylor demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson Powers, Rankin, Reiner, Sherradden, Scott, Udell, Watson, Wilson of Dubuque, Wilson of Jefferson—22.

The nays were—Senators Bailey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hagans, Hammer, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Saunders, Thompson, Trumbull, Taylor, Williams—18.

Excused—Bussey. Absent, but not excused—Ainsworth, Drummond.

So the motion to reconsider prevailed.

Mr. Mann moved to reconsider the vote by which the following words were added to section 1: "or unless differently mentioned and expressed in the contract on which such judgment is rendered," which motion prevailed.

The question being on the adoption of said amendment, Mr. Pusey demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bailey, Buechel, Coolbaugh, English, Gray, Green, Hammer, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Saunders, Thompson, Trumbull, Taylor, Williams—16.

The nays were—Senators Anderson, Angle, Ainsworth, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, Hagans, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Powers, Rankin, Reiner, Sherradden, Scott, Udell, Watson, Wilson of Dubuque, Wilson of Jefferson—25.

Excused—Bussey. Absent, but not excused—Drummond.

The amendment was lost.

On motion of Mr. Johnson, the bill was ordered engrossed for its third reading on to-morrow.

Mr. Tompson moved to take up Senate File No. 141, a bill for an act for legalizing the acts of the County Judge of Scott county in purchasing real estate for a Poor House Farm, and in issuing bonds in payment therefor; which was not agreed to.

Mr. Powers moved to reconsder the vote by which the Senate

concurred in the House amendment to the resolution fixing the time of adjournment.

Mr. Anderson moved a call of the House, which was sustained and ordered.

Mr. Drummond was found to be absent and not excused.

Mr. Drummond coming in, further proceedings under the call were dispensed with.

The question being on the motion to reconsider, Mr. Johnson demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk; Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Neal, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Udell, Watson, Wilson of Jefferson—25.

The nays were—Senators Ainsworth, Bailey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Pusey, Trumbull, Taylor, Williams, Wilson of Dubuque—16.

Excused—Bussey. Absent, but not excused—Patterson of Muscatine.

So the motion to reconsider prevailed.

Mr. Wilson of Jefferson, moved to lay the resolution on the table, upon which question Mr. Ainsworth demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Neal, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott Thompson, Udell, Watson, Wilson of Jefferson—25.

The nays were—Senators Ainsworth, Bailey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Pusey, Patterson of Muscatine, Trumbull, Taylor, Williams, Wilson of Dubuque—17.

Excused—Bussey.

So the motion to lay on the table prevailed.

INTRODUCTION OF BILLS.

Mr. Wilson of Dubuque, introduced Senate File No. 184, a bill

for an act amending section 5, of act No. 11, of the Board of Education, passed December, A. D. 1858. Read the first and second time, and referred to the Committee on Schools and University, with instructions to report to-morrow.

Mr. Reiner introduced Senate File No. 185, a bill for an act to exempt military companies from labor on Public Roads. Read the first and second time, and referred to the Committee on Military Affairs.

Mr. English introduced Senate File No. 186, a bill for an act to prevent diseased animals from running at large. Read the first and second time.

On motion of Mr. English, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Buechel, Coolbaugh, Drummond, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Pusey, Pattison of Marshall, Powers, Saunders, Scott, Thompson, Trumbull, Taylor, Williams, Wilson of Dubuque, Wilson of Jefferson—31.

The nays were—Senators Duncombe, Neal, Sherradden—3.

Excused—Mr. Bussey. Absent, but not excused—Messrs. Brown, Davis of Clinton, Davis of Polk, Patterson of Muscatine, Rankin, Reiner, Udell and Watson.

So the bill was passed, and title agreed to.

Mr. Hagans introduced Senate File No. 187, a bill for an act to quit claim to the holders of certain certificates for purchasers of Swamp Lands sold by County Judges. Read the first and second time, and on motion of Mr. Hagans, referred to a special committee of three, of which Mr. Bowen shall be Chairman.

The President appointed as said committee, Messrs. Bowen, Trumbull and Kent.

Mr. Bowen, from the Committee on Schools and University, reported back House File No. 222, a bill for an act for the encouragement of Teachers' Institutes, with the recommendation that the same be passed.

On motion of Mr. Powers, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown,

Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, English, Gray, Green, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Wilson of Dubuque, Wilson of Jefferson—30.

The nays were—Senators Ainsworth, Bailey, Duncombe, Hammer, Mann, Pusey, Saunders, Williams—8.

Excused—Mr. Bussey. Absent, but not excused—Messrs. Johnson, Neal, Patterson of Muscatine, and Rankin.

So the bill was passed, and title agreed to.

On motion of Mr. Thompson, House File No. 141, a bill for an act for legalizing the acts of the County Judge of Scott county, in purchasing real estate for a Poor House Farm, and in issuing bonds in payment therefor, was taken up and considered.

On motion of Mr. Thompson, the word "Weekly," before "Iowa State Register," in section 3, was stricken out.

On motion of Mr. Thompson, the 11th Rule was suspended, the bill read the third time, and put upon its final passage:

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Green, Hagans, Hammer, Henderson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Taylor, Udell, Watson, Wilson of Dubuque—28.

The nays were—Senators Ainsworth, Bailey, Buechel, English, Hastings, Johnson, Pusey, Trumbull, Williams, Wilson of Jefferson—10.

Excused—Mr. Bussey. Absent, but not excused—Messrs. Angle, Duncombe, Gray and Rankin.

So the bill was passed, and title agreed to.

Mr. Thompson presented the memorial of Wm. Hall, praying for relief for services rendered and money expended in behalf of the State. Read, and referred to the Committee on Claims.

Mr. Patterson presented the memorial of the President and Board of Directors of the School District of the City of Muscatine, asking for the passage of a law giving Township School Boards the power to determine what school books shall be used in their respective districts. Read, and on motion of Mr. Patterson, of Muscatine, referred to a special committee of three.

The President appointed as said committee, Messrs. Patterson, of Muscatine, Saunders and Scott.

Mr. Bowen, from the Committee on Schools and University, reported back Senate File No. 180, a bill for an act for the relief of John Bell, a defaulting School Fund Commissioner, and the sureties upon his official bonds, with the recommendation of the majority of said committee, that the same be passed.

Mr. Brown moved the reference of the bill to the Judiciary Committee; which was not agreed to.

On motion of Mr. Powers, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Bowen, Buechel, Coolbaugh, Davis of Polk, Duncombe, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, McPherson, Neal, Pusey, Pattison of Marshall, Rankin, Reiner, Sherradden, Scott, Thompson, Taylor, Watson, Williams, Wilson of Dubuque —29.

The nays were—Senators Ainsworth, Brown, Davis of Clinton, English, Johnson, Saunders, Trumbull, Wilson of Jefferson—8.

Excused—Mr. Bussey. Absent, but not excused—Messrs. Drummond, Mann, Patterson of Muscatine, Powers and Udell.

The bill was passed, and title agreed to.

Senate File No. 88, a bill for an act to regulate the foreclosure of deeds of trust and mortgages, with power of sale on real estate, was taken from the table and considered.

The question being on concurring in the House amendments to the same, Mr. Duncombe moved that the Senate do not concur in said amendments.

Upon which question, Mr. Thompson demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Ainsworth, Buechel, Coolbaugh, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Johnson, Neal, Patterson of Muscatine, Pattison of Marshall, Rankin, Sherradden, Thompson, Trumbull, Williams, Wilson of Dubuque, Wilson of Jefferson—22.

The nays were—Senators Bailey, Bowen, Brown, Davis of Clinton, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Pusey, Powers, Reiner, Saunders, Taylor, Udell, Watson—17.

Excused—Mr. Bussey. Absent, but not excused—Messrs. Angle, Davis of Polk, and Scott.

So the Senate refused to concur.

Mr. Taylor offered the following resolution:

Resolved, That hereafter, no member of the Senate shall speak but five minutes on any question, and but once upon a question, until all the members desiring to speak, have spoken.

On motion of Mr. McPherson, the resolution was laid on the table.

House File No. 262, a bill for an act for the relief of Berry Keller, Jr., Michael Kennelly and Wm. Thrift, was taken up, and read the first and second time.

On motion of Mr. Powers, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Ainsworth, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Pattison of Marshall, Powers, Reiner, Saunders, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque—33.

The nays were—Senators Johnson, Sherradden, Udell, Wilson of Jefferson—4.

Excused—Mr. Bussey. Absent, but not excused—Messrs. Angle, Patterson of Muscatine, Rankin, Scott and Thompson.

So the bill was passed, and title agreed to.

House File No. 239, a bill for an act to allow hotel and boarding house keepers certain liens, was taken up. Read first and second time, and referred to the Judiciary Committee.

House File No. 283, a bill for an act to legalize the acts of H. B. Horton, a Notary Public, was taken up. Read the first and second time, and on motion of Mr. Powers, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, Green, Hagans, Hammer, Hastings, Henderson, Kent, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Saunders, Udell, Watson, Wilson of Dubuque—22.

The nays were—Senators Ainsworth, Bowen, Buechel, Drummond, English, Gray, Johnson, Mann, Reiner, Trumbull, Taylor, Williams, Wilson of Jefferson—13.

Excused—Mr. Bussey. Absent, but not excused—Messrs. Angle, Bailey, Lewis, Rankin, Sherradden, Scott and Thompson.

So the bill was passed, and title agreed to.

Mr. Johnson moved to adjourn. Lost.

House File No. 298, a bill for an act requiring Trustees, Managers, Commissioners and Inspectors of public buildings, improvements and institutions, to take and subscribe an oath, and punishing a violation of the same, was taken up. Read the first and second time, and referred to the Judiciary Committee.

Mr. Davis, of Polk, moved to adjourn; which motion was lost.

House File No. 87, a bill for an act to prevent larceny of personal property taken on legal process, was taken up, read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bailey, Bowen, Buechel, Coolbaugh, Davis, of Clinton, Davis, of Polk, Drummond, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, McPherson, Neal, Pusey, Patterson, of Muscatine, Pattison, of Marshall, Powers, Rankin, Reiner, Saunders, Sherraden, Scott, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson, of Jefferson—35.

The nays were—Senators Ainsworth, Brown, Duncombe, Mann, Thompson, Trumbull—6.

Excused—Mr. Bussey. Absent, but not excused—Mr. Angle.

So the bill was passed and title agreed.

On motion of Mr. Mann, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

UNFINISHED BUSINESS.

Senate File No. 172, a bill for an act defining what shall constitute a tender in certain cases, was taken up, and indefinitely postponed.

On motion of Mr. Udell, Senate File No. 48, a bill for an act to amend chapter 112 of the acts of the 4th General Assembly, entitled an act allowing and regulating the stay of executions on judgment of District and Justices Courts, was taken up, and considered.

On motion of Mr. Udell, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Brown, Davis of Clinton, Reiner, Taylor, Udell—5.

The nays were—Senators Anderson, Angle, Ainsworth, Bailey. Bowen, Buechel, Coolbaugh, Drummond, Duncombe, English. Gray, Green, Hagans, Hammer, Henderson, Johnson, Lewis, Mann McPherson, Neal, Pusey, Pattison, of Marshall, Powers, Rankin. Saunders, Sherradden, Scott, Thompson, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—32.

Excused—Mr. Bussey. Absent, but not excused—Davis, of Polk, Hastings, Kent, Patterson of Muscatine and Trumbull.

The bill not having received a constitutional majority, was lost.

On motion of Mr. McPherson, substitute for Senate File No. 34, a bill for an act to amend chapter 43 of the Code of Iowa of 1851. was taken up, and on motion of Mr. Powers, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner. Saunders, Sherradden, Scott, Thompson, Taylor, Watson, Wilson of Jefferson—22.

The nays were—Senators Angle, Ainsworth, Bailey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Neal, Pusey, Patterson of Muscatine, Trumbull, Udell, Williams. Wilson of Dubuque—18.

Excused—Mr. Bussey. Absent but not excused—Hastings and Mann.

The bill was passed and title agreed to.

On motion of Mr. Sherradden, Senate File No. 8, a bill for an act to amend chapter 147, of the acts of the 7th General Assembly. was taken up and considered.

The question being on the pending amendment, to strike out the words "prairie chicken" wherever it occurs in said bill, Mr. Taylor demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators English, Green, Hagans, Henderson, Kent, Lewis, McPherson, Neal, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Trumbull, Taylor, Udell, Williams—17.

The nays were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Drummond, Duncombe, Gray, Hammer, Johnson, Mann, Pusey, Patterson of Muscatine, Rankin, Thompson, Watson, Wilson of Dubuque, Wilson of Jefferson—22.

Excused—Mr. Bussey. Absent but not excused—Messrs. Davis of Polk, Hastings and Saunders.

So the motion to strike out did not prevail.

On motion of Mr. Thompson, the 11th Rule was suspended, the bill read the third time, and put upon its final passage, the yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Brown, Coolbaugh, Drummond, Gray, Hammer, Henderson, Mann, McPherson, Rankin, Scott, Thompson, Wilson of Dubuque, Wilson of Jefferson—16.

The nays were—Senators Bailey, Bowen, Buechel, Davis of Clinton, Davis of Polk, Duncombe, English, Green, Hagans, Johnson, Kent, Lewis, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Sherradden, Trumbull, Taylor, Udell, Watson, Williams—24.

Excused—Mr. Bussey. Absent but not excused—Hastings and Saunders.

The bill not having received a constitutional majority, was lost.

On motion of Mr. Drummond, Senate File, No. 26, a bill for an act to determine the eligibility of county officers was taken up and considered.

Mr. Drummond moved to amend section 3 by striking out the words "County Judge," and inserting the words, "Clerk of the District Court," which was not concurred in.

Mr. Drummond moved to strike out section 3.

Mr. Udell moved to amend said section by striking out the words "County Judge," and inserting the words "County Board of Supervisors, which motion did not prevail.

The question recurring upon the motion to strike out section 3, it was concurred in.

Mr. Neal moved to amend section 1, by adding the words, "unless duly elected by the people to said office; upon which question Mr. Ainsworth called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Coolbaugh, Duncombe, Hagans, Henderson, Neal, Pusey, Powers, Sherradden, Udell, Williams—13.

The nays were—Senators Anderson, Angle, Bowen, Buechel, Davis of Clinton, Davis of Polk, Drummond, English, Gray, Green, Hammer, Hastings, Johnson, Kent, Lewis, Mann, McPherson, Patterson of Muscatine, Pattison of Marshall, Rankin, Reiner, Scott, Thompson, Trumbull, Taylor, Wilson of Dubuque, Wilson of Jefferson—27.

Excused—Bussey. Absent but not excused—Saunders and Watson.

So the motion did not prevail.

On motion of Mr. Drummond, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The nays were—Senators Anderson, Angle, Brown, Davis of Clinton, Davis of Polk, Drummond, English, Green, Hammer, Hastings, Kent, Mann, Pattison of Marshall, Scott, Thompson, Trumbull, Taylor, Wilson of Dubuque—18.

The yeas were—Senators Ainsworth, Bailey, Bowen, Buechel, Coolbaugh, Duncombe, Gray, Hagans, Henderson, Johnson, Lewis, McPherson, Neal, Pusey, Patterson of Muscatine, Powers, Rankin, Reiner, Sherradden, Udell, Watson, Williams, Wilson of Jefferson—23.

Excused—Mr. Bussey. Absent, but not excused—Mr. Saunders.

The bill not receiving a constitutional majority, was lost.

Mr. McPherson moved to take from the table the reports on the license law, Senate File No. 173, a bill for an act for the suppression of intemperance, and to regulate the sale of malt, spiritous and vinous liquors, in the State of Iowa, and Senate File No. 174, a bill for an act for the suppression of intemperance and to regulate the sale of liquors, which was agreed to.

Mr. Watson moved the indefinite postponement of both bills.

Mr. Neal moved to amend the majority report by striking out

all after the enacting clause, and inserting chapter 55 of the Code of Iowa, entitled an act for the sale of intoxicating liquors; upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Ainsworth, Bailey, Duncombe, Gray, Green, Hastings, Johnson, Mann, Neal, Patterson of Muscatine, Powers, Rankin, Reiner, Taylor, Udell, Williams—17.

The nays were—Senators Anderson, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, English, Hagans, Hammer, Henderson, Kent, Lewis, McPherson, Pusey, Pattison of Marshall, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Wilson of Dubuque, Wilson of Jefferson—25.

Excused—Mr. Bussey.

So the motion to strike out and insert, was not concurred in.

The question recurring upon the motion to indefinitely postpone both bills, Mr. Duncombe called for a division of the question, which was granted.

The question first being on the indefinite postponement of the majority report, Mr. Duncombe demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, Neal, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Watson—20.

The nays were—Senators Ainsworth, Bailey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, McPherson, Pusey, Patterson, of Muscatine, Rankin, Thompson, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—22.

Excused—Mr. Bussey.

So the motion to indefinitely postpone the majority report, was not concurred in.

The question being on the indefinite postponement of the minority report, Mr. Neal demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Bailey, Bowen, Davis of Clinton, Davis of Polk, Drummond, Green, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Neal, Pattison of Marshall, Rankin, Saunders, Sherradden, Scott, Trumbull, Udell, Williams, Wilson of Jefferson—22.

The nays were—Senators Anderson, Ainsworth, Brown, Buechel, Coolbaugh, Duncombe, English, Gray, Hammer, Johnson, Mann, Pusey, Patterson of Muscatine, Thompson, Taylor, Wilson of Dubuque—16.

Excused—Mr. Bussey. Absent, but not excused—Angle, Rankin, Reiner and Watson.

The motion to indefinitely postpone the minority report prevailed.

Mr. Wilson of Dubuque, moved to amend section 1, of sub-division 3, by striking out the following words: "School Fund to be distributed as other moneys," and insert after the words "Board of Supervisors," the following words: "and shall become a part of the temporary School Fund of said county," which was concurred in.

On motion of Mr. Pusey, the 11th Rule was suspended, the bill read the third time and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Ainsworth, Bailey, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, McPherson, Pusey, Patterson of Muscatine, Rankin, Reiner, Sherradden, Scott, Thompson, Trumbull, Udell, Williams, Wilson of Dubuque and Wilson of Jefferson—25.

The nays were—Senators Angle, Bowen, Brown, Buechel, Davis of Clinton, Davis of Polk, Hagans, Hastings, Henderson, Kent, Lewis, Neal, Pattison of Marshall, Powers, Saunders and Watson—17.

Excused—Bussey.

So the bill passed.

Mr. Kent moved the following as a substitute for the title to the bill: "A bill for an act to encourage krunkenness in Iowa; upon which question, Mr. Drummond called the yeas and nays, which were ordered and were as follows:

The yeas were—Anderson, Angle, Bowen, Davis of Clinton, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, Pattison of Marshall, Powers, Sherradden and Watson—14.

The nays were—Ainsworth, Bailey, Buechel, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Rankin, Reiner, Saunders, Scott, Thompson, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque, and Wilson of Jefferson—26.

Excused—Bussey. Absent, but not excused—Brown and Davis of Polk.

So the motion was lost, and original title agreed to.

Message from the House.

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

House File No. 229, a bill for an act making provision for the payment of the salary of the Commissioner of the Des Moines River Improvement, and requiring the Keokuk, Ft. Des Moines and Minnesota Railroad Company to pay the amount of said salary into the State Treasury.

CHAS. ALDRICH, Chief Clerk.

Mr. Johnson moved to reconsider the vote last taken.

Mr. McPherson moved to lay the resolution to reconsider, on the table; upon which question Mr. Watson demanded the yeas and nays, which were ordered, and were as follows:

Yeas—Ainsworth, Bailey, Buechel, Coolbaugh, Duncombe, English, Gray, Hammer, Johnson, Mann, McPherson, Pusey, Patterson of Muscatine, Reiner, Thompson, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—21.

Nays—Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Green, Hagans, Henderson, Kent, Lewis, Neal, Pattison of Marshall, Powers, Rankin, Saunders, Sherradden, Scott and Watson—21.

Excused—Bussey.

The vote being a tie, the President voted yea; so the motion to lay on the table prevailed.

On motion of Mr. Rankin, House File No. 229, a bill for an act making provision for the payment of the salary and contingent expenses of the Commissioner of the Des Moines River Improvement, and requiring the Keokuk and Fort Des Moines and Minnesota R. R. Co., to pay the amount of said salary into the State Treasury, was taken up, read the first and second time, and referred to the Committee on Railroads.

Mr. Scott presented the petition of Thomas May, and 33 others, citizens of Iowa, praying for the repeal of the hog law. Read, and referred to the Committee on Agriculture.

Mr. Bowen introduced Senate File No. 188, a bill for an act for the better management of the School Fund. Read the first and

second time, and on motion of Mr. Bowen, was laid on the table and ordered printed.

Mr. Scott introduced Senate File No. 189, a joint resolution for additional mail facilities. Read the first and second time, and, on motion of Mr. Ainsworth, the 11th Rule was suspended, the resolution read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bowen, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque, and Wilson of Jefferson—35.

The nays were—None.

Excused—Bussey. Absent, but not excused—Bailey, Brown, Coolbaugh, Kent, Pusey, Rankin, Watson—7.

So the resolution was passed and title agreed to.

Mr. Ainsworth introduced Senate File No. 190, a bill for an act to amend chapter 128, of the acts of the 7th General Assembly. Read the first and second time, and referred to the Judiciary Committee.

Mr. Johnson, from the special committe to which was referred Senate File No. 148, a bill for an act for the relief of Grenville Hale, reported a substitute for the same, Senate File No. 191, a bill for an act to authorize the Register of the State Land Office to convey and issue patents for certain University Lands, and recommended that the same be passed. Read the first and second time, and on motion of Mr. Johnson, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Buechel, Coolbaugh, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson Neal, Pusey, Patterson of Muscatine, Powers, Rankin, Saunders, Scott, Thompson, Trumbull, Taylor, Watson Williams, Wilson of Dubuque, Wilson of Jefferson—35.

The nays were—Senators Davis of Clinton, Patterson of Musbatine—2.

Excused—Bussey. Absent, but not excused—Brown, Drummond, Reiner, Sherradden and Udell.

So the bill was passed and title agreed to.

Mr. Gray introduced Senate File No. 192, a bill for an act entitled an act relating to municipal incorporations. Read the first and second time, and referred to the Committee on Incorporations.

Mr. Bowen introduced Senate File No. 193, a bill for an act to abolish the office of State Librarian, and devolving his duties on the Clerk of the Secretary of the Board of Education. Read the first and second time, and on motion of Mr. Watson, referred to a special committee of three.

The President appointed, as said committee, Watson, Bowen and Duncombe.

Mr. Bowen presented the petition of H. W. Lathrop, relating to the exemption of certain School Lands from taxation. Read and referred to the Judiciary Committee.

Mr. Patterson, of Muscatine, from the committee to which was referred the memorial of the President and Directors of the Muscatine School District, reported Senate File No. 194, a bill for an act relating to text books to be used in the Schools of this State. Read the first and second time.

Mr. Ainsworth moved to suspend the 11th Rule, have the bill read the third time, and put upon its final passage. Carried.

Mr. Kent moved to reconsider the vote last taken; upon which question Mr. Johnson demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Gray, Hastings, Kent, Lewis, Neal, Pattison of Marshall, Reiner, Saunders, Sherradden, Scott, Taylor, Udell, Watson, Wilson of Jefferson—20.

The nays were—Senators Angle, Ainsworth, Bailey, Buechel, Coolbaugh, Duncombe, English, Green, Hagans, Hammer, Henderson, Johnson, Mann, McPherson, Pusey, Patterson of Muscatine, Thompson, Trumbull, Williams, Wilson of Dubuque—20.

Excused—Mr. Bussey. Absent, but not excused—Messrs. Powers and Rankin.

The vote being a tie, the President voted yea, so the motion to reconsider prevailed.

On motion, the bill was referred to the Committee on the Judiciary.

Mr. Drummond introduced Senate File No. 195, a bill for an act to authorize the County Judge of Tama county to pay the claim of H. Stearns. Read the first and second time, and on motion of Mr. Drummond, the 11th rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—37.

The nays were—Senators Bailey, Johnson—2.

Excused—Bussey. Absent, but not excused—Buechel, Patterson of Muscatine and Udell.

The bill was passed and title agreed to.

Mr. Powers presented the petition of C. O. Case, and 62 others, citizens of Iowa, praying for such legislation as will divert the Land Grant of the Iowa Central Air Line Railroad to a Railroad running west from McGregor, through the State. Read and referred to the Committee on Railroads.

Mr. Hastings, from the Committee on Engrossed Bills, reported Senate File No. 6, a bill for an act to provide for the appraisement of property sold under execution; also, Senate File No. 78, a bill for an act entitled an act to amend an act for the government and regulation of the State University of Iowa, passed by the Board of Education, and approved December 24th, 1850, correctly engrossed.

Mr. Taylor offered the following resolution, which was adopted:

Resolved, That the Secretary of State be directed to furnish the Reporters of the Iowa State Journal and Iowa State Register with one copy of such books, reports and documents as have been furnished to members of the Senate for distribution, *Provided*, The same are now in possession of the State.

On motion of Mr. Coolbaugh, the vote last taken was reconsidered.

The question being upon the adoption of the resolution, Mr. Coolbaugh demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Buechel, Davis of Polk, Drummond, Duncombe, Gray, Green, Henderson, Johnson, Mann, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Scott, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—23.

The nays were—Senators Anderson, Ainsworth, Bailey, Bowen, Brown, Coolbaugh, Davis of Clinton, English, Hastings, Kent, Lewis, McPherson, Neal, Saunders, Sherradden, Thompson, Watson, Wilson of Jefferson—18.

Excused—Bussey. Absent, but not excused—Hagans.

So the resolution was adopted.

On motion of Mr. Bailey, the Senate adjourned.

SENATE CHAMBER,
Wednesday March 21st, 1860, 8½ o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Nash.

Journal of yesterday read, corrected and approved.

Mr. Coolbaugh had leave to introduce Senate File No. 196, a bill for an act to pay the Commissioners of Revision. Read the first and second time, and referred to the Committee on Ways and Means, with instructions to report at an early day.

Mr. Coolbaugh had leave to introduce Senate File No. 197, a bill for an act regulating the payment of expenses on requisitions for fugitives from justice. Read the first and second time.

On motion of Mr. Mann, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson,

Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—42.

The nays were—None.

Excused—Mr. Bussey.

So the bill was passed and title agreed to.

Mr. Davis of Polk, offered the following resolution:

Resolved, That the Committee on Ways and Means be instructed to enquire into the expediency of exempting machinery and other articles used in manufacturing, from taxation.

The question being on the adoption of the resolution, Mr. Ainsworth demanded the yeas and nays which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, English, Gray, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, McPherson, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque, Wilson of Jefferson—31.

The nays were—Senators Ainsworth, Bailey, Duncombe, Green, Johnson, Mann, Neal, Patterson of Muscatine, Udell, Williams—10.

Excused—Mr. Bussey. Absent but not excused—Mr. Buechel.

The resolution was adopted.

Message from the House:

Mr. President:—I am directed to return to the Senate, Senate File No. 76, the same having passed the House without amendment.

CHARLES ALDRICH, Chief Clerk.

Mr. Drummond offered the following resolution:

Resolved, That the resolution of the Senate of March 7th, inst. in relation to H. Campbell, a member of the House, be expunged from the Journal, and not printed in the same.

Mr. Angle moved to lay the resolution on the table, upon which question Mr. Neal demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, English, Green, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Thompson, Trumbull, Taylor, Williams, Wilson of Jefferson—27.

The nays were—Senators Ainsworth, Drummond, Duncombe, Gray, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Scott, Watson, Wilson of Dubuque—13.

Absent but not excused—Buechel and Udell.

The motion to lay on the table prevailed.

Mr. Mann offered the following resolution, which was adopted.

Resolved, That the Committee on Township and County Organization enquire into the expediency of so changing the law in reference to the support of the poor, in counties where there is no poor house farm, as to require each township to support its own poor, and if deemed expedient, to report a bill for that purpose.

On motion of Mr. Bowen, Senate File No. 78, a bill for an act entitled an act for the government and regulation of the State University of Iowa, passed by the Board of Education, and approved December 24th, 1858, was taken up, read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Saunders, Sherradden, Thompson, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—29.

The nays were—Senators Ainsworth, Bailey, Duncombe, English, Johnson, Mann, Neal, Pusey, Reiner—9.

Excused—Angle and Bussey. Absent but not excused—Buechel, Scott and Watson.

The bill was passed, and title agreed to.

Mr. Neal offered the following resolution:

Resolved, That in making up the Journals, upon a call of the yeas and nays, the Secretary shall not enter the names of those Senators excused or not voting, and the same, where heretofore entered, shall not be printed.

On motion of Mr. Ainsworth, the resolution was laid on the table.

Mr. Davis, of Polk, made the following report:

The Committee on Public Buildings have instructed me to report back to the Senate, without recommendation, the bill referred to them, making an appropriation for the Blind Asylum.

W. P. DAVIS, Chairman.

Mr. Davis, of Polk, claimed this as a part of the instructions, Mr.

Wilson, of Jefferson, said not: "and to inquire into the expediency of purchasing Central Iowa College, and fitting it up for a Blind Asylum."

DAVIS, of Polk.

The bill was taken up, and considered.

Mr. Drummond moved to fill the blank in section 1, with the sum of $18,000.

Mr. Ainsworth moved to reconsider the vote by which the resolution offered by Mr. Neal, relating to the making up of the Journal of the Senate, was laid on the table; which motion prevailed.

The resolution was considered, and on motion of Mr. Wilson, of Jefferson, laid on the table.

Wr. Wilson, of Jefferson, moved to refer the bill under consideration to the Committee on Public Buildings, with instructions to enquire whether the style and plan of the Blind Asylum cannot be so changed as to materially diminish the contemplated cost of the same, and report such changes; also, report the lowest sum for which the building can be inclosed, after the adoption of such changes, and report by Friday morning; which was concurred in.

Mr. Duncombe introduced Senate File No. 198, a bill for an act making provision for the settlement of all liabilities of the State, growing out of the sale of certain lands of the Des Moines River Improvement grant, as School Lands, accompanied by the following report: The bill was read the first and second time.

The select committee to which was referred the petition of four hundred citizens of Webster and Hamilton counties, asking for relief from the State, in reference to lands which were selected as a part of the 500,000 acre grant of School Lands, and sold by John Tolman, School Fund Commissioner of Webster county, on the order of Thos. H. Benton, Jr., and afterwards sold by the State to the Des Moines Navigation & Railroad Company, do report:

That the State, through its legally appointed agents, did select the lands referred to in said petition as School Lands, and did dispose of said lands through the said School Fund Commissioner, under the order of the Superintendent of Public Instruction, to actual settlers, most of whom still reside upon these lands, and many of whom have made valuable improvements upon said lands, and have expended large sums of money in making said improvements. That at the last session of the General Assembly, in the settlement between the State and the Des Moines Navigation &

Railroad Company, said lands were granted away by the State, and have since that time been patented by the State to said Company, without any reservation or provision for the settlers upon these lands.

Your committee further find that, if the General Assembly refuse to pass an act for the relief of the settlers upon the lands aforesaid, that a large number of citizens of the State will be deprived of their homes, which they purchased of the State in good faith, and that they will suffer great injustice and wrong, by reason of the neglect of the State to make such provision as justice demands in behalf of her citizens.

Your committee, therefore, reports by bill, and recommends its passage.

JNO. F. DUNCOMBE, Ch'm.
JNO. SCOTT,
J. J. WATSON.

Mr. Wilson, of Dubuque, from the special committee to which was referred Senate File No. 109, a bill for an act giving County Courts limited civil and criminal jurisdiction, reported a substitute for the same, and recommended its adoption and passage. Report was adopted, and bill considered.

On motion of Mr. Udell, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Wilson, of Jefferson, moved to lay the bill under consideration on the table.

Mr. Neal moved a call of the House, which was sustained, and ordered.

Messrs. Bailey, Buechel, Davis of Polk, and Drummond, were found to be absent, but not excused. The absentees coming in, further proceedings under the call were dispensed with.

The question being on the motion to lay on the table, Mr. Neal called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Buechel, Coolbaugh, Gray, Hagans, Kent, Lewis, Rankin, Saunders, Sherradden, Udell, Williams, Wilson of Jefferson—15.

The nays were—Senators Ainsworth, Bailey, Brown, Davis of

Clinton, Davis of Polk, Drummond, Duncombe, English, Green, Hammer, Hastings, Henderson, Johnson, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Scott, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque—27.

Excused—Mr. Bussey.

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

Mr. Watson, from the special committee to which was referred Senate File No. 193, a bill for an act to abolish the office of State Librarian, and devolving the duties on the Clerk of the Secretary of the Board of Education, reported the same back with the recommendation that it do not pass.

Mr. Bowen moved that the report of the committee be not concurred in; which motion prevailed.

Mr. Mann moved the indefinite postponement of the bill; upon which question Mr. Bowen called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Buechel, Drummond, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Patterson of Muscatine, Powers, Rankin, Reiner, Saunders, Sherradden, Thompson, Trumbull, Taylor, Udell, Watson, Wilson of Dubuque—23.

The nays were—Senators Anderson, Angle, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Neal, Pusey, Pattison of Marshall, Scott, Wilson of Jefferson—18.

Excused—Mr. Bussey. Absent, but not excused—Mr. Williams.

So the motion to indefinitely postpone prevailed.

Mr. Saunders, from the Committee on Ways and Means, reported back House File No. 143, a bill for an act for the relief of the tax-payers in certain cases, with the recommendation that the same do not pass.

Also, Senate File No. 150, a bill for an act, amendatory of an act to provide for an annual appropriation for the benefit of the State Historical Society, with a substitute for the same, and recommended its adoption and passage.

The Report was adopted, and on motion of Mr. Saunders, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Green, Hagans, Henderson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Trumbull, Watson, Wilson of Dubuque, Wilson of Jefferson—26.

The nays were—Senators Angle, Ainsworth, Bailey, Buechel, English, Gray, Hammer, Hastings, Johnson, Pusey, Thompson, Taylor, Udell, Williams—14.

Excused—Bussey. Absent, but not excused—Anderson and Duncombe.

So the bill was passed and title agreed to.

Mr. Davis, of Clinton, from the Committee on Charitable Institutions, reported Senate File No. 144, a bill for an act requiring complete reports from officers in charge of State Buildings and State Institutions, with two amendments, and recommended that the amendments be adopted, and bill passed.

Report concurred in, and on motion of Mr. Drummond, the 11th Rule was suspended, the bill be read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Angle, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—39.

The nays were—None.

Excused—Bussey. Absent, but not excused—Anderson, Ainsworth and Hammer.

So the bill was passed and title agreed to.

Mr. English introduced Senate File No. 199, a bill for an act authorizing the construction of mill dams. Read the first and second time, and on motion of Mr. Wilson of Jefferson, referred to the Committee on Internal Improvements, with instructions to report by Friday next.

Mr. Rankin made the following report, which was adopted:

The Judiciary Committee, to which was referred the report of the Code Commissioners on the revision of the laws prepared by

C. B. Darwin, report that they have examined said revision, and find it well prepared; they therefore, recommend that said report be adopted, and that the revision be published with the Codes Civil and Criminal.

J. W. RANKIN, Chairman.

On motion of Mr. Rankin, the Committee on Enrolled Bills were instructed to inquire into the necessity of enrolling the Laws, as revised by the Code Commissioners, and report to-morrow morning.

Mr. Taylor, from the Judiciary Committee, to which was referred Senate File No. 25, a bill for an act to provide for the pay of the State School Fund Commissioners of the State of Iowa, reported a substitute for the same, and recommended its adoption and passage. Report was adopted.

On motion of Mr. Neal, the last section was stricken out.

Mr. Ainsworth moved to suspend the 11th Rule, have the bill read the third time, and put upon its final passage; which motion did not prevail.

Mr. Hagans, from the Committee on Military Affairs, to which was referred Senate File No. 185, a bill for an act to exempt Military Companies from labor on public roads, reported back the same with one amendment, and with the recommendation of the majority of said committee, that the same be concurred in, and bill then passed. Amendment concurred in.

Mr. Wilson of Jefferson, moved to amend section 1, by inserting after the word "companies," the words, "and who perform military duty, as required by the regulations of their respective companies, and the law of the State," and to add to said section, the words, "so long as they remain members of such companies, and perform such duty;" which was concurred in.

Mr. Bowen moved to amend section 1, by inserting after the words "military duty," the words, "not less than four days in each year;" which was concurred in.

Mr. Wilson of Jefferson, moved to re-commit the bill, with instructions; which motion did not prevail.

On motion of Mr. Ainsworth, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Ainsworth, Bowen, Brown, Coolbaugh, Duncombe, English, Gray, Hagans, Hammer, Patter-

son of Muscatine, Pattison of Marshall, Rankin, Reiner, Saunders, Thompson, Trumbull, Udell, Wilson of Dubuque, Wilson of Jefferson—20.

The nays were—Senators Angle, Bailey, Buechel, Davis of Clinton, Davis of Polk, Green, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Powers, Sherradden, Scott, Taylor, Watson, Williams—21.

Excused—Mr. Bussey. Absent but not excused—Mr. Drummond.

The bill not receiving a constitutional majority, was lost.

Mr. Bowen, from the special committee, to which was referred Senate File No. 187, a bill for an act to quit claim to the holders of the certificates for the purchase of swamp lands, sold by County Judges, reported the same back with the recommendation that it be passed.

On motion of Mr. Ainsworth, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, Gray, Green, Hagans, Hammer, Hastings, Henderson, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—37.

The nays were—None.

Excused—Mr. Bussey. Absent but not excused—Messrs. Drummond, English, Johnson, Kent and Rankin.

The bill was passed and title agreed to.

INTRODUCTION OF BILLS.

Mr. Gray introduced Senate File No. 260, a bill for an act amendatory of chapter 114 of the laws of the 7th General Assembly, entitled an act authorizing general banking in the State of Iowa. Read the first and second time, and referred to the Committee on Banks.

Mr. Neal introduced Senate File No. 201, a bill for an act for the relief of Hugh Loynacham. Read the first and second time, and referred to the Committee on Claims.

Mr. Davis of Polk, introduced Senate File No. 202, a bill for an act authorizing the County Judge of Polk county to appropriate a portion of the proceeds of the swamp lands, for the completion of a Court House. Read the first and second time.

Mr. Powers introduced Senate File No. 203, a bill for an act to amend section 83 of the Code. Read the first and second time.

Mr. Scott offered the following resolution:

Resolved, That the Secretary of State be directed to furnish to the Clerks of the Senate 1 sett each, of Supreme Court Reports and Constitutional Debates, provided the same are the property of the State.

Mr. Thompson moved to amend the resolution, by inserting after the word "Clerks," the words "Sergeant-at-Arms and Doorkeeper."

Mr. Neal moved to amend the amendment, by inserting the words "officers of the Senate," which motion prevailed.

The question being on the adoption of the resolution as amended, Mr. Reiner demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Neal and Scott—2.

The nays were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—39.

Excused—Mr. Bussey. Absent, but not excused—Mr. Rankin.

So the resolution was not adopted.

Mr. Neal, from the Committee on Ways and Means, reported back Senate File No. 146, a bill for an act to exempt from taxation the property of Manual Labor Colleges and Schools, with the recommendation of the majority of said committe, that the same be indefinitely postponed, which report was concurred in.

Mr. Thompson made the following report:

The Committee on Banks, to whom was referred House File No. 38, a bill entitled an act to amend section 20 of an act entitled an act authorizing general banking in the State of Iowa, approved March 22, 1858, having had the same under consideration, instruct

me to report the same back, and recommend its indefinite postponement. JNO. W. THOMPSON, Chairman.

On motion of Mr. Taylor, Senate adjourned.

SENATE CHAMBER,
Thursday, March 22d, 1860, 8½ o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Rev. E. W. Peet.

Journal of yesterday read and approved.

UNFINISHED BUSINESS.

The question being on concurring in the report of the Committee on Banks, to indefinitely postpone the bill under consideration, Mr. Angle demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bowen, Brown, Buechel, Coolbaugh, Davis of Polk, English, Rankin, Reiner, Sherradden, Trumbull, Wilson of Jefferson—11.

The nays were—Senators Anderson, Angle, Ainsworth, Bailey, Davis of Clinton, Duncombe, Gray, Green, Hagans, Hastings, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Scott, Taylor, Udell, Watson, Williams, Wilson of Dubuque—26.

Excused—Bussey and Hammer. Absent, but not excused—Drummond, Henderson, Saunders, and Thompson.

So the motion to concur did not prevail.

Mr. Johnson, moved to suspend the 11th Rule, have the bill read the third time, and put upon its final passage.

Mr. Wilson, of Jeffeerson, moved a call of the House, which was sustained and ordered.

Messrs. Drummond, Hammer, Saunders and Thompson were found to be absent and not excused.

On motion of Mr. Pusey, Mr. Saunders was excused.

Mr. Duncombe moved to suspend further proceedings under the call, which motion prevailed.

Mr. Bowen offered the following amendment: "*Provided*, That the issues of the Banks, established by the provisions of this bill, shall be received for revenue."

Mr. Mann moved to lay the amendment on the table; upon which question, Mr. Taylor demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Coolbaugh, Drummond, Duncombe, English, Gray, Green, Hagans, Hastings, Henderson, Johnson, Kent, Mann, Neal, Pusey, Patterson of Muscatine, Powers, Scott, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque—27.

The nays were—Senators Bowen, Brown, Buechel, Davis of Clinton, Davis of Polk, Lewis, McPherson, Pattison of Marshall, Rankin, Reiner, Saunders, Sherradden, Thompson, Wilson of Jefferson—14.

Excused—Bussey and Hammer.

So the motion to lay on the table prevailed.

Message from the House.

Mr. President:—I am directed to return to the Senate, the following Senate Files, the same having passed the House without amendment:

Senate File No. 153, the Code of Criminal Practice of the State of Iowa.

I also return Senate File No. 168, the same having passed the House with the following amendment: Add to section 2, the words, "without expense to the State."

CHARLES ALDRICH, Chief Clerk.

The question recurring upon the motion to suspend the 11th Rule, it was concurred in.

The yeas and nays on the passage of the bill, were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Brown, Gray, Green, Hagans, Hastings, Johnson, Kent, Mann, McPherson, Neal, Powers, Taylor, Udell, Watson, Williams, Wilson of Dubuque—20.

The nays were—Senators Bowen, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Henderson, Lewis, Pusey, Patterson of Muscatine, Pattison of Marshall, Rankin,

Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Wilson of Jefferson—20.

Excused—Messrs. Bussey and Hammer. Absent, but not excused—Mr. Drummond.

The bill not receiving a constitutional majority, was lost.

REPORTS OF COMMITTEES.

Mr. Rankin, from the Judiciary Committee, made the following reports:

Senate File No. 239, a bill for an act to allow hotel and boarding house keepers certain liens, reported back with the recommendation that the same be indefinitely postponed; which report was concurred in.

Also, the petition of H. W. Lathrop, asking the exemption of certain lands connected with the State University from taxation, with the recommendation that the same be not granted. Report adopted.

Also, House File No. 298, a bill for an act requiring Trustees, Managers, Commissioners and Inspectors of Public Buildings, Improvements and Institutions to take and subscribe an oath, and punishing a violation of the same, with the recommendation that the same be passed.

Report adopted, and, on motion of Mr. Rankin, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hastings, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumball, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—39.

Excused—Bussey and Hammer. Absent, but not excused—Drummond and Henderson.

The bill was passed and title agreed to.

Message from the House by Mr. Aldrich, Chief Clerk.

The bill was passed and title agreed to

Message from the House, by Mr. Aldrich, Chief Clerk:

Mr. President:—I herewith present for your signature the following bills, the same having passed both branches of the General Assembly, and duly enrolled in the House.

House File No. 291, a bill for an act limiting the powers and defining the duties of County Judges in certain cases.

House File No. 274, a bill for an act to amend an act fixing the times of holding Courts in the 11th Judicial District.

House File No. 53, a bill for an act making appropriations to meet the expenses of the Deaf and Dumb Asylum.

Substitute for House File No. 232, a bill for an act for the relief of Michael Sweeny and others.

House File No. 31, a bill for an act relating to incest.

Substitute for House File No. 192, a bill for an act legalizing the official acts of the City Council of Maquoketa, and the election of the Mayor of said city.

House File No. 30, a bill for an act to legalize the election of the president and town council, and other officers of Chariton, Lucas county, and the official acts of the same.

CHAS. ALDRICH, Chief Clerk.

Mr. Powers, from the Committee on Township and County Organization, made the following reports:

Resolution relating to the support of the poor, in the counties where there is no poor house farm, reported back, with the recommendation that no change in the existing law be made. Report concurred in.

Also, House File No. 164, a bill for an act to regulate the compensation of Clerks of the District Court, with sundry amendments, and recommended the adoption of the amendments, and the passage of the bill as amended.

Mr. Neal moved to amend the report by striking out $1,00, and insert $0,50, as the fee for issuing attachments; which was not concurred in.

Mr. Mann moved to take up the amendments separately: which motion was lost.

Mr. Neal moved to amend the report by striking out 50, and inserting 25, as fee in "declaring intentions," upon which question, Mr. Ainsworth called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Brown, Buechel, Coolbaugh, Davis of Polk, Duncombe, Gray, Green, Johnson,

Mann, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque—22.

The nays were—Senators Anderson, Bowen, Davis of Clinton, Drummond, English, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Wilson of Jefferson—18.

Excused—Messrs. Bussey and Hammer. Absent but not excused—Mr. Angle.

Mr. Johnson moved to amend the report by striking out "ten cents," and inserting "five cents," as the fee for issuing subpœnas. Lost.

Mr. English moved to strike out section 2, which was concurred in.

Mr. Ainsworth moved to strike out the word "shall," and insert the word "may," in section 2.

Mr. Wilson of Jefferson moved to amend by striking out the first line in section 2, which was concurred in.

Mr. Bowen moved to strike out the last section, which was concurred in.

The question being on concurring in the report as amended, Mr. Hagans demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Pattison, of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—39.

The nays were—Senator Hagans—1.

Excused—Bussey and Hammer. Absent but not excused—Patterson of Muscatine.

So the motion to concur prevailed.

On motion of Mr. McPherson, section 5 was stricken out.

Mr. Udell moved to amend section 1, by inserting the words, "that the Clerk shall put all the witnesses called for at one time in one subpœna, or furnish blanks for parties calling for them," which was not concurred in.

Mr. Mann moved to amend section 1, by inserting the words,

"that the Clerk shall put in each subpœna the names of as many witnesses as are desired by any party, which was concurred in.

Mr. Taylor moved to add the following as an additional section to the bill. "All Clerk's fees heretofore taxed and uncollected at the taking effect of this act in any county of this State, shall when collected, be paid into the county treasury, and become part of ordinary county revenue, which was concurred in.

On motion of Mr. Taylor, the bill was ordered engrossed for its third reading on to-morrow.

Mr. Bowen, from the Committee on Schools and University, reported back Senate File No. 184, a bill for an act amending section 5 of an act No. 11 of the Board of Education, passed December, A. D. 1858, with the recommendation that the same be passed.

On motion of Mr. Wilson of Dubuque, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Bowen, Brown, Buechel, Coolbaugh, Drummond, English, Gray, Green, Hagans, Hastings, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque—25.

The nays were—Senators Ainsworth, Davis of Clinton, Davis of Polk, Duncombe, Henderson, Johnson, Mann, Neal, Pusey, Powers, Udell, Wilson of Jefferson—12.

Excused—Bussey and Hammer. Absent but not excused—Kent, Rankin, Reiner and Saunders.

The bill was passed and title agreed to.

Mr. Mann, from the special committee, to which was referred Senate File No. 106, a bill for an act to provide for adjusting and paying costs incurred in the adjustment and collection of the School Funds, reported a substitute for the same, and recommended its adoption and passage. Report concurred in.

On motion of Mr. Taylor, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, English, Gray, Green, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine,

Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Trumbull, Taylor, Williams—31.

The nays were—Senators Duncombe, Hagans, Johnson, Udell, Watson, Wilson of Jefferson—6.

Excused—Bussey and Hammer. Absent but not excused—Ainsworth, Rankin and Thompson.

So the bill was passed and title agreed to.

Mr. Bowen moved to reconsider the vote by which Senate File No. 184, a bill for an act amending section 5 of act No. 11 of the Board of Education, passed December, A. D. 1858, was passed, which motion prevailed.

Mr. Taylor moved to amend section 1, by inserting after the word "District," the words "for school house purposes."

On motion of Mr. Bowen, the bill and amendment were recommitted.

Mr. Wilson of Dubuque, from the Judiciary Committee, in response to the petition of Edward Zitschke, and others, reported Senate File, No. 204, a bill for an act respecting the taking effect of the law of 1858, entitled an act respecting aliens, approved March 15th, 1858, and recommended its passage.

On motion of Mr. Wilson of Dubuque, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Buechel, Davis of Clinton, Davis of Polk, English, Gray, Green, Hagans, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—38.

The nays were—Mr. Duncombe—1.

Excused—Bussey and Hammer. Absent, but not excused—Coolbaugh and Drummond.

The bill was passed and title agreed to.

Mr. Henderson, from the Committee on County Boundaries, reported back certain petitions relating to new counties, and recommended that they be referred to the Committee on New Counties, which was concurred in.

Mr. Brown, from the Committee on Public Lands, reported back Senate File No. 96, a bill for an act to amend an act entitled a

bill to prevent trespass on waste or swamp land, and for other purposes, approved January 25th, 1855, with the recommendation that the same be passed.

On motion of Mr. Brown, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, English, Gray, Green, Hagans, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—36.

The nays were—Senators Johnson, Neal and Pusey—3.

Excused—Mr. Bussey. Absent but not excused—Drummond, Duncombe and Hammer.

So the bill was passed and title agreed to.

On motion of Mr. Neal, Mr. Bailey had leave of absence from and after Saturday next.

On motion of Mr. Taylor, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Wilson, of Jefferson, moved that two members be added to the Committee on Enrolled Bills, which was agreed to.

The President appointed as said members, Messrs. Henderson and Mann.

On motion of Mr. Davis of Polk, Senate File No. 6, a bill for an act to provide for the appraisement of property sold under execution, was taken up read the third time, and put upon its passage.

The yeas and nays were as follows:

The nays were—Senators Anderson, Angle, Bowen, Davis of Clinton, Davis of Polk, Drummond, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Trumbull, Taylor, Udell, Watson, Wilson of Dubuque, Wilson of Jefferson—24.

The yeas were—Senators Ainsworth, Bailey, Buechel, Coolbaugh

Duncombe, English, Gray, Green, Hagans, Hammer, Pusey, Patterson of Muscatine, Thompson, Williams—14.

Excused—Bussey and Rankin. Absent, but not excused—Brown, Hastings and Scott.

So the bill was passed and title agreed to.

Mr. Mann moved to reconsider the vote last taken.

Mr. Powers moved to lay the motion to reconsider on the table; upon which question Mr. Ainsworth demanded the yeas and nays, which were ordered, andwere as follows:

The yeas were—Senators Anderson, Angle, Bowen, Coolbaugh, Davis of Polk, Drummond, Hammer, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Trumbull, Udell, Watson, Wilson of Dubuque, Wilson of Jefferson—25.

The nays were—Senators Ainsworth, Bailey, Buechel, Davis of Clinton, Duncombe, English, Gray, Green, Hagans, Patterson of Muscatine, Saunders, Thompson, Taylor, Williams—14.

Excused—Bussey and Rankin. Absent, but not excused—Brown and Hastings.

So the motion to lay on the table prevailed.

Mr. Powers, from the Committee on Township and County Organization, in response to a resolution, reported Senate File No. 205, a bill for an act regulating the compensation of County Judges. Read the first and second time.

Mr. English moved to suspend the 11th Rule, have the bill read the third time and put upon its passage, which motion did not prevail.

Mr. Saunders moved to take up Senate File No. 71, a bill for an act making a further appropriation for the State Insane Asylum; upon which question Mr. Drummond demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bowen, Davis of Clinton, Duncombe, Hagans, Henderson, Johnson, Kent, Lewis, McPherson, Reiner, Saunders, Sherradden, Scott, Watson, Wilson of Jefferson—16.

The nays were—Senators Ainsworth, Bailey, Buechel, Drummond, English, Gray, Green, Mann, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Thompson, Trumbull, Taylor, Williams, Wilson of Dubuque—18.

Excused—Bussey, Davis of Polk and Rankin. Absent, but not excused—Angle, Brown, Coolbaugh, Hammer, Hastings, Udell.

So the motion was lost.

Mr. Sherradden made the following reports:

The Committee on Enrolled Bills have presented to his Excellency, the Governor, for his approval, the following acts:

An act to regulate the foreclosure of mortgages.

Also, an act to legalize the acts of the Bloomfield Township School District, in Davis county.

Also, the Committee on Enrolled Bills have examined Senate File No. 76, an act making appropriation for general support of the Iowa Penitentiary, to supply deficiency in the appropriation made by the 7th General Assembly, and find the same correctly enrolled.

O. P. SHERRADDEN, Ch'm.

Mr. Anderson introduced Senate File No. 206, a bill for an act to amend chapter 188 of the acts of the Sixth General Assembly. Read the first and second time, and on motion of Mr. Anderson, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Ainsworth, Bowen, Brown, Coolbaugh, Davis of Clinton, Drummond, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson —33.

The nays were—Senators Bailey, Buechel, Duncombe, English, Johnson, Neal—6.

Excused—Messrs. Bussey, Davis of Polk, and Rankin. Absent, but not excused—Mr. Angle.

So the bill was passed, and title agreed to.

Mr. Powers introduced Senate File No. 207, a bill for an act to legalize the levy of the road tax in Mitchell county, for the year 1858, and the collection of the taxes of said county for said year. Read the first and second time, and on motion of Mr. Powers, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Coolbaugh,

Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque—26.

The nays were—Senators Ainsworth, Bailey, Buechel, Duncombe, English, Johnson, Udell, Williams—8.

Excused—Messrs. Bussey, Davis of Polk, and Rankin. Absent, but not excused—Messrs. Angle, Davis of Clinton, Drummond, Gray, Neal, and Wilson of Jefferson.

So the bill was passed, and title agreed to.

Mr. Brown introduced Senate File No. 208, a bill for an act regulating the Board of Supervisors. Read the first and second time, and referred to the Committee on Township and County Organization.

Mr. Taylor introduced Senate File No. 209, a bill for an act entitled an act to prescribe the duties of Secretary of State, in certain cases.

Mr. Wilson, of Dubuque, moved to suspend the 11th Rule, have the bill read the third time, and put upon its passage; which motion prevailed.

On motion of Mr. Taylor, the vote last taken was reconsidered.

Mr. Drummond moved to amend the last section, by adding the following words: "and all the specific items of such cost, both for indexing and transportation in distribution, shall be reported by the Secretary, and filed as a part of his bill, in the Auditor's office."

Mr. Drummond moved the reference of the bill and amendment to a select committee of three, with the instructions to report tomorrow morning, and to inquire into the propriety of letting to the Secretaries of the Senate and House, the job of preparing the Journals for the press, indexing the same, correcting proof, and when printed, of distributing the same, provided they can do it as cheaply as the Secretary of State; also, into the expediency of letting the distribution to the lowest bidder. Which motion prevailed.

Mr. Taylor introduced Senate File No. 210, a bill for an act entitled an act to repeal chapter 160 of the acts of the 7th General Assembly. Read the first and second time, and referred to the Judiciary Committee.

Message from the House.

Mr. President:—I am directed to inform your honorable body,

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

House File No. 181, a bill for an act relating to weights and measures, and amendatory of chapter 56 of Code.

House File No. 266, a bill for an act to carry into execution the trusts conferred upon the State of Iowa, in respect to the lands granted by an act of Congress approved May 15th, 1856, to aid in the construction of a Railroad from Lyons City across the State of Iowa, and near the 42d parallel, to the Missouri River.

House File No. 300, a bill for an act in relation to persons insane, and providing for the relinquishing of dower of married women who are insane.

House File No. 311, Substitute for House Files Nos. 231, 240, 221, 241, 235, 242, 245, 265, 264, and for Senate Files Nos. 131, 125, 132, 158, 147 and 139, Memorial and Joint Resolution praying for additional mail facilities.

House File No. 312, a bill for an act to legalize the official acts of W. R. Brown, a Notary Public of Des Moines county, Iowa.

House File No. 237, a bill for an act to release taxes assessed against property destroyed by fire, or other casualties.

I also return the following Senate Files, the same having passed the House without amendment:

Senate File No. 110, an act to provide for the alteration and vacation of streets and alleys in unincorporated villages.

Senate File No. 166, a bill for an act declaratory of the meaning of an act entitled "an act extending the time of completion of 75 miles of road by the Dubuque & Pacific R. R. Company, approved 7th March, 1860."

Senate File No. 138, an act to legalize the acts of Chas. A. Bannon, as Notary Public.

Senate Substitute for House File No. 139, an act entitled an act to legalize the elections and organization of Common Councils of the City of Clinton.

CHARLES ALDRICH, Chief Clerk.

Mr. Neal, from the Committee on Ways and Means, reported back a substitute for Senate File No. 167, a bill for an act in relation to witness fees, and recommended its adoption and passage. Report adopted.

Mr. Taylor moved to amend the substitute, by striking out all after the enacting clause, and inserting as a substitute therefor,

"a bill for an act entitled an act requiring witness fees to be paid into the County Treasury."

The question being on the motion to strike out and insert, Mr. Wilson, of Dubuque, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Bailey, Buechel, Davis of Clinton, Drummond, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Scott, Taylor, Wilson of Dubuque, Wilson of Jefferson—18.

The nays were—Senators Ainsworth, Bowen, Brown, Coolbaugh, Duncombe, Johnson, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Trumbull, Williams—17.

Excused—Messrs. Bussey, Davis of Polk, and Rankin. Absent, but not excused—Messrs. Anderson, Sherradden, Thompson, Udell and Watson.

So the motion to strike out and insert prevailed.

Mr. Wilson, of Dubuque, moved to strike out section 4 of the substitute; which was concurred in.

The question being on the adoption of the substitute, Mr. Wilson, of Dubuque, called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Bailey, Bowen, Drummond, English, Gray, Green, Hagans, Hammer, Henderson, Kent, Lewis, Patterson of Muscatine, Pattison of Marshall, Reiner, Scott, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—22.

The nays were—Senators Ainsworth, Brown, Coolbaugh, Davis of Clinton, Duncombe, Hastings, Johnson, Mann, McPherson, Neal, Pusey, Powers, Saunders, Sherradden, Thompson, Watson—16.

Excused—Messrs. Bussey, Davis of Polk, and Rankin. Absent, but not excused—Messrs. Anderson and Buechel..

The substitute was adopted.

Mr. Duncombe moved to amend section 1, by striking out the words 'three months,' and inserting 'twelve months,' which was not concurred in.

Mr. Mann moved to amend said section, by striking out 'three months,' and inserting 'six months,' which was agreed to.

Mr. McPherson moved the following, as an addition to section 3 of the bill: '*Provided*, The Treasurer of said county shall

keep the money thus received by him, separate from the general fund of the county, and shall deliver the same to the person, or persons, to whom the same may belong,' which was concurred in.

On motion of Mr. Drummond, the bill was ordered engrossed for its third reading on to-morrow.

Mr. Thompson introduced Senate File No. 211, a bill for an act providing for transcribing the records in the Recorders' Offices, in the counties of this State, in certain cases. Read the first and second time, and referred to the Judiciary Committee.

Mr. Duncombe introduced Senate File No. 212, a joint resolution for additional mail facilities. Read the first and second time, and on motion of Mr. Hammer, the 11th Rule was suspended, the resolution read the third time and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Brown, Buechel, Coolbaugh, Davis, of Clinton, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison, of Marshall, Powers, Reiner, Saunders, Sherraden, Scott, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Jefferson—36.

The nays were—None.

Excused—Bussey, Davis, of Polk, and Rankin. Absent, but not excused—Bailey, Bowen, Thompson and Wilson, of Dubuque.

So the resolution was passed and title agreed to.

On motion of Mr. Scott, House File No. 266, a bill for an act to carry into execution the trusts conferred upon the State of Iowa, in respect to the lands granted by an act of Congress, approved May 15th, 1856, to aid in the construction of a Railroad from Lyons City, across the State of Iowa, and near the 42d parallel, to the Missouri River, was taken up and referred to the Committee on Railroads, with instructions to report at an early day.

Senate File No. 168, a bill for an act authorizing the County Judge of Warren county to pay money to School Districts Nos. 3 and 8, in Jefferson township, was taken up and House amendment thereto concurred in.

House File No. 181, a bill for an act relating to weights and measures, and amendatory of chapter 56 of the Code, was taken up, read the first and second time, and on motion of Mr. Bowen, referred to the Committee on Schools and University.

House File No. 300, a bill for an act in relation to persons insane, and providing for the relinquishing of dower of married women who are insane, was taken up, read the first and second time, and referred to the Judiciary Committee.

House File No. 311, House substitute for House Files Nos. 231, 240, 221, 241, 235, 242, 245, 265, 264, and for Senate File Nos. 131, 125, 132, 158, 147, 139, memorial and joint resolution for additional mail service, read the first and second time, and on motion of Mr. Ainsworth, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—38.

The nays were—None.

Excused—Bussey, Davis of Polk and Rankin. Absent but not excused—Thompson and Udell.

The resolution was passed and title agreed to.

House File No. 312, a bill for an act to legalize the official acts of W. R. Brown, a Notary Public of Des Moines county, Iowa. Read the first and second time, and on motion of Mr. Coolbaugh, tabled.

Substitute for House File No. 237, a bill for an act to release taxes assessed against property destroyed by fire and other casualties. Read the first and second time, and on motion of Mr. Wilson of Dubuque, referred to a special committee of three.

The President appointed as said committee, Wilson of Dubuque, Saunders and Anderson.

Mr. Bailey offered the following resolution, which was adopted:

Resolved, That when the Senate adjourns, it adjourn until tomorrow morning, at 8½ o'clock.

Mr. Brown, from the Committee on Public Lands, reported back House File No. 99, a joint memorial and joint resolution, asking for a grant of land to aid in the construction of a railroad, as herein set forth, with the recommendation that the same be passed.

On motion of Mr. Pusey, the 11th Rule was suspended, the resolution read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—37.

The nays were—None.

Excused—Bussey, Davis of Polk and Rankin. Absent, but not excused—Drummond, Thompson and Watson.

The resolution was passed, and title agreed to.

On motion of Mr. Coolbaugh, House File No. 312, a bill for an act to legalize the official acts of W. R. Brown, a Notary Public of Des Moines county, Iowa, was taken from the table, the 11th Rule suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Brown, Coolbaugh, Davis of Clinton, Duncombe, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Trumbull, Taylor, Udell, Wilson of Dubuque—31.

The nays were—Senators Bailey, Buechel, Drummond, English, Williams, Wilson of Jefferson—6.

Excused—Bussey, Davis of Polk and Rankin. Absent, but not excused—Bowen, Thompson and Watson.

The bill was passed, and title agreed to.

Mr. Drummond, from the Committee on Internal Improvements, to which was referred Senate File No. 199, a bill to authorize the construction of mill dams on the Nishnebotany River, reported the same back, with the following amendment: Strike out in the third line of section 1, the words, "one or," and when thus amended, recommended its passage. Report concurred in.

On motion of Mr. English, the 11th Rule was suspended, the bill read the 3d time, and put upon its passage:

The yeas and nays were as follows:

The yeas were—Senators Anderson, Ainsworth, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Taylor, Udell, Williams, Wilson of Dubuque—35.

The nays were—Senators Angle, Bailey, Wilson of Jefferson —3.

Excused—Bussey, Davis of Polk and Rankin. Absent, but not excused—Thompson, Trumbull and Watson.

So the bill was passed, and title agreed to.

Mr. Brown, from the Committee on Schools and university, to which was referred Senate File No. 183, a bill for an act entitled an act for the relief of certain pre-emptors of School Lands, reported the same back, with the recommendation that it be passed.

On motion of Mr. Hagans, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Ainsworth, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—35.

The nays were—None.

Excused—Bussey, Davis of Polk and Rankin. Absent but not excused—Anderson, Angle, Drummond, Thompson and Trumbull.

The bill was passed, and title agreed to.

On motion of Mr. Angle, Senate adjourned.

SENATE CHAMBER,
Friday, March 23d, 1860, 8½ o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Rev. E. W. Peet.

Journal of yesterday read and approved.

Mr. Angle, from the Committee on Claims, reported back House File No. 229, a bill for an act making provision for the payment of the salary and contingent expenses of the Commissioner of the Des Moines River Improvement, and requiring the K. Ft. Des Moines and M. R. R. Company to pay the amount of salary and contingent expenses, into the State Treasury, with the recommendation that the same be passed.

On motion of Mr. Taylor, the 11th Rule was suspended, the bill read the 3d time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Angle, Bowen, Brown, Buechel, Davis of Clinton, Davis of Polk, Green, Hagans, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—29.

The nays were—Senators Ainsworth, Bailey, Duncombe, English, Gray, Hammer, Neal—7.

Excused—Bussey. Absent, but not excused—Anderson, Coolbaugh, Drummond, Johnson, Pusey and Udell.

The bill was passed, and title agreed to.

Mr. Powers, from the Committee on Ways and Means, reported back Senate File No. 134, a bill for an act entitled an act fixing the pay of State Printer and State Binder, defining their duties, and repealing chapter 184, of the acts of the Sixth General Assembly, with a substitute, and recommended, on the part of the majority of said committee, that the substitute be adopted and passed.

On motion of Mr. Coolbaugh, the bill and substitute were recommitted.

Mr. Brown, from the Committee on Public Lands, reported back Senate File No. 181, a bill for an act to prevent the sale or transfer of certain Swamp Lands, with the recommendation that the blank in section 1, be filled with "1500," and the bill then passed. Report was concurred in.

On motion of Mr. Kent, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bailey,

Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque—38.

The nays were—None.

Excused—Bussey. Absent, but not excused—Davis of Polk, Drummond, Rankin and Wilson of Jefferson.

The bill was passed, and title agreed to.

Mr. Kent, from the Committee on New Counties, made the following report:

Your Committee to which was referred the petitions of numerous citizens of Cedar and Clinton counties, beg leave to report the same back, and recommend that their prayer be not granted.

J. M. KENT, Chairman.
J. E. NEAL,
H. G. ANGLE,
W. E. TAYLOR,
A. M. PATTISON.

Report adopted.

Mr. Thompson made the following report:

The Committee on Banks, to whom was referred No. 124, "a bill for an act requiring Banking Corporations to make quarterly statements," having had the same under consideration, instruct me to report the same back, with the accompanying amendments, and when so amended, recommend that the bill be passed.

J. W. THOMPSON, Chairman.

The amendments were concurred in.

On motion of Mr. Coolbaugh, the 11th Rule was suspended, the bill read the third time, and put upon its final passsage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Ainsworth, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Davis of Polk, English, Green, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—36.

The nays were—Senators Duncombe, Gray—2.

Excused—Bussey. Absent but not excused—Angle, Drummond, Rankin, Saunders.

The bill was passed and title agreed to.

MAJORITY REPORT.

Mr. Drummond, from the Committee on Public Buildings, returned Substitute for Senate File No. 77, a bill for an act making a further appropriation for the erection of an Institution for the Blind, at Vinton, with the following

REPORT:

The undersigned, members of the Committee on Public Buildings, to whom was referred the Senate bill, making a further appropriation for the construction of the Blind Asylum at Vinton, with instructions to inquire into the expediency of lessening the cost of said building, by abandoning the proposed fourth or upper story, and to ascertain the lowest expense of enclosing and roofing the building, if that course should be determined on, report that they have examined all the plans for the building, and photograph views of the same.

They are well convinced that the institution, if completed upon the plans proposed, will be admirably adapted to the purpose for which it is designed, and will be no larger nor more expensive than the wants of the State will demand by the time it is ready for occupancy by the blind.

To reduce the size of the building, as proposed, would not only destroy its architectural symmetry, but its internal arrangements, which are approved by the highest authority in the management of such institutions. The saving to the State Treasury, if the fourth story is not erected, is only $4,000, in the cost of erection and enclosure. It is evident, and the testimony of the architects upon this point, is explicit, that if the proposed change is made, it will diminish the required room so as ere long to compel the erection of an additional wing at a greatly increased cost over that sum, ($4,000.) The undersigned must express their decided opinion, that to adopt the proposed plan, would ultimately be bad policy for the State, financially, and worse policy, so far as the welfare of the blind is concerned.

But if the *razeeing* of the building is determined on, then we recommend that an appropriation be made, *at least sufficient* to enclose the building. As to the amount necessary for that purpose, the committee differ. Hon. J. Bowen, of the committee, thinks $10,000 enough. The undersigned are convinced, from a full examination of the plans, that the third story cannot be erected and the building roofed, for less than $15,000. They accordingly recommend that the blank in the bill be filled with that sum, and further recommend the adoption of the amendments herewith accompanying the bill.

The undersigned also report, that the inquiry into the expediency of purchasing the unfinished "Central College" building at Des Moinés, to be completed and used as an Asylum, received the consideration of the committee, a majority of whom deemed the proposed measure inexpedient. From that opinion, the Chairman of the committee dissents, and presents his reasons in the subjoined report.

T. DRUMMOND,
W. P. DAVIS.

MINORITY REPORT.

From the conclusion of the majority of the committee, the undersigned begs leave to dissent, for the following reasons:

1st. He believes that the location of the Asylum at the Capital, would better subserve the interests of the unfortunate persons, for whose benefit the charity was created, because of its central location. It will be readily conceded that this place will be, in a short time, if it is not now, more easy of access from all parts of the State, than the place at which the institution is now located. That feeling of almost absolute dependence, which the afflicted must ever have, upon those who have guided their footsteps through the darkness that ever enshrouds them, and administered to the wants they are utterly unable to supply, renders the idea of distant separation so extremely painful and repugnant, that many cannot be induced to submit to it, and therefore, are deprived of the benefits of the Asylum. Added to this is the natural solicitude felt by the parents of those helpless unfortunates, to be with, and watch over them, to shield them from harm; and which, in many instances, can only be overcome so far as to permit a sepa-

ration at all, by the assurance that they can, in a short time, in case of sickness or distress, be with their children; hence the necessity of having such an institution, which is to serve for the whole State, centrally located, so as to be easy of access to the greatest number.

2d. If located at the Capital it would be placed immediately under the observation of the authorities of the State. At each biennial session of the General Assembly, the institution could be visited by all the members, its management observed, and any alleged abuses investigated without the expense and manifest inconvenience of sending off a committee a long distance, to examine into and investigate its affairs, and then make, what must be, under the circumstances, an imperfect and unsatisfactory report to the legislature.

3d. The building offered to the State, can be obtained and completed for a moiety of the sum that it will take to do the work yet remaining to be done on the building at Vinton. The house can be ready for use in less than one year. These facts should not be without consideration and weight, in our present financial condition. It is demonstrable that Central Iowa College building can be made to answer all the purposes of a Blind Asylum for a great many years.

4th. The completion of the building, together with the grubbing and fencing of the grounds, will be guarantied, and the title transferred to the State within one year, for the sum of $22,000. In verification of the last declaration, a communication from Hoyt Sherman, Esq., is appended. In proof of the adaptation of the building for an Asylum for the Blind, the plan of its construction is submitted. It need not be said to those members of the Senate who have visited the spot, that the site of Central Iowa College, is one of the most beautiful to be found near our city.

For the reasons stated above, the undersigned cannot agree with the majority of the committee in their recommendation that the offer of the Trustees of the Central Iowa College, should be rejected, and the Blind Asylum remain at Vinton. In coming to this conclusion, he has not been forgetful that those persons in Benton county, who have subscribed and paid money for the erection of the building at Vinton, have the right to expect, in case of the withdrawal of the institution, that the State should make them some remuneration. To this end the undersigned would

recommend that the State should abandon the building at Vinton, and transfer their title to the persons who have subscribed and paid their money towards the erection of the house.

W. P. DAVIS.

On the part of the owners and Trustees of the property, known as the Iowa Central College, containing five acres of ground, (the title to which, is in me,) I hereby offer to sell said property to the State of Iowa, to be used as a Public Asylum, for the sum of nine thousand dollars; said sum of money to cover all improvements now on the lot, and all materials on hand.

And I further propose, on the part of the owners of said property, and the citizens of Des Moines, if the State will purchase said building for use as a Public Asylum, to transfer the title of said property to the State, to complete the building according to the original plan and specifications, (with such immaterial changes as may be necessary to adapt it to Asylum purposes,) to clean off and grade the grounds, and to erect a substantial and appropriate fence around the lot; in a word, to prepare the premises for the immediate use and occupation of the State; all within twelve months from the date of acceptance of this proposition, for the sum of twenty-two thousand, five hundred dollars.

And if said proposition is accepted by the Legislature, I will procure, within a reasonable time, a bond, executed by citizens of Polk county, to the full satisfaction of the Agents of the State, in such a sum, and under such penalties and conditions as may be determined by such Agents; to perform all the undertakings and stipulations in said proposition: the work to be done under the direct supervision, and to the satisfaction of one or more persons appointed by the State for that purpose.

HOYT SHERMAN.

DES MOINES, Iowa, March 22, 1860.

On motion of Mr. Hammer, the minority report was laid on the table.

Mr. Bailey moved the indefinite postponement of the whole subject; upon which question, Mr. Drummond demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Buechel, Duncombe, Johnson, Neal, Reiner, Taylor, Udell—9.

The nays were—Senators Anderson, Angle, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Drummond, English,

Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, McPherson, Pusey, Pattison of Marshall, Powers, Rankin, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—31.

Excused—Bussey. Absent but not excused—Mann and Patterson of Muscatine.

So the motion to indefinitely pospone did not prevail.

On motion of Mr. Ainsworth, the majority report was laid on the table.

Mr. Drummond moved to fill the blank in section 1, with the sum of $18,000, which was concurred in.

On motion of Mr. Drummond, the committee amendments were adopted.

Mr. Drummond moved to suspend the 11th Rule, have the bill read the third time, and put upon its passage, which motion prevailed.

Mr. Drummond moved a call of the Senate, which was sustained and ordered.

Mr. Scott was found to be absent and not excused.

Mr. Scott coming in, further proceedings under the call were dispensed with.

The yeas and nays on the passage of the bill were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Drummond, Henderson, McPherson, Pattison of Marshall, Rankin, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson—16.

The nays were—Senators Ainsworth, Bailey, Coolbaugh, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Johnson, Kent, Lewis, Mann, Neal, Pusey, Patterson of Muscatine, Powers, Reiner, Taylor, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—25.

Excused—Mr. Bussey. Absent but not excused—Mr. Buechel.

The bill not receiving a constitutional majority, was lost.

Mr. Anderson, from the Committee on Agriculture, to which was referred Senate File No. 179, a bill for an act authorizing Trustees to sell lands, reported the same back with two amendments, and recommended the adoption of the amendments, and the passage of the bill as amended. Report concurred in.

On motion of Mr. Anderson, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Coolbaugh, Davis of Clinton, Davis of Polk, Duncombe, Green, Hagans, Hastings, Kent, Lewis, McPherson, Neal, Pusey, Pattison of Marshall, Reiner, Sherradden, Scott, Thompson, Taylor, Watson, Williams, Wilson of Dubuque—25.

The nays were—Senators Bailey, Buechel, English, Gray, Hammer, Johnson, Mann, Trumbull—8.

Excused—Mr. Bussey. Absent but not excused—Messrs. Ainsworth, Drummond, Henderson, Patterson of Muscatine, Powers, Rankin, Saunders, Udell and Wilson of Dubuque.

The bill was passed and title agreed to.

On motion of Mr. Coolbaugh, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

SPECIAL ORDER.

The special order for 2 o'clock this afternoon being the consideration of Senate File No. 109, a bill for an act giving County Courts limited civil and criminal jurisdiction.

Mr. Wilson of Jefferson, moved a call of the Senate, which was sustained and ordered.

The following Senators were found to be absent and not excused: Angle, Bailey, Bowen, Brown, Coolbaugh, Drummond, Duncombe, Hagans, Hammer, McPherson, Neal, Pattison of Marshall, Thompson and Trumbull.

On motion of Mr. Ainsworth, the Sergeant-at-Arms was dispatched for the absentees.

The Sergeant-at-Arms bringing in all the absentees, except Mr. Drummond, who was excused on account of illness, further proceedings under the call were suspended.

Mr. Neal moved to add the following as an additional section to the bill:

That the County Judge shall be elected at the general election in the year 1860, and every two years thereafter, and the terms of office of County Judges now in office shall expire on the 1st day of January, 1861: which was not concurred in.

Mr. Wilson of Dubuque, moved to amend section 16 by striking out the words, "4th day of July, 1860," and inserting the words, "1st day of June 1861," which was agreed to.

On motion of Mr. Wilson of Jefferson, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Ainsworth, Brown, Duncombe, Green, Mann, Neal, Patterson of Muscatine, Powers, Trumbull, Taylor, Wilson of Dubuque—12.

The nays were—Senators Bailey, Bowen, Buechel, Coolbaugh, Davis of Clinton, English, Gray, Hagans, Hammer, Hastings, Henderson, Johnson, Kent, Lewis, McPherson, Pusey, Pattison of Marshall, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Udell, Watson, Williams, Wilson of Jefferson—27.

Excused—Bussey and Drummond. Absent but not excused—Angle and Davis of Polk.

The bill not having received a constitutional majority, was lost.

Mr. Wilson of Jefferson moved to take up Senate File No. 205, a bill for an act regulating the compensation of County Judges, upon which question Mr. Wilson of Dubuque, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, English, Hagans, Hastings, Henderson, Lewis, McPherson, Pusey, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Udell, Watson, Williams, Wilson of Jefferson—27.

The nays were—Senators Ainsworth, Duncombe, Green, Hammer, Johnson, Mann, Neal, Patterson, of Muscatine, Trumbull, Taylor, Wilson of Dubuque—11.

Excused—Mr. Bussey. Absent but not excused—Davis of Polk, Drummond, Gray and Kent.

So the motion to take up prevailed.

Message from the House:

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

Substitute for House File No. 277, a bill for an act to legalize the levy of a school-house tax in the District Township of Jefferson, in Powesheik county, Iowa.

House File No. 322, Joint Resolution for additional mail facilities.

House File No. 317, an act to legalize the corporate acts of the town of McGregor.

House File No. 292, an act to legalize the taxes levied in Howard county, for the year 1859.

House File No. 230, an act relating to the publication of ordinances, and other acts of city governments.

House File No. 228, an act legalizing certain bonds issued by the city of Camanche.

House File No. 158, an act entitled an act to define the powers and duties of County Surveyors.

I am also directed to return the following Senate File, the same having passed the House without amendment:

Senate File No. 113, a bill to legalize the city elections in the city of Glenwood.

Also, Senate File No. 129, an act for the relief of all persons heretofore divorced, since the 4th day of July, 1858, to which the following amendments have been made by the House:

In section 1, strike out "since the 4th day of July, 1858," and add, at the end of the same section, "and no disability to marry shall attach to persons hereafter divorced, whether said divorce shall be from the bonds of matrimony, or from bed and board, anything in any law or statute of this State to the contrary notwithstanding." Strike out all of section 2.

CHAS. ALDRICH, Chief Clerk.

Mr. Ainsworth moved to amend section 1, by striking out the fee for granting a writ of habeas corpus, and hearing the same; upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Brown, Buechel, Duncombe, Gray, Green, Hammer, Johnson, Mann, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Thompson, Wilson of Dubuque—15.

The nays were—Senators Bailey, Bowen, Coolbaugh, Davis of Clinton, English, Hagans, Henderson, Kent, Lewis, McPherson, Pusey, Rankin, Reiner, Saunders, Sherradden, Scott, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Jefferson—22.

Excused—Messrs. Bussey and Drummond. Absent, but not excused—Messrs. Anderson, Angle, Davis of Polk, and Hastings.

The amendment was lost.

Mr. Neal moved the following as an additional section to the bill:

SEC. 3. That when the fees allowed by this act shall amount to more than 75 per cent of the salary now allowed by law, the same shall be paid into the county treasury, and become a part of the ordinary county revenue.

Mr. Brown moved to amend section 1, by striking out "$2 00," and inserting "$1 00," as the fee for solemnizing marriages.

Mr. Johnson moved to amend the amendment, by inserting "50 cents;" which was not concurred in.

The question being on striking out "$2," and inserting "$1," it was not agreed to.

Mr. Mann moved to amend section 1, by striking out "$1," and inserting "25 cents," as a fee for a marriage license; which was not concurred in.

On motion of Mr. Watson, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Udell, Watson, Williams, Wilson of Jefferson—33.

The nays were—Senators Ainsworth, Duncombe, Johnson, Mann, Neal, Taylor, Wilson of Dubuque—7.

Excused—Mr. Bussey. Absent, but not excused—Messrs. Davis of Polk, and Drummond.

So the bill was passed, and title agreed to.

Message from the House.

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

House File No. 297, a bill for an act to legalize the county bonds issued by the County Judge of Lee county, Iowa, to pay for the building to be used for a Court House in the city of Keokuk.

I also return the following Senate Files, the same having passed the House without amendment:

Senate File No. 14, a bill for an act authorizing the Co. Judge and Co. Treasurer to sell the Saline Lands.

Substitute for Senate File No. 62, a bill for an act making appropriations for selecting Swamp Lands.

CHAS. ALDRICH, Chief Clerk.

Mr. Hastings, from the Committee on Engrossed Bills, reported Senate File No. 164, a bill for an act to regulate the compensation of Clerks of the District Courts; also, Substitute for Senate File No. 167, a bill for an act entitled an act requiring witness fees to be paid into the county treasury, correctly engrossed.

Message from the House:

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

House File No. 29, a bill for an act to regulate the interest on money, and punish usury.

House File No. 290, a bill for an act appropriating the Saline Lands and Funds to the State University of Iowa.

CHARLES ALDRICH, Chief Clerk.

On motion of Mr. Saunders, Senate File No. 71, a bill for an act making a further appropriation for the State Insane Asylum, was taken up.

Mr. Saunders offered a substitute for the bill, and moved its adoption; which was concurred in.

Mr. Wilson, of Dubuque, moved the following as an additional section to the bill:

The Commissioners shall appoint a Superintendent, at an annual salary of not more than one thousand dollars per annum; but the present Superintendent, Henry Winslow, shall not be so appointed.

Mr. Wilson, of Jefferson, moved that when the Senate adjourns, it adjourn until to-morrow morning, at 8½ o'clock. Carried.

On motion of Mr. Watson, Senate adjourned.

SENATE CHAMBER,
Saturday, March 24th, 1860, 8½ o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Rev. E. W. Peet.

Journal of yesterday read and approved.

Mr. Rankin moved a call of the House; which was sustained, and ordered.

The following Senators were found to be absent, and not excused: Messrs. Bowen, Davis of Polk, Hammer, Neal, and Wilson of Jefferson.

On motion of Mr. Ainsworth, Mr. Davis, of Polk, was excused, on account of illness.

On motion of Mr. Rankin, the Sergeant-at-Arms was dispatched for the absentees.

Several Senators coming in, on motion of Mr. Mann, further proceedings under the call were dispensed with.

Message from the House.

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

House File No. 285, a bill for an act to authorize change of venue in certain cases.

House File No. 307, a bill for an act in relation to the "records of original title of lots in Iowa City."

House File No. 327, a bill for an act to cede jurisdiction over certain lots, the property of the United States, in the city of Dubuque.

House File No. 331, a bill for an act authorizing owners of land subject to overflow, on the Iowa and Missouri bottoms, in Des Moines and Louisa counties, to raise a tax on such lands, for the purpose of repairing and extending the Levee now commenced, to prevent such overflow.

House File No. 333, a bill for an act exempting lands owned by the University from taxation, and protecting real estate on which the School and University Funds have liens, from sale for taxes.

House File No. 337, Joint Resolution for a grant of land from the General Government, to the McGregor, St. Peters & Missouri River Railroad Company.

I am further directed to return Senate File No. 107, a bill for an act to legalize the organization of Hartland township, in Worth county, the same having passed the House without amendment.

CHAS. ALDRICH, Chief Clerk.

Mr. President:—I herewith present for your signature, the

following bills, the same having passed both Houses of the General Assembly, and been duly enrolled in the House:

House File No. 141, a bill for an act for legalizing the acts of the County Judge of Scott county, in purchasing real estate for a poor house farm, and in issuing bonds in payment therefor.

House File No. 87, a bill for an act to prevent larceny of personal property taken on legal process.

House File No. 222, a bill for an act for the encouragement of Teachers' Institutes.

House File No. 229, a bill for an act making provision for the payment of the salary of the Commissioner of the Des Moines River Improvement, and requiring the K., Ft. D. M. and M. R. R. Co. to pay the amount of said salary into the State Treasury.

House File No. 283, a bill for an act to legalize the acts of H. B. Horton, a notary Public in Clinton county, Iowa.

House File No. 262, a bill for an act for the relief of Benjamin Keller, jr., Michael Hennelly and Wm. Wright.

CHARLES ALDRICH, Chief Clerk.

UNFINISHED BUSINESS.

The question being on the adoption of the pending amendment to the bill under consideration, offered by Mr. Wilson, of Dubuque, he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Buechel, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—17.

The nays were—Senators Anderson, Angle, Bowen, Brown, Coolbaugh, Davis of Clinton, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—24.

Excused—Bussey and Davis of Polk.

The amendment was not adopted.

Mr. Wilson, of Jefferson, moved to amend section 1, by striking out $90,000 and inserting $75,000.

Message from the House.

Mr. President:—I am directed to inform your honorable body, that the House has ordered the printing of 5000 copies of the re-

port of the joint committee to inquire into the affairs of the Iowa Penitentiary.

CHARLES ALDRICH, Chief Clerk.

Mr. Angle moved to amend the amendment, by inserting $60,000.

Mr. Hammer moved that the further consideration of the subject, until Monday next, be postponed; upon which question, Mr. Drummond demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Drummond, Gray, Green, Hammer, Neal, Taylor, Udell, Williams, Wilson of Dubuque—9.

The nays were—Senators Anderson, Angle, Ainsworth, Bailey, Bowen, Brown Buechel, Coolbaugh, Davis of Clinton, Duncombe, English, Hagans, Hastings, Henderson, Johnson, Kent, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden Scott. Thompson, Trumbull, Watson, Wilson of Jefferson—32.

Excused—Bussey and Davis of Polk.

So the motion to postpone did not prevail.

The question being on the motion to strike out $90,000 and insert $75,000, Mr. Ainsworth demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bowen, Brown, Coolbaugh, Davis of Clinton, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Udell, Watson Williams, Wilson of Dubuque, Wilson of Jefferson—37.

The nays were—Senators Bailey, Buechel, Drummond, Taylor—4.

Excused—Bussey and Davis of Polk.

So the motion to strike out and insert prevailed.

Mr. Drummond offered the following amendment, as an additional section to the bill:

The Superintendent of the building shall not receive more than $1000 a year, as a full compensation for his services, and the employment of a Secretary, as heretofore, is expressly prohibited.

The question being upon its adoption, Mr. Drummond demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Ainsworth, Bailey, Buechel, Cool-

baugh, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Johnson, Mann, Neal, Pusey, Patterson of Muscatine, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque —22.

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Wilson of Jefferson—19.

Excused—Bussey and Davis of Polk.

The amendment was adopted.

Mr. Neal moved to amend section 1, by adding the following proviso: *Provided*, the warrants drawn under this act shall not draw interest.

Mr. Hammer moved to amend the amendment by adding the following words, "and that no warrants shall be issued until there is money in the treasury to pay them," upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Taylor, Udell, Williams, Wilson of Dubuque—14.

The nays were—Senators Anderson, Angle, Bowen, Brown, Coolbaugh, Davis of Clinton, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Wilson of Jefferson —26.

Excused—Bussey and Davis of Polk. Absent but not excused—Mr. Buechel.

So the amendment to the amendment was not concurred in.

The question then recurring upon the amendment offered by Mr. Neal, he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Buechel, Coolbaugh, Drummond, Duncombe, English, Gray, Green, Hammer, Johnson, Kent, Mann, Neal, Pusey, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque—21.

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers,

Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Wilson of Jefferson—20.

Excused—Bussey and Davis of Polk.

So the amendment was adopted.

Mr. Kent stated that he voted under a misapprehension of the question, and moved a reconsideration of the vote last taken, upon which question Mr. Ainsworth called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Coolbaugh, Davis of Clinton, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Taylor, Udell, Wilson of Jefferson—25.

The nays were—Senators Ainsworth, Bailey, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Trumbull, Watson, Williams, Wilson of Dubuque—14.

Excused—Bussey, Davis of Polk and Pusey. Absent but not excused—Mr. Buechel.

The motion to reconsider prevailed.

The question being on concurring in the amendment, it was not concurred in.

On motion of Mr. Wilson, of Jefferson, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—23.

The nays were—Senators Ainsworth, Bailey, Coolbaugh, Duncombe, English, Gray, Green, Hammer, Johnson, Mann, Neal, Pusey, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—17.

Excused—Messrs. Bussey and Davis of Polk. Absent, but not excused—Mr. Buechel.

So the bill was passed, and title agreed to.

Mr. Sherradden made the following report:

The Committee on Enrolled Bills have examined the following acts, and find them correctly enrolled: Substitute for Senate File No. 14, an act authorizing the County Judge and County Treasurer to sell the Saline Lands. Also, Senate File No. 129, an act

for the relief of all persons heretofore divorced, since the 4th day of July, 1858.

Also, the Committee on Enrolled Bills have presented to his Excellency, the Governor, for his approval, the following act: An act making appropriation for general support of the Iowa Penitentiary, to supply deficiency in the appropriation made by 7th General Assembly. O. P. SHERRADDEN, Chairman.

On motion of Mr. Johnson, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. McPherson, from the Committee on Railroads, reported back House File No. 266, a bill for an act to carry into execution the trusts conferred upon the State of Iowa, in respect to the lands granted by an act of Congress, approved May 15th, 1856, to aid in the construction of a railroad from Lyons City, across the State of Iowa, and near the 42d parallel, to the Missouri River, with the recommendation of the majority of said committee, that the same be passed.

Mr. Pusey moved a call of the House, which was sustained and ordered.

Absent, but not excused—Hammer, Neal and Wilson of Dubuque.

On motion of Mr. Powers, the Sergeant-at-Arms was dispatched for the absentees.

The Sergeant-at-Arms bringing in the absentees, further proceedings under the call were dispensed with.

Message from the House, by Mr. Aldrich, Chief Clerk:

MR. PRESIDENT:—I herewith return substitute for Senate File No. 150, a bill for an act to amend an act entitled an act to provide for an annual appropriation for the benefit of a State Historical Society, approved January 28th, 1857.

Also, Senate File No. 189, a joint resolution for additional mail facilities; both having passed the House without amendment.

I am also directed to inform your honorable body, that the House has passed a resolution to print 5000 copies of the report of the committee to investigate the affairs of the Insane Asylum.

Also, 5000 copies of the Supervisor bill.

GEORGE COWIE, 1st Assistant Clerk.

Mr. Neal offered, as a substitute for House File No. 266, a bill for an act disposing of the grant of land made by act of Congress, approved May 15th, 1856, to aid in the construction of a railroad from Lyons City, across the State of Iowa, and near the 42d parallel, to the Missouri River, and moved its adoption. Read the first and second time.

Mr. Johnson offered the following amendment to the substitute: Strike out, on 2d page, all after the words 'Missouri River,' down to the words 'to the Missouri,' and insert 'and to the extension of the North Missouri Railroad, from the termination of said road, at a point on the State line between the State of Missouri and the State of Iowa, to Ottumwa, in Wapello county, via. Bloomfield, in Davis county.

Mr. Anderson moved to amend the amendment, by striking out the words 'Ottumwa and Bloomfield.'

Mr. Angle moved to lay the substitute and amendments on the table; upon which question Mr. Neal called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Bailey, Bowen, Brown, Davis of Clinton, Duncombe, Hagans, Kent, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Rankin, Reiner, Saunders, Scott, Thompson, Watson, Wilson of Jefferson—19.

The nays were—Senator Anderson, Ainsworth, Coolbaugh, Drummond, English, Gray, Green, Hammer, Hastings, Henderson, Johnson, Lewis, Mann, Neal, Powers, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—20.

Excused—Bussey and Davis of Polk. Absent but not excused—Buechel and Sherradden.

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

The question recurring upon the amendment offered by Mr. Anderson, it was not concurred in.

The question then being upon the amendment offered by Mr. Johnson, Mr. Neal demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Brown, Buechel, Coolbaugh, English, Johnson, Kent, Mann, McPherson, Pusey, Rankin, Sherradden, Scott, Taylor, Udell, Watson, Wilson of Jefferson—17.

The nays were—Senators Anderson, Ainsworth, Bailey, Bowen, Drummond, Duncombe, Gray, Green, Hagans, Hammer, Hastings, Lewis, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Thompson, Trumbull, Williams, Wilson of Dubuque—22.

Excused—Bussey and Davis of Polk. Absent but not excused—Davis of Clinton, Henderson.

So the amendment was not concurred in.

The question being on the adoption of the substitute, Mr. Ainsworth called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Coolbaugh, English, Gray, Green, Hammer, Henderson, Neal, Powers, Trumbull, Udell, Williams, Wilson of Dubuque—13.

The nays were—Senators Anderson, Angle, Bailey, Bowen, Brown, Davis of Clinton, Drummond, Duncombe, Hagans, Hastings, Johnson, Kent, Lewis, Mann, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Taylor, Watson, Wilson of Jefferson—27.

Excused—Bussey, Davis of Polk. Absent, but not excused—Buechel.

So the substitute was not adopted.

Mr. Mann moved the following amendment to section 1 of the bill:

"Strike out the words "Cedar Rapids and Marion," and insert the words, "Dubuque, Marion and Western."

Mr. Wilson of Jefferson, moved to lay the amendment on the table, upon which question Mr. Mann demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Duncombe, Hagans, Hastings, Henderson, Johnson, Kent, Lewis, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Reiner, Saunders, Sherradden, Scott, Watson, Wilson of Jefferson—22.

The nays were—Senators Ainsworth, Buechel, Coolbaugh, English, Gray, Green, Hammer, Mann, Neal, Powers, Thompson, Trumbull, Taylor, Udell, Wilson of Dubuque—15.

Excused—Bussey and Davis of Polk. Absent but not excused—Bailey, Drummond, Rankin and Williams.

So the amendment was lost.

Mr. Mann moved to amend said section as follows: "Strike out the words "Cedar Rapids and Missouri River Railroad Company," and insert "Lyons and Missouri River Railroad Company."

Mr. Wilson of Jefferson, moved to lay the amendment on the table; upon which question, Mr. Green demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Duncombe, Hagans, Hastings, Henderson, Johnson, Kent, Lewis, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Reiner, Saunders, Sherradden, Scott, Thompson, Taylor, Watson, Wilson of Jefferson—23.

The nays were—Senators Ainsworth, Buechel, Coolbaugh, Davis of Clinton, English, Gray, Green, Hammer, Mann, Neal, Powers, Trumbull, Udell, Williams, Wilson of Dubuque—15.

Excused—Bussey and Davis of Polk. Absent but not excused—Bailey, Drummond and Rankin.

So the motion to lay on the table prevailed.

Mr. Mann moved to amend section 2, by striking out from the word "aforesaid," to the word "within," in same line.

Mr. Wilson of Jefferson, moved to lay the amendment on the table, which motion prevailed.

Mr. Green moved to amend section 7, by inserting the word "Maquoketa" after the word "from," in the third line.

Mr. Johnson moved to lay the amendment on the table; upon which question, Mr. Green demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Bowen, Brown, Davis of Clinton, Duncombe, Hagans, Hastings, Henderson, Johnson, Kent, Lewis, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Williams, Wilson of Jefferson—25.

The nays were—Senators Ainsworth, Buechel, Coolbaugh, English, Gray, Green, Hammer, Mann, Neal, Powers, Trumbull, Taylor, Wilson of Dubuque—13.

Excused—Bussey and Davis of Polk. Absent, but not excused—Drummond, Rankin and Udell.

So the amendment was tabled.

Mr. Mann moved to strike out section 7.

Mr. Davis of Clinton, moved to lay the amendment on the table; upon which question Mr. Mann demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Bowen, Buechel, Davis of Clinton, Duncombe, Hagans, Hastings, Henderson, Johnson, Kent, Lewis, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Udell, Watson, Williams, Wilson of Jefferson—27.

The nays were—Senators Ainsworth, Coolbaugh, English, Gray, Green, Hammer, Mann, Neal, Powers, Taylor, Wilson of Dubuque—11.

Excused—Bussey and Davis of Polk. Absent, but not excused —Brown, Drummond and Rankin

So the motion to lay on the table prevailed.

Mr. Green moved to strike out section 6.

Mr. Davis of Clinton, moved to lay the motion on the table, which motion prevailed.

Mr. Mann moved to strike out the word "Marion" and insert the word "Anamosa;" upon which question he called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Ainsworth, Bailey, Buechel, Coolbaugh, English, Gray, Green, Hammer, Mann, Neal, Powers, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—17.

The nays were—Senators Angle, Bowen, Brown, Davis of Clinton, Duncombe, Hagans, Hastings, Henderson, Johnson, Kent, Lewis, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—23.

Excused—Bussey and Davis of Polk. Absent, but not excused Drummond.

So the amendment was not concurred in.

Mr. Mann moved the following amendment:

Provided, That nothing in this act shall, in any manner, impair the validity of any bonafide stock, bonds, mortgages, deeds of trust, or just claims for money, labor, or materials furnished in the construction of said Central Air Line Railroad, but when judicially determined, shall be and remain a lien upon the said lands, to the extent of the interest of said Company in said lands.

Provided further, That nothing herein shall be so construed as to give validity to any stock, bonds, or other evidences of debt, which may have been issued without just and valid consideration, or created or employed for any other purpose than the actual construction of said Railroad.

Mr. Johnson moved to lay the amendment on the table, which was agreed to.

Mr. Kent moved to suspend the 11th Rule, have the bill read the third time, and put upon its final passage; upon which question Mr. Mann demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Bowen, Brown, Davis of Clinton, Drummond, Duncombe, Hagans, Hastings, Henderson, Johnson, Kent, Lewis, McPherson, Pusey, Patterson of Muscatine, Pattison of Marshall,, Rankin Reiner, Saunders, Sherradden, Scott, Thompson, Taylor, Watson, Williams, Wilson of Jefferson—28.

The nays were—Senators Ainsworth, Buechel, Coolbaugh, English, Gray, Green, Hammer, Mann, Neal, Powers, Trumbull, Udell, Wilson of Dubuque—13.

Excused—Messrs. Bussey and Davis of Polk.

So the motion to suspend the 11th Rule prevailed.

The yeas and nays on the passage of the bill were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Bowen, Brown, Buechel, Coolbaugh, Davis of Clinton, Drummond, Duncombe, English, Hagans, Hastings, Henderson, Johnson, Kent, Lewis, McPherson, Neal, Pusey, Patterson of Muscatine, Pattison of Marshall, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Taylor, Udell, Watson, Williams, Wilson of Jefferson—33.

The nays were—Senators Ainsworth, Gray, Green, Hammer, Mann, Powers, Trumbull, Wilson of Dubuque,—8.

Excused—Messrs. Bussey and Davis of Polk.

So the bill was passed, and title agreed to.

Mr. Drummond moved to reconsider the vote by which Senate File No. 71, a bill for an act making further appropriation for the Insane Asylum, was passed; upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Ainsworth, Bailey, Buechel, Drummond, Duncombe, English, Gray, Green, Hammer, Johnson, Mann,

Neal, Pusey, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—18.

The nays were—Senators Anderson, Angle, Bowen, Brown, Coolbaugh, Davis of Clinton, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—23.

Excused—Messrs. Bussey and Davis of Polk.

So the motion to reconsider was lost.

On motion of Mr. Duncombe, Mr. Johnson had leave of absence for one week.

Mr. Powers moved to reconsider the vote by which Senate File No. 77, a bill for an act making further appropriation for the Blind Asylum, was on yesterday lost; upon which question Mr. Hammer demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Drummond, Hagans, Hammer, Henderson, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Wilson of Dubuque, Wilson of Jefferson—23.

The nays were—Senators Ainsworth, Bailey, Coolbaugh, English, Gray, Green, Hastings, Johnson, Kent, Mann, Neal, Pusey, Patterson of Muscatine, Taylor, Udell, Williams—16.

Excused—Messrs. Bussey and Davis of Polk. Absent, but not excused—Messrs. Buechel and Duncombe.

So the motion to reconsider prevailed.

Mr. Thompson made the following report:

The undersigned, a majority of the select committee to whom was referred the subject of apportioning the State into Senatorial Districts, hereby report, that said committee have had the subject under consideration, and do not harmonize in their views, but the majority have agreed upon the accompanying bill, which they report back, and recommend that it do pass.

JNO. W. THOMPSON,
M. L. McPHERSON,
A. L. BROWN.

The bill was read the first and second time, and on motion of Mr. Rankin, was laid on the table, and made the special order for Monday morning next, at 9 o'clock.

Messrs. Coolbaugh, Rankin and Ainsworth, had leave of absence from and after this day.

Mr. Saunders, from the Committee on Ways and Means, reported back Senate File No. —, a bill for an act to pay the Commissioners of Revision, with sundry amendments, and recommended the adoption of the amendments, and passage of the bill. Report concurred in.

On motion of Mr. Bowen, the bill was laid on the table.

Mr. Bowen moved to take up House File No. 290, a bill for an act appropriating the Saline Lands and Funds to the State University of Iowa; which motion prevailed.

Mr. Gray moved to suspend the 11th Rule, have the bill read the third time, and put upon its passage; which motion prevailed.

Mr. Bailey moved to adjourn; which motion was lost.

Mr. Taylor moved a call of the House: which was sustained, and ordered.

Messrs. Coolbaugh, Duncombe, Johnson and Wilson of Dubuque, were found to be absent, and not excused.

On motion of Mr. Drummond, further proceedings under the call were dispensed with.

The yeas and nays on the passage of the bill, were as follows:

The yeas were—Senators Anderson, Angle, Ainsworth, Bowen, Brown, Drummond, Gray, Green, Henderson, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—20.

The nays were—Senators Bailey, Davis of Clinton, English, Hagans, Hammer, Hastings, Kent, Lewis, Mann, Neal, Reiner, Trumbull, Taylor, Udell, Williams—15.

Excused—Messrs. Bussey, Davis of Polk, and Pusey. Absent, but not excused—Messrs. Buechel, Coolbaugh, Duncombe, Johnson, and Wilson of Dubuque.

The bill not receiving a constitutional majority, was lost.

On motion, Senate adjourned.

SENATE CHAMBER,
Monday, March 26th, 1860, 8½ o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Teeter.

Journal of Saturday read and approved.

Mr. Thompson moved to take up House File No. 170, a bill for an act to provide for the establishment of a Commissioner in the City of New York, to promote immigration to the State of Iowa; which motion prevailed.

Mr. Thompson offered the following amendment, which was adopted: Strike out, commencing in 2d line, the words, "whose duty it shall be to reside, and keep an office in the City of New York, from the 1st day of May next, to the 1st day of May, 1863," and insert the words, "who shall hold his office for two years from the 1st day of May next, and shall reside and keep an office in the City of New York, at least from the 1st day of May, until the 1st day of December, in each year, which office shall be kept open at all reasonable business hours between the dates aforesaid."

Mr. Thompson moved a call of the House, which was sustained, and ordered.

The following Senators were found to be absent, and not excused: Messrs. Hammer, Henderson and Powers.

On motion of Mr. Angle, Mr. Henderson was excused.

On motion of Mr. Thompson, the Sergeant-at-Arms was sent for the absentees.

Mr. Powers coming in, further proceedings under the call were dispensed with.

Mr. Thompson moved to suspend the further consideration of the bill till 2 o'clock, P. M., of this day, and make it the special order for that hour; which was adopted.

Mr. Rankin offered the following resolutions, which were adopted:

Resolved, That the committee appointed to visit the Penitentiary, be required to report, forthwith, a bill for the government of that institution, and for its support during the next two years.

Resolved, That the Committee on Ways and Means be required to present, forthwith, a bill making provision for the payment of the debt of the Penitentiary, and the mode of determining what claims against said institution should be paid.

Resolved, That the committee appointed to visit the Penitentiary, be instructed to prepare a bill providing for the appointment of arbitrators, and the arbitration of all claims of the State against Winterbotham & Jones, contractors for the Prison labor, and for the disposition of the means that may result to the State from the arbitration; and that said committee be instructed to inquire whether there has been any fraud on the part of the Inspectors, in entering into the contract with Messrs. Winterbotham & Jones.

Mr. Saunders offered the following resolution, which was adopted:

Resolved, That the Standing Committees be required to report back to the Senate, as soon as practicable, all bills now in their hands.

SPECIAL ORDER.

The special order for 9 o'clock this morning, being the consideration of Senate File No. 213, a bill for an act to re-apportion the State into Senatorial Districts, Mr. Duncombe moved to amend section 33, by striking out "Ida," and inserting "Sac;" which was concurred in.

Mr. Neal moved to amend section 1, by striking out "17,000," and inserting in lieu thereof, "17,200," as the basis of representation; which was not concurred in.

Mr. Neal moved to re-commit the bill, with instructions to report the apportionment bill of 1858; upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bailey, Buechel, Duncombe, English, Gray, Green, Hammer, Mann, Neal, Patterson of Muscatine, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—15.

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—22.

Excused—Messrs. Ainsworth, Bussey, Coolbaugh, Henderson, Johnson and Pusey.

So the motion to re-commit was lost.

Mr. Duncombe moved to amend section 42, by striking out the word "Greene."

Mr. Angle moved to amend the amendment, by striking out the

word "Greene," in section 33; upon which question Mr. Duncombe demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—22.

The nays were—Senators Bailey, Buechel, Duncombe, English, Gray, Green, Hammer, Neal, Patterson of Muscatine, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—15.

Excused—Messrs. Ainsworth, Bussey, Coolbaugh, Henderson, Johnson and Pusey.

So the amendment to the amendment prevailed.

The question then recurring upon the amendment as amended, it was adopted.

On motion of Mr. Thompson, the 11th Rule was suspended, the bill was read the third time and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—22.

The nays were—Senators Bailey, Buechel, Duncombe, English, Gray, Green, Hammer, Mann, Neal, Patterson of Muscatine, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—15.

Excused—Ainsworth, Bussey, Coolbaugh, Henderson, Johnson and Pusey.

The bill was passed and title agreed to.

Mr. Sheradden had leave to introduce Senate File No. 214, a bill for an act to authorize the Board of Directors of Clear Creek Township School District, of Keokuk county, to correct the assessment made in 1859. Read the first and second time.

Mr. Neal moved to amend section 2, by adding the words 'without expense to the State;' upon which question he demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Bailey, Buechel, Davis of Clinton, English, Gray, Green, Neal, Patterson of Muscatine, Saunders, Thompson, Taylor, Udell, Williams, Wilson of Dubuque—14.

The nays were—Senators Anderson, Bowen, Brown, Davis of Polk, Hagans, Hammer, Hastings, Kent, Lewis, Mann, McPherson, Pattison of Marshall, Rankin, Reiner, Sherradden, Scott, Watson, Wilson of Jefferson—18.

Excused—Ainsworth, Pusey, Coolbaugh, Henderson, Johnson, Pusey. Absent, but not excused—Angle, Drummond, Duncombe, Powers and Trumbull.

So the amendment was not concurred in.

On motion of Mr. Sherradden, the 11th rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bailey, Bowen, Brown, Buechel, Davis of Clinton, Davis of Polk, Duncombe, Green, Hagans, Hammer, Hastings, Kent, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Reiner, Saunders, Sherradden, Scott, Thompson, Taylor, Udell, Watson, Williams, Wilson of Dubuque—28.

The nays were—Senators English, Mann, Neal—3.

Excused—Ainsworth, Bussey, Coolbaugh, Henderson, Johnson, Pusey and Rankin. Absent, but not excused—Drummond, Gray, Powers, Trumbull and Wilson of Jefferson.

So the bill was passed and title agreed to.

On motion of Mr. Hammer, House File No. 317, a bill for an act to legalize the corporation acts of the town of McGregor, was taken up and considered.

Mr. Hammer moved to amend section 2, by striking out the words "McGregor Press," and inserting the words "Iowa State Register," which was concurred in.

On motion of Mr. Hammer, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Gray, Green, Hagans, Hammer, Hastings, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Thompson, Trumbull, Taylor, Udell, Wilson of Dubuque—23.

The nays were—Senators Buechel, English, Kent, Rankin, Williams, Wilson of Jefferson—6.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Henderson,

Johnson, Pusey. Absent but not excused—Angle, Brown, Reiner, Saunders, Sherradden, Scott, Watson.

So the bill was passed and title agreed to.

Mr. Mann, from the Committee on Enrolled Bills, made the following report:

The Committee on Enrolled Bills, have examined the following acts and find them correctly enrolled:

Substitute for Senate File No. 150, an act for the benefit of the State Historical Society.

Senate File No. 107, an act to legalize the organization of the township of Hartland, in Worth county.

Senate File 113, an act to legalize the city elections in the city of Glenwood.

Senate Substitute for House File No. 139, an act in relation to the organization Common Councils of the city of Clinton.

Senate File No. 189, a Joint Resolution for additional mail facilities.

Senate File No. 166, an act in relation to the Dubuque and Pacific Railroad Company.

Senate File No. 110, an act to provide for the alteration and vacation of streets and alleys in unincorporated villages.

Senate File No. 138, an act entitled an act to legalize the acts of Charles A. Bannon, a Notary Public.

Mr. Wilson of Jefferson, moved to take from the table Senate File No. 115, a bill for an act defining the duties of Railroad Companies, which motion prevailed.

Mr. Wilson of Jefferson, offered a substitute for the bill, and moved its adoption, which was concurred in.

Mr. Patterson of Muscatine, offered an additional section to the bill, giving to each Railroad Company of this State, the right of running their locomotives and cars, either passenger or freight, upon the track or road of any other company so organized, upon paying a fair and reasonable compensation therefor.

Mr. Thompson moved to amend section 2, by inserting the words "over improved lands," after the word "road," in the second line.

On motion of Mr. Drummond, the bill and amendments were referred to the Committee on Railroads, with instructions to report to-morrow morning.

Mr. Drummond moved to take from the table Senate File No.

77, a bill for an act making a further appropriation for the erection of the Blind Asylum at Vinton.

Mr. Udell moved to reconsider the vote by which House File No. 290, a bill for an act appropriating the Saline Lands and Funds, to the State University of Iowa, was on Saturday lost; upon which question Mr. Bowen demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Gray, Hastings, Henderson, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Scott, Thompson, Trumbull, Udell, Wilson of Jefferson—24.

The nays were—Senators Bailey, English, Green, Hagans, Hammer, Kent, Neal, Taylor, Williams, Wilson of Dubuque—10.

Excused—Ainsworth, Bussey, Coolbaugh, Johnson, Pusey. Absent but not excused—Buechel, Mann, Sherradden and Watson.

So the motion to reconsider prevailed.

Mr. Davis, of Clinton, moved to adjourn, which was not agreed to.

The question recurring upon the motion of Mr. Drummond, to take from the table Senate File No. 77, a bill for an act making a further appropriation for the erection of the Blind Asylum at Vinton, it was concurred in.

Mr. Drummond moved the following as an additional section to the bill:

SEC. 4. That so much of the act locating the Asylum at Vinton, as authorizes Hosea W. Gray, James C. Traer and John W Jones to act as Commissioners is hereby repealed, which was concurred in.

Mr. Neal moved to amend section 1 as follows: "Provided the warrants issued under this act shall not draw interest," which was not concurred in.

On motion of Mr. Drummond, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Polk, Drummond, Henderson, McPherson, Pattison of Marshall, Powers, Rankin, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Wilson of Jefferson—18.

The nays were—Senators Bailey, Buechel, Duncombe, English,

Gray, Hagans, Hammer, Hastings, Kent, Lewis, Mann, Neal, Patterson of Muscatine, Reiner, Taylor, Williams, Wilson of Dubuque—17.

Excused—Ainsworth, Bussey, Coolbaugh, Johnson, and Pusey. Absent, but not excused—Davis of Clinton, Green and Udell.

The bill not having received a constitutional majority, was lost.

On motion of Mr. Brown, the Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Wilson, of Jefferson, moved a call of the Senate, which was sustained and ordered.

The following Senators were found to be absent, and not excused: Angle, Davis of Polk, Green, Powers, Sherradden and Scott.

On motion of Mr. Thompson, the Sergeant-at-Arms was sent for the absentees.

Several of the absentees coming in, Mr. Rankin moved to suspend further proceedings under the call, which motion prevailed.

SPECIAL ORDER.

The special order for 2 o'clock, P. M., being the consideration of House File No. 170, a bill for an act to provide for the establisnment of a Commissioner in the city of New York, to promote immigration to the State of Iowa, the bill was read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Buechel, Davis of Clinton, Drummond, Duncombe, Green, Hagans, Hammer, Hastings, Henderson, Kent, Mann, McPherson, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Wilson of Dubuque—26.

The nays were—Senators English, Gray, Lewis, Neal, Patterson of Muscatine, Udell, Watson, Williams, Wilson of Jefferson—9.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Angle and Davis of Polk.

So the bill was passed and title agreed to.

On motion of Mr. Bowen, House File No. 290, a bill for an act appropriating the Saline Lands and Funds to the State University, was taken up.

Mr. Neal moved the following amendment to the bill: *Provided*, This act shall not be in force until after it has been submitted to the people, at the next general election, and a majority of the voters voting at such election, shall have voted therefor.

The question being on the adoption of the amendment, Mr. Neal demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Buechel, English, Hagans, Hammer, Kent, Mann, Neal, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—12.

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Drummond, Duncombe, Gray, Green, Hastings, Henderson, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—24.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Davis of Polk.

The amendment was lost.

Mr. Wilson of Jefferson, moved to suspend the 11th Rule, have the bill read the third time, and put upon its final passage, upon which question Mr. Hagans demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Gray, Green, Hastings, Henderson, Lewis, Mann, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Reiner, Saunders, Sherradden, Scott, Thompson, Udell, Watson, Wilson of Jefferson—27.

The nays were—Senators Buechel, Duncombe, Hagans, Hammer, Kent, Neal, Trumbull, Taylor, Williams, Wilson of Dubuque —10.

Excused—Senators Ainsworth, Bailey, Bussey, Coolbaugh, Johnson and Pusey.

So the motion to suspend the 11th Rule prevailed.

The yeas and nays on the passage of the bill were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown,

Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Gray, Green, Hastings, Henderson, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Rankin, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—24.

The nays were—Senators English, Hagans, Hammer, Kent, Lewis, Mann, Neal, Reiner, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—13.

Excused—Senators Ainsworth, Bailey, Bussey, Coolbaugh, Johnson and Pusey.

The bill was passed, and title agreed to.

Mr. Powers, from the Committee on Ways and Means, accompanied by the following report, reported Senate File No. 215, a bill for an act relating to State Printing, as a substitute for Senate Files Nos. 22 and 134, and recommended the adoption and passage of the substitute.

On motion of Mr. Hammer the Secretary was directed to take the bills passed by the Senate to the House, without delay, unless otherwise ordered.

On motion of Mr. Hammer the Senate took a recess of ten minutes.

REPORT.

Mr. President and Hon. Members of the Senate:

Your committee to whom was referred sundry resolutions and bills pertaining to printing, beg leave to report, that they have had the matter under advisement, and submit the following:

That the office of State Printer as a distinct and elective office, was created by an act of the Second General Assembly, and his compensation and duties prescribed by the 17th chapter of the Laws of 1848-9, approved Dec. 29th, 1848.

The manner in which the work was to be done, is specifically set out in sections 8 and 9 of said acts as follows, to wit:

"For printing laws, journals, documents and all other book or pamphlet work, 75 cents per thousand ems for composition, and double price for rule and figure work; per token of an 8 page form of press work, 75 cts."

For folding, stitching, pressing and binding the Session Journals of the General Assembly, in strong paper covers, 10 cents per copy; for printing, folding, stitching and binding any larger

volumes, which are ordered to be bound in board or leather covers, such price as may be fixed by law.

For printing blanks, two dollars for the first quire, and 90 cents for each additional quire.

Under this law your committee find no bills or vouchers on file in the Auditor's office, and therefore are unable to tell the amount of work done, how computed, or whether it was subject to abuse or not.

The session laws of the 4th General Assembly show a change of prices, as follows, to-wit: "For printing the Laws, Journals, Documents and all other book or pamphlet work, fifty cents per thousand ems for composition, and double price for rule and figure work; fifty cents per token for sixteen page form, when the work ordered is enough to make such a form, for press work. For stiching, folding, pressing and binding the Laws and Journals of the General Assembly, in strong paper covers, five cents per copy. For folding, stiching, pressing and printing any large volume of Laws in the manner in which the Code is bound, fifty cents per copy, for bills ordered by either House of the General Assembly, fifty cents per thousand ems for composition, fifty cents per token for press work, to be printed in 'pica type,' the lines numbered, beginning with the figure 1, at the commencement of each section, with a space between the lines, not exceeding the size of pica: for printing blanks for the Officers of State, one dollar and twenty-five cents per quire, for the first quire, fifty cents for each additional quire, until the quantity equals a ream; when the quantity is from one to five reams, twenty-five cents per quire; when the quantity exceeds five reams, fifty cents per thousand ems for composition and fifty cents per token (of as large a form as 16 page octavo form.)"

Your committee after diligent search in the Auditor's office for accounts and vouchers under this law, have been unable to find any of the accounts, except some thirty odd dollars, and as a consequence are unable to tell whether it was subject to abuse by constructive charges or not.

This law, however, was never used in point of fact, nor was there ever a claim paid and settled under it. Sec. 5 of chapter 64 of the session laws of the fifth General Assembly, says that "the present State Printers shall be allowed the compensation provided in this act for all the blanks done by them, and for all other work done

since the commencement of the present session of the General Assembly."

This act was construed to be retrospective, and under this retrospection, Mahony & Dorr received $4,066.15 for work already done, and for which they had once received their pay in full and had receipted the same accordingly.

Chapter 64 of the acts of the Fifth General Assembly again changes the law as follows, to wit: "For composition upon the laws, journals, reports, circulars and all other printed matter, except blanks, seventy cents a thousand ems for composition, and double price for rule and figure work. For printing blanks, there shall be allowed for the first quire, one dollar and fifty cents; when the number exceeds one quire and does not exceed a ream, fifty cents shall be allowed for each additional quire; when the number exceeds one ream, thirty-seven and one-half cents shall be allowed for the excess over one ream; Provided that twenty-four blanks shall constitute a quire, except when it may be necessary to make two impressions upon the same sheet or part of sheet, to print a blank, when, in that case, twelve sheets or parts of sheets, as may be required by the amount of matter in a blank, shall constitute a quire. For press work, the compensation shall be seventy cents for one eight page form or less; Provided, that 240 impressions shall constitute a token, except when the work ordered shall not amount to that many impressions, when any less quantity shall be counted as a token. For binding the laws, journals, and other large pamphlets in paper covers, seven and a half cents per copy shall be allowed; and for folding, stitching, and trimming reports, messages, and other documents not exceeding one sheet in size, one cent per copy shall be allowed, and for each additional sheet, or part of a sheet, that a report, message or other document may contain, an additional quarter of a cent shall be allowed.

Under this act, and while it was in force, the accounts and vouchers appear to have been preserved, so that your committee have been measurably enabled to ascertain its practical workings; and as to the result of their investigations, beg leave to report in detail, the facts that have come to their knowledge, so far as they pertain to the more prominent transactions under this law.

August 3d, 1855.

To Mahony & Dorr, State Printers.

To printing Journal of Senate session, 1854–5, 394 pages, con-

taining 1,950,000 ems *a* 70 cents per 1000.....$1,365 00
Press work, 113 forms *a* 7 token per form; 791 token at 70 cents per token..... 553 70

$1,918 70

To error in counting House Journal, in bill certified by me..... 57 75
Errors in counting Laws of '51, '52, '54, '55, in bill certified by me..... 29 00

$2,005 45

IOWA CITY, Aug. 3, 1855.

I hereby certify, that after a careful examination of the work done, I believe the above bill to be made out in accordance with law.

THOMAS HUGHES.

Upon the back of the bill is the following endorsement:

"SECRETARY'S OFFICE, IOWA,
Iowa City, Aug. 3, 1855.

"Received of Mahony & Dorr, State Printers, fifteen hundred copies of the Journals of the Iowa State Senate, for the fifth regular session of the General Assembly of the State of Iowa, for which they are entitled to receive the amount of the within account.

GEORGE W. McCLEARY,
Secretary of State."

"IOWA CITY, Iowa, Aug. 4, 1855.

"I do hereby certify that I believe that the within account is correct.

JNO. PATTEE,
Deputy Auditor."

"State Printer bill, audited Aug. 3d, 1855.

J. PATTEE,
Deputy Auditor."

STATE OF IOWA, IN ACCOUNT WITH
MAHONY & DORR, STATE PRINTERS, DR.

To printing 6,000 copies of the Acts, Resolutions, and Memorials of the the fifth General Assembly, viz:
Composition, 582,000 ems..... $407 40

Press work, 1,100 token	707 00
To printing 1,500 copies of House Journal, viz:	
Composition, 2,062,500 ems	$1,443 70
Press work, 903 token	632 10
To work on Senate Journal, viz:	
Composition, 1,669,500 ems	1,168 65
Press work, 665 token	465 50
	$4,887 35

IOWA CITY, IOWA,
July 6, 1855.

I hereby certify that the above bill for printing the Laws and Journals of the 5th General Assembly, is made out in accordance with the act in relation to State printing, approved January 23d, 1855.

THOMAS HUGHES.

Upon the back of the above bill is the following endorsement:

"SECRETARY'S OFFICE, IOWA,
Iowa City, July 6, 1855.

"Received of Mahony & Dorr, State Printers, six thousand copies of the Acts, Resolutions and Memorials of the fifth General Assembly, and they are entitled to receive for the same, the amount specified in the within account, as certified to by Thomas Hughes.

GEO. W. McCLEARY,
Secretary of State."

DUBUQUE, April 7, 1855.

STATE OF IOWA,
To MAHONY & DORR, STATE PRINTERS, DR.

To composition on Laws of 1852–'53, 433,000 ems at 70c	$303 10
To press work on same, 496 token at 70c	347 20
To composition on House Journal for 1854–5, 1,252,000 ems, at 70c	876 40
To press work on House Journal, same, 600 token at 70c	420 00
	$1,946 70

I, J. B. Dorr, certify the above bill to be correct, according to the best of my knowledge and belief.

J. B. DORR.

"Subscribed and sworn to before me, at Dubuque, Iowa, this 9th April, 1855.

Notarial Seal.

Witness my hand and Notarial Seal.

J. S. BLATCHLY,
Notary Public, in and for Dubuque County."

Upon the back of the above account is written, "Mahony & Dorr; warrant issued for $1,000, and given to G. W. McCleary, April 14, 1855.

"J. PATTEE,
Deputy Auditor."

"Balance to be audited when work is completed."

SENATE PRINTING.

STATE OF IOWA,

TO MAHONY & DORR, DR.

1854.			
Dec.	4.	To 100 copies yeas and nays, composition, 3000 ems	$2 10
		Press work, one token	70
"	6.	To 100 copies yeas and nays, comp., 3000 ems	2 10
		Press work, one token,	70
"	7.	To 100 copies yeas and nays, (organized) composition, 3000 ems	2 10
		Press work, 1 token	70
"	7.	To 75 circulars to publish, comp., 3000 ems	2 10
		Press work, 1 token	70
"	11.	To 5000 copies Gov.'s Message, comp. 23,000 ems,	16 10
		Press work, 42 tokens	29 40
"	11.	To 5000 Inaugural Message, comp., 23,000 ems	16 00
		Press work, 42 tokens	29 40
"	14.	To 200 copies Joint Rules, comp., 6000 ems	4 20
		Press work, 1 token	70
"	14.	To 100 copies Rules of Senate, comp., 12,000 ems,	8 40
		Press work, 1 token	70
"	15.	To 100 copies Report Warden Penitentiary, composition, 21,000	14 70
		Rule and figure, 3000 ems	4 20
		Rule and figure tables, 6000 ems	8 40
		press work, 3 tokens	2 10
"	16.	To 1000 Report State Treasurer, comp., 6000 ems,	4 20
		press work	3 50

Dec. 16.	To 1000 Report Inspectors Pen'y, 12,000 ems. ..	8 40
	press work, 5 tokens	3 50
" 18.	To 200 copies Senate File No. 9, comp., 14,000 ems,	9 80
	press work, 2 tokens	1 40
" 18.	To 200 Senate File No. 24, comp., 7000 ems	4 90
	press work, 2 tokens	1 40
" 18.	To 200 copies File No. 28, comp., 14,000 ems	9 80
	press work, 2 tokens	1 40
" 21.	To 2000 memorial State Ag'l So., comp. 12000 ems	8 40
	press work, 9 tokens	6 30
" 25.	To 3000 Aud.'s Reports, comp., plain, 12,000 ems,	8 40
	rule and figure, 17,000 ems	23 80
	press work, 72 tokens	50 40
" 27.	To 1000 copies Census R'p'ts, comp. pl'n 6000 ems	4 20
	rule and figure, 7500 ems	10 50
	press work, 5 tokens	3 50
" 28.	To 1000 special Message of Governor, comp., plain, 23,000 ems	16 10
	rule and figure, 1500 ems	2 10
	press work, 15 tokens	7 00
" 28.	To 500 Judge Wilson's Report, comp., 24,000 ems,	16 80
	press work, 6 tokens	4 20
1855.		
Jan. 4.	To 200 yeas and nays, comp., 3000 ems	2 10
	press work, 1 token	70
" 6.	To 200 Senate File No. 47, comp., 21,000 ems	14 70
	press work, 4 tokens	2 80
" 8.	To 6000 Dr. Eads' Report, Sup't Public Instruction, comp., plain, 45,000 ems	31 50
	rule and figure, 15,000 ems	21 00
	press work, 150 tokens	105 50
" 8.	To 1000 Report of Com. on Fed'l Relations, composition, 12,000 ems	8 40
	press work, 5 tokens	3 50
" 8.	To 200 Senate File No. 48, comp., 21,000 ems	14 70
	press work, 4 tokens	2 80
" 9.	To 500 Senate File No. 50, comp., 7000 ems	4 90
	press work, 6 tokens	4 20
" 9.	To 500 Senate File No. 51, comp., 14,000 ems	9 80
	press work, 6 tokens	4 20

Jan.	9.	To 500 Senate File No. 52, comp., 14,000 ems...	9 80
		press work, 6 tokens.....	4 20
"	10.	To 200 Senate File No. 63, comp., 21,000 ems...	14 70
		press work, 4 tokens.....	2 80
"	16.	To 3 quires President's Certificates.....	2 50
"	17.	To 200 Senate File No. 129, comp., 35,000 ems..	24 50
		press work, 6 tokens.....	4 20
"	24.	To 50 yeas and nays, comp., 3000 ems.....	2 10
		press work, 1 token.....	70
"	24.	To 2000 Col. Benton's Report, Supt. Pub. Instruction, comp. charged to House.....	
		press work, 81 tokens.....	56 70
"	11.	To 500 copies Report Joint Com. on Revision, composition, 23,000 ems plain, and 1500 ems...	16 00
		rule and figure, 1500 ems.....	2 10
		press work, 6 tokens.....	4 20
			$730 30

Cr.

1854.	Dec. 17.	By cash.....	$149 00
"	" 29.	By cash.....	114 00
1855.	Jan. 10.	By cash.....	245 00
			$508 00

"THE STATE OF IOWA, }
County of Johnson. }

"Wm. Tomlinson, Foreman of the printing office of Mahony & Dorr, on oath, deposes and says, that the within and foregoing bill is just and true, as he verily believes.

"WILL TOMLINSON, Foreman.

"Subscribed and sworn to before me, this 27th day of January, A. D. 1855.

"W. PENN CLARKE,
"Notary Public.

"Audited January 27th, 1855.
"J. PATTEE, Dep. Auditor."

STATE OF IOWA,
To MAHONY & DORR, Dr.

1854.			
Dec.	4.	To 100 yeas and nays, composition, 3000 ems....	$2 10
		press work, 1 token.....	70

Dec. 5.	To 100 yeas and nays, composition, 3000 ems....	2 10
	press work, 1 token.....	70
" 6.	To 100 yeas and nays, composition, 3000 ems....	2 10
	press work, 1 token.....	70
" 7.	To 75 circulars to newspaper publishers, composition, 3000 ems.....	2 10
	press work, 1 token.....	70
" 9.	To 100 Joint Sess. yeas and nays, comp., 5000 ems	3 50
	press work, 1 token.....	70
" 9.	To 100 list of House Com., composition, 3000 ems	2 10
	press work, 1 token.....	70
" 11.	To 2000 copies Governor's Message, composition, 23,000 ems.....	16 10
	press work, 18 tokens.....	12 60
" 11.	To 3000 Inaugural Message, comp., 23,000 ems,	16 10
	press work, 26 tokens.....	18 20
" 14.	To 100 Joint Session yeas and nays, composition, 5000 ems.....	3 50
	press work, 1 token.....	70
" 14.	To 2000 additional copies Inaugural, re-composition, 23,000 ems.....	16 10
	press work, 18 tokens.....	12 60
" 14.	To 3000 additional copies Governor's Message, (no extra composition,) press work, 26 tokens	18 20
" 15.	To 200 Rules of House, composition 23,000 ems..	16 10
	press work, 2 tokens.....	1 40
" 15.	To 800 Reports Warden Penitentiary, (composition charged to Senate,) press work, 3 tokens..	2 10
" 15.	To 1000 Reports of State Treasurer, (composition ch'd to Senate,) press work, 5 tokens.....	3 50
" 15.	To 1000 Reports of Inspt. of Penitentiary, (composition ch'd to Senate,) press work, 5 tokens	3 50
" 18.	To 200 copies House File No. 5, composition, 49,000 ems.....	34 30
	press work, 8 tokens.....	5 60
" 18.	To 200 House File No. 15, composition, 21,000 ems.....	14 70
	press work, 4 tokens.....	2 80
" 20.	To Saline Report, composition, 15,000 ems.....	10 50
	press work, 9 tokens.....	5 30

Dec. 21.	To 2000 Des Moines River Improvement Report, compositiom, 57,000 ems, plain,.....	39 90
	rule and figure, 3,000 ems,.....	4 20
	press work, 43 tokens,.....	31 50
" 21.	To 100 Joint Session yeas and nays, composition, 5000 ems	3 50
	press work, 1 token.....	70
' 22.	To 2500 Blind Asylum Report, composition, 23,000 ems	16 10
	rule and figure, 1500 ems...	2 10
	press work, 22 tokens.....	15 40
" 27.	To 2000 Swamp Land Reports, composition, 6000 ems.....	4 20
	press work, 9 tokens.....	6 30
1855.		
Jan. 4.	To 200 House File No. 35, comp., 14,000 ems....	9 80
	press work, 2 tokens.....	1 40
" 4.	To 200 House File No. 36, comp., 21,000 ems. ..	14 70
	press work, 4 tokens.....	2 80
" 4.	To 200 House File No. 37, comp., 14,000 ems....	9 80
	press work, 2 tokens.....	1 40
" 4.	To 100 yeas and nays, composition, 3000 ems....	2 10
	press work, 1 token.....	70
Dec. 5.	To 100 Joint Session yeas and nays, composition, 5000 ems.....	3 50
	press work, 1 token.....	70
" 5.	To 100 Joint Session yeas and nays, (2d order,) composition, 5000 ems.....	3 50
" 5.	To 200 copies list for Journal, comp., 5000 ems...	3 50
	press work, 1 token.....	70
" 8.	To 100 House yeas and nays, comp., 3000 ems...	2 10
	press work, 1 token.....	70
" 10.	To 200 list yeas and nays for Journal, composition, 3000 ems	2 10
	press work, 8 tokens.....	70
" 11.	To 100 copies House File No. 66, composition, 35,000 ems	24 50
	press work, 6 tokens.....	4 20
" 12.	To 200 House File No. 11, comp., 14,000 ems...	9 80
	press work, 2 tokens.....	1 40

Dec. 13. To 200 House File No. 72, comp., 28,000 ems....	19	60
press work, 4 tokens.....	2	80
" 15. To 200 substitute Senate File No. 3, composition, 21,000 ems.....	14	70
press work, 4 tokens.....	2	80
" 15. To 100 copies yeas and nays, composition 3000 ems	2	10
presswork, 1 token, ...		70
" 15. To 5 quires Speaker's Certificates,..... ...	3	50
" 17. To 200 copies yeas and nays, for Journal, composition 3000 ems, ...	2	10
presswork, 1 token.....		70
" 17. To 200 House File No. 51, composition 21000 ems	14	70
presswork, 4 tokens.....	2	80
" 18. To 200 House File No. 150, composition 21000 ems...	14	70
presswork, 4 tokens	2	80
" 22. To 100 copies yeas and nays, composition 3000 ems.....	2	10
presswork, 1 token.....		70
" 22. To 500 copies special report of Treasurer, composition, plain, 12000 ems, ...	8	40
rule and figure, 42000 ems	58	80
presswork, 15 tokens.....	10	50
" 23. To 5000 copies Benton's Report composition plain, 39,000 ems.....	27	30
rule and figure 69000 ems.....	96	60
presswork, 189 tokens	132	30
1854.		
Dec. 25. To 3000 Auditor's Report, composition charged to Senate,.....		
presswork, 72 tokens	50	40
" 27. To 200 Census Reports, composition charged to Senate, ...		
presswork, 1 token, ...		70
1855.		
Jan. 8. To 5000 copies Dr. Eads' Report, comp. charged to Senate, except re-setting 1st form, 24000 ems	16	80
presswork, 105 tokens	73	50

1854.

Dec. 28. To 1000 Special Messages of Governor, composition
plain, 22000 ems 15 40
rule and figure, 15000 ems 2 10
presswork, ... 7 00

Amount, ...

THE STATE OF IOWA, } SS.
JOHNSON COUNTY.

William Tomlinson, on oath, deposes and says, that he is foreman of Mahony & Dorr, and that the foregoing bill is just and true, as he verily believes.

WILL. TOMLINSON, FOREMAN.

{ L. S. } Subscribed and sworn to before me, this 27th day of January, A. D. 1855.

W. PENN CLARKE,
NOARY PUBLIC.

Your committee not being sufficiently versed in computing this class of work to trust themselves have called in the aid of several practical printers, and beg leave to submit their computation upon the above named Journals, which are as follows:

In Senate Journal, 1855, there are in the Journal proper,
338 pages, 1450 ems to page, making 491,000
In appendix, pages plain, 437 534,000
" " " rule and figure, 115 166,750
Also, one table, ... 9,000

Having hastily measured the above mentioned works, at the request of Senator Powers, I hereby certify that I believe the computation correct, in the manner of counting customary among printers.

WILL. TOMLINSON.

The undersigned, having calculated the amount of composition in Senate Journal of Session of 1854–5, bearing the imprint of Mahony & Dorr, Iowa City, 1855, certifies to the correctness of the following statement:

There are 898 pages in the book, counting a large table of rule and figure work as 8 pages.

Of this number, 768 are plain matter and 130 rule and figure work.

There are 1421 ems in a page.
There are 1,091,328 ems plain work.
And 184,730 ems rule and figure work in the volume.
This estimate does not include the cover.

N. W. MILLS,
Of the firm of Mills Brothers, Publishers, &c.

DES MOINES, March 8, 1860.

I hereby certify, that I have this day measured the Journals (and appendix to some,) of the Senate and House of Representatives, of the fifth General Assembly, begun and held at Iowa City, on Monday the fourth day of December, A. D. 1854, and the said Journals and Appendixes contain respectively the following number of ems, to wit:

Senate Journal, and Index to same,	549,000
" Appendix " " "	979,000
House Journal, and Index to same,	744,000
" Appendix " " "	976,000

I believe the above to be a correct and fair estimate of the amount of composition contained in the documents herein mentioned.

DES MOINES, March 3d, 1860. W. W. MAYNARD.

In the above estimate I have reduced the whole amount of composition to "plain matter," by counting the "rule and figure work" twice. W. W. M.

House Journal, 5th General Assembly—

1,450 ems on each page.
916 pages in book.
112 pages rule and figure work.
804 pages plain work.
1,450 ems on each page.
162,400 ems rule and figure work.
1,328,200 ems plain work.

1,490,600 ems in whole book.

I certify that the above figures are correct, according to my measurement.

DES MOINES, March 5th, 1860. J. P. ROGERS.

It will be seen that by the computation of Will Tomlinson, that there are 1,034,000 ems of plain, and 166,750 ems of rule and figure work, which last will equal 333,500 ems of plain work, mak-

ing 1,367,500 ems of plain composition in value, in the Senate Journal of 1854–5; making a difference of 582,500 ems less than was charged by Mahony & Dorr for the same; which, at 70 cents per thousand ems, is equal to $407,75, as per his charge of August 3d, 1855.

By W. W. Maynard's computation, it will be seen that there is in the Senate Journal of 1854–5, 1,528,000 ems, when reduced to plain matter; making a difference of 422,000 ems less than was charged by Mahony & Dorr for the same work; which, at 70 cts per thousand ems, equals $295,40.

The difference in the computation as given by Will Tomlinson, and the others, your committee have found to be the result of Tomlinson not counting the last line on the page, which frequently consists of only one figure; but your committee are satisfied, that according to the rules of the "craft," it should be counted.

By reference to the account of Mahony & Dorr, for House Journal of date of July 6th, 1855, the composition is charged as 2,062,500 ems. By reference to the computation of W. W. Maynard, it is shown to be 744,000, without the Appendix, the composition of which had been paid for in the Senate Journal, and for which the State Printer could not lawfully receive pay for composition on the same, for section 1, chapter 102 of the acts of the 4th General Assembly, expressly declares that "when the printing of the same document is ordered by both houses of the General Assembly, there shall be allowed only one charge for composition," which act was in full force at the time the work was done and paid for.

Here we find a charge which was allowed and certified to by the Secretary of State, Geo. W. McCreary, for 1,318,500 ems more than the law allows, which at 70 cts. per thousand, makes $922,95 overcharge. And as if this was not sufficient to satisfy their wants, we find a charge of $57,75, claimed by mistake in former computation.

Your committee also find that the Governor's Message, and the Governor's Inaugural, the composition of which amounts to 27,000 ems, which, at 70 cents per thousand, equals $18,90, appears in the body of the Journal, and also in the Appendix of the same volume, thus giving pay for the same matter twice in the same volume.

To recapitulate, Mahony & Dorr, as paid—

Senate Journal	1,950,000 ems.
House Journal	2,062,500 ems.
Total	4,012,500 ems.
Senate Journal	$1,365 00
House Journal	1,443 70
Per error	57 75
Total	$2,866 45
As computed by Maynard—	
Senate Journal	1,528,000 ems.
House Journal	744,000 ems.
Total	2,272,000 ems.
Senate Journal	$1,069 60
House Journal	520 80
Total	$1,590 40

Making $1,276 05 paid to Mahony & Dorr, over and above the amount that should have been allowed according to law.

The above over payment is upon the single charge of the 3d day of August, 1855, and that upon the House Journal, of date of July 6th, 1855, with the error charged in Senate Journal August 3d, 1855, of $57 75.

This does not include the charge of July 6, 1855, as certified to by the Secretary of State, Geo. W. McCleary, for 1,669,500 ems —$1,168 65 more than the charge of April 7, 1855, where $1,000 was paid on the House Journal, and the laws of 1852–3, and 1854–5, which, giving an equal per centage to the charge for the House Journal, will give something over $510 more.

Amount received by Mahony and Dorr, for composition of House and Senate Journals of 1854–5:

August 3, 1855:	Senate Journal	$1,365 00
" 3, "	To error in House Journal	57 00
July 6, "	House Journal	1,443 70
" 6, "	Senate Journal	1,168 65
April 7, "	House Journal, pro rata, per bill	110 00
		$4,144 35
Amount allowed by law		1,590 40
Overpaid to Mahony & Dorr		$2,554 95

Your committee also find that the composition of the Governor's Message was paid for five times, to-wit:

Dec. 11, 1854, for the Senate.

Dec. 11, 1854, for the House.

Twice in the House Journal, once in the body, and once in the appendix, and once in the Senate Journal.

The composition of the Governor's Inaugural was paid for six times, to-wit:

Dec. 11, 1854, for the Senate.

Dec. 11, 1854, for the House.

Dec. 14, 1854, for the House, and twice in the House and once in the Senate Journals.

Your committee find, on reference to the Senate Journal of 1854–5, there are 894 pages by counting the blank leaves, and by the records, that there were 1500 copies printed.

894 pages, by giving the fraction to the printer, make 112 8 page forms, and 1,500 copies will give 16,800 8 page forms, which divided by 240, the number of forms that the law declares to be a token, and you have 700 token, being 91 token less than was charged by Mahony & Dorr; which, at 70 cents per token, equal $63 70.

In the House Journal, there are 1016 pages, which equals 127 8 page forms per volume, and in 1500 volumes there are 190,500 8 page forms, which, divided by 240, the number of forms in a token, and it gives 794 token, by giving the fraction to the printer, being 109 token less than was charged by Mahony & Dorr for the same work, which, at 70 cents per token, equals $76 30.

RECAPITULATION.

		To Mahony & Dorr, as paid.
Senate Journal,	791 token	$553 70
House Journal,	903 token	632 10
Total,	1694 token	$1,185 80

The number as per computation.

Senate Journal,	700 token	$490 00
House Journal,	794 token	555 80
Total,	1494 token	$1,045 80

Making a difference of $140 00, which was paid to Mahony & Dorr, over and above the amount allowed by law, for the press work of the two Journals.

As to the style and manner in which the work is done, your committee would report that the Journals appear to have been arranged so as to secure as much "fat" as possible, and to accomplish this, the names of members, when the yeas and nays were called, are placed in columns, which occupy double the space necessary, and in the House Journal, where the yeas and nays were called one hundred and seventy-two times, it increased the size of the Journal about 80 pages more than was necessary. The binding, which the law says shall be stitched, your committee find does not comply with the law, for in place of stitching, your committee find that in some there has been a place sawed in, and a string glued in, while in others, the string has been glued upon the out side, or so nearly so as not to touch one half of the leaves.

By chapter 184, of the Session Laws of the Sixth General Assembly, it is enacted, "That the compensation for State Printing, shall be: For composition on the laws, journals, reports, circulars, and all other printed matter, except blanks, seventy cents per thousand ems, and one dollar and five cents per thousand ems for figure work, where the figures are arranged in columns, and one dollar and forty cents per thousand ems, for rule and figure work."

It will be seen, that by this law, work that had heretofore been paid for as rule and figure work, is, much of it, paid for as figure work in columns, with a reduction in price of 30 cents per thousand ems.

The abuse of counting—what should only be counted as one blank—as two, three, and sometimes four, as in the case of the assessment blanks, where the charges for 1852 and 1853, for these blanks alone, was increased, as shown by one account which was audited, $9,021 32, as constructive charges alone, was remedied, and restrictions thrown around many of the constructive charges that had crept in under the former laws.

There is, also, a reduction in the price of printing blanks, of ten cents per quire, where the amount does not exceed one ream, and a reduction of 13 cents per quire where it exceeds one ream, and where the blank upon anything as small as an octavo size or letter sheet, there is a reduction of fifty cents for the first quire, and 20

cents, where it is less than one ream, and 17½ cents less for all exceeding one ream.

Under this law, your committee find the following accounts, to wit:

OFFICE OF SECRETARY OF STATE,
IOWA CITY, IOWA, Oct. 15, 1857.

This will certify that Peter Moriarity, Esq., as State Printer, has executed the printing of the Session Laws and Journals of the House of Representatives and Senate of the State of Iowa, in a workmanlike manner, according to the provisions of chapter 17, of the Statute Laws of 1849, for which service the State Printer is entitled to receive the following compensation:

For composition on laws, 1,056,000 ems, @ 70 cts. per M,	$739 20
1232 tokens press work, @ 70 cents per token,.....	862 40
616 " " " " "	369 60
972,000 ems composition, on S. J. @ 70 cents per M,....	680 40
486 tokens press work, 70 cents per token,.....	340 20
30,000 ems rule and figure work, 70 cents per M,.....	21 00
1,008,000 ems, composition H. J., 70 cents per M, ...	705 60
672 tokens press work, 70 cents per token.....	470 40
30,000 rule and figure work, 70 cents per M,.....	21 00
Transportation account—For freight on paper from Chicago to Davenport,.....	22 00
Dewit,.....	16 70
	$4249 00

STATE OF IOWA,

To J. TEESDALE, DR.

1858.		
Oct. 13.	To publication of Bank Proclamation for Governor, 5 squares, 1 month, ...	$ 12.50
Oct. 20.	To Senate Journal, composition, 672 pages,....	705.60
	Presswork, 336 tokens, ...	201.60
" "	5 quires blanks for Auditor, ...	3.00
" "	27 quires Letter Heads for Secretary,.....	11.80
" "	5 quires Circular Letters for Secretary,.....	9.00
" "	5 quires Envelopes for Secretary, ...	3.00
" "	5 quires Circular Letter for Auditor,.....	9.00
" "	17 quires Notarial Commissions for Secretary of State,.....	7.80
		$956.85

Journal, ... $907.20.
Miscellaneous, 49.65.

The am't of above bill for Senate Journal approved.

ELIJAH SELLS.

Your committee find that in the two Journals of 1857, and the Journals of 1858, there is a constructive charge for composition upon the covers, calling each an eight page form. The same difference arises in the computation of the Journals, as in the preceding. By counting the last line, which frequently is but one figure, and which your committee are satisfied should be counted, as they have before remarked, according to the rules of the "craft," the computation of the above named Journals is correct, excepting the constructive charge upon the covers. It appears that Moriarty printed appendixes to the Journals, and received pay for the same, but not in accordance with law, and the Attorney General is now prosecuting a suit against him to recover back the amount thus improperly allowed him; and consequently, your committee have not been able to ascertain the extent of the abuses under this law, nor can they, so far as they pertain to the work done by Moriarty, until the termination of the suit now in Court.

Your committee find that there has been a great abuse under the present law, by allowing constructive charges.

As the law now exists, there is no charge recognized unless for a full 8 page form, which equals 12,000 ems, making a charge of $8 40 for composition for every job, however small. This is an abuse that cries loudly for reform.

Although in the aggregate, this abuse cannot amount to a very large sum, yet the principle is wrong, and unless remedied, it inaugurates a precedent at once dangerous and prodigal.

In view of the facts as above elicited, and after a careful investigation of the prices paid for work of a like character, your committee have compiled the accompanying bill, and recommend its passage as a substitute for Senate File No. 134.

A. SAUNDERS,
J. H. POWERS,
DAN ANDERSON,
J. M. KENT.

Mr. Davis, of Polk, moved to lay the report on the table, and have it printed.

Mr. Duncombe called for a division of the question; which was granted.

The question being first on the motion to print, it was not agreed to.

The question then being to lay on the table, it was concurred in.

The question recurring upon the adoption of the substitute, Mr. Duncombe called for a division of the question.

The President decided the question not divisible; from which decision Mr. Neal appealed, and demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Pattison of Marshall, Powers, Saunders, Thompson, Trumbull, Taylor, Udell, Watson—23.

The nays were—Senators Duncombe, Neal, Wilson of Dubuque—3.

Excused—Messrs. Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey, Rankin, and Wilson of Jefferson.

Absent, but not excused—Messrs. Buechel, English, Gray, Green, Patterson of Muscatine, Reiner, Sherradden, Scott and Williams.

The decision of the President was sustained.

Mr. Duncombe moved the indefinite postponement of the substitute; upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Buechel, Drummond, Duncombe, English, Gray, Green, Hammer, Neal, Patterson of Muscatine, Trumbull, Taylor, Williams, Wilson of Dubuque—13.

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Hagans, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Thompson, Udell, Watson, Wilson of Jefferson—21.

Excused—Messrs. Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Messrs. Sherradden and Scott.

The motion to indefinitely postpone was lost.

The question recurring upon the adoption of the substitute, Mr. Udell called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Scott, Thompson, Watson, Wilson of Jefferson—20.

The nays were—Senators Buechel, Drummond, Duncombe, English, Gray, Green, Hammer, Mann, Neal, Patterson of Muscatine, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—15.

Excused—Messrs. Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Mr. Sherradden.

So the substitute was adopted.

Mr. Neal moved to amend section — by striking out the words, "eight page form," and inserting "sixteen page form;" upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Buechel, Duncombe, English, Gray, Green, Hammer, Hastings, Mann, Neal, Patterson of Muscatine, Taylor, Udell, Williams, Wilson of Dubuque—14.

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Wilson of Jefferson—22.

Excused—Messrs. Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin.

So the amendment was not adopted.

Mr. Drummond moved to amend section — by striking out "60 cents" for composition, and insert "70 cents," and strike out "50 cents" per token for press work, and insert "60 cents;" upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Brown, Davis of Polk, Drummond, Pattison of Marshall, Sherradden—5.

The nays were—Senators Anderson, Angle, Bowen, Buechel, Davis of Clinton, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Reiner, Saunders, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—29.

Excused—Messrs. Ainsworth, Bailey, Bussey, Coolbaugh, John-

son, Pusey and Rankin. Absent, but not excused—Messrs. Hagans and Powers.

So the amendment was not concurred in.

Mr. Neal moved to amend section — by striking out 60 cents for composition, and inserting 50 cents; and strike out 50 cents per token for press work, and insert 40 cents; upon which question he called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Buechel, Duncombe, English, Gray, Green, Hammer, Mann, Neal, Patterson of Muscatine, Taylor, Udell, Williams, Wilson of Dubuque—13.

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Wilson of Jefferson—23.

Excused—Messrs. Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin.

So the amendment was not concurred in.

Mr. Wilson, of Jefferson, moved to strike out all after the enacting clause; upon which question Mr. Duncombe demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Buechel, Drummond, Duncombe, English, Gray, Hammer, Neal, Patterson of Muscatine, Taylor, Williams, Wilson of Dubuque—11.

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Green, Hagans, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Udell, Watson, Wilson of Jefferson—25.

Excused—Messrs. Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin.

So the motion to strike out did not prevail.

Mr. Neal moved to add the following as an additional section to the bill:

"This act shall be in force from and after its publication in the Iowa State Register, and Iowa State Journal."

Mr. Wilson, of Jefferson, moved to lay the amendment on the table; upon which question Mr. Neal demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Green, Hagans, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Wilson of Jefferson—20.

The nays were—Senators Buechel, Drummond, Duncombe, English, Gray, Hammer, Hastings, Mann, Neal, Patterson of Muscatine, Taylor, Udell, Williams, Wilson of Dubuque—14.

Excused—Messrs. Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Mr. Powers.

So the motion to lay on the table prevailed.

On motion of Mr. Wilson of Jefferson, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, English, Green, Hagans, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—29.

The nays were—Senators Drummond, Duncombe, Gray, Hammer, Neal—5.

Excused—Messrs. Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent but not excused—Buechel and Udell.

The bill was passed and title agreed to.

Message from the House.

Mr. President:—I herewith present for your signature, House File No. 266, a bill for an act to carry into execution the trust conferred upon the State of Iowa, in respect to the lands granted by an act of Congress, approved May 15th, 1856, to aid in the construction of a Railroad from Lyons City across the State of Iowa, and near the forty second parallel, to the Missouri River, the same having passed both branches of the General Assembly, and been duly enrolled in the House.

CHAS. ALDRICH, Chief Clerk.

Mr. Mann moved that when the Senate adjourns, it adjourn till to-morrow morning at 8½ o'clock, which motion prevailed.

Mr. Saunders had leave to introduce Senate File No. 216, a bill for an act for the better manangement of the School Funds of the

State of Iowa. Read the first and second time, and referred to to the Committee on Ways and Means.

Mr. Bowen, from the Joint Committee appointed to investigate the affairs of the State Penitentiary, reported Senate File No. 217, a bill for an act to submit to arbitration all matters in dispute or litigation between the Inspector and Warden of the Penitentiary of Iowa, or either of said officers, representing the State of Iowa, in their official capacity, and Winterbotham & Jones, contractors and lessees of said Penitentiary. Read the first and second time, and referred to the Judiciary Committee.

On motion of Mr. Patterson of Muscatine, Senate adjourned.

SENATE CHAMBER,
Tuesday, March 27, 1860, 8½ o'clock A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Teeter.

Journal of Saturday read, corrected and approved.

Mr. Duncombe moved to take from the table Senate File No. 198, a bill for an act making provision for the settlement of all liabilities of the State, growing out of the sale of certain lands of the Des Moines River Improvement Grant, as school lands, which motion prevailed, and bill was considered.

Mr. Duncombe offered the following amendment to the bill, and moved its adoption:

"The Commissioners hereby created shall not make any expense to the State under the provisions of this act until the cause now pending in the Supreme Court of the United States, between E. C. Litchfield and the Dubuque and Pacific Railroad Co., shall have been decided, and in case said suit shall be decided upon its merits against said Litchfield, then this act shall be without further effect.

Mr. Watson moved to amend section 5 by striking out $20,000 and inserting $4,000, which was concurred in.

Mr. Wilson of Jefferson, moved to strike out section 5, upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Davis of Clinton, English, Gray, Hagans, Hastings, Lewis, Mann, McPherson, Saunders, Thompson, Trumbull, Williams, Wilson of Jefferson—13.

The nays were—Senators Anderson, Angle, Bowen, Buechel, Davis of Polk, Duncombe, Green, Hammer, Henderson, Kent, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Scott, Udell, Watson, Wilson of Dubuque—19.

Excused—Ainsworth, Bailey, Brown, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent but not excused—Drummond, Sherradden and Taylor.

The motion to strike out did not prevail.

Mr. Wilson of Dubuque, moved to postpone the further consideration of the bill until to-morrow morning at 9 o'clock, and make it the special order for that hour; which was agreed to.

Mr. Wilson of Dubuque, submitted the following report:

The select committee, to whom was referred No. 237, "a bill for an act to release taxes assessed against property destroyed by fire or other casualties," beg leave to report the same, with an amendment to strike out the proviso to section 1st, and insert the following:

"*Provided*, No taxes shall be rebated that were due, and delinquent for more than thirty days at the time the property was destroyed.

WILSON, of Dubuque,
SAUNDERS,
ANDERSON.

Report concurred in.

On motion of Mr. Taylor, the 11th Rule was suspended, the bill read the 3d time and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Duncombe, Henderson, Kent, Mann, Patterson of Muscatine, Saunders, Trumbull, Taylor, Williams, Wilson of Dubuque—14.

The nays were—Senator Buechel, Davis of Clinton, Davis of Polk, English, Gray, Green, Hagans, Hammer, Hastings, Lewis, McPherson, Neal, Pattison of Marshall, Powers, Reiner, Thompson, Udell, Watson, Wilson of Jefferson—19.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent but not excused—Drummond, Sherradden and Scott.

The bill not receiving a constitutional majority, was lost.

Message from the House.

MR. PRESIDENT:—I am directed by the House of Representatives, to inform the Senate that the House has passed, without amendment, No. 170, a bill for an act to legalize certain bonds heretofore issued by the county of Story.

The House of Representatives has also passed the following House bills, in which the concurrence of the Senate is asked:

No. 161, a bill for an act to regulate costs in certain cases in the District Court.

Substitute for No. 202, a bill for an act to amend section 1249 of the Code.

The House has also passed, without amendment, No. 179, an act to authorize the sale and conveyance of lands donated or granted for the use of the Iowa State Agricultural College and Farm.

I am also directed to inform the Senate, that the House passed, without amendment, No. 214, a bill for an act to authorize the Board of Directors of Clear Creek Township District, of Keokuk county, to correct the assessment made in 1859.

The House has also concurred in the amendments of the Senate, to No. 170, a bill for an act to provide for the establishment of a Commissioner in the City of New York, to promote immigration to the State of Iowa.

CHARLES ALDRICH, Chief Clerk.

On motion of Mr. Davis of Polk, Senate File No. 202, a bill for an act authorizing the County Judge of Polk county, to appropriate a portion of the proceeds of the Swamp Lands for the completion of a court house, was taken up and considered.

On motion of Mr. Davis of Polk, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Buechel, Davis, of Clinton, Davis, of Polk, Duncombe, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pattison, of Marshall, Powers, Reiner, Saunders, Scott, Taylor, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—28.

The nays were—Senators English, Trumbull—2.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson,

Pusey, Rankin. Absent, but not excused—Drummond, Gray, Patterson of Muscatine, Thompson, Watson.

The bill was passed, and title agreed to.

Mr. Mann, from the Committee on Enrolled Bills, submitted the following reports:

The Committee on Enrolled Bills, have presented to his Excellency, the Governor, for his approval, the following acts:

Joint Resolution, for mail facilities.

An act in relation to the Dubuque and Pacific Railroad Company.

An act to provide for the alteration and vacation of streets and alleys in unincorporated villages.

An act to legalize the acts of Charles A. Bannon, as Notary Public.

An act to legalize the election and organization of Common Councils of the city of Clinton.

An act to legalize the organization of the township of Hartland, in the county of Worth.

An act to legalize the city elections of the city of Glenwood, in Mills county.

An act to provide for an annual appropriation for the benefit of a State Historical Society.

An act to authorize the County Judge and County Treasurer to sell the Saline Lands.

The Committee on Enrolled Bills, have examined the following acts, and find them correctly enrolled:

Substitute for Senate File No. 62, an act making appropriations for selecting Swamp Lands.

Also, Senate File No. 144, an act requiring complete reports from officers in charge of State Building and State Institutions.

J. MANN.

Message from the House.

Mr. President:—I am directed by the House of Representatives, to inform the Senate that the House has passed the following bills, in which the concurrence of the Senate is asked:

Substitute for House File No. 252, a bill for an act in relation to debtors to the School Fund.

I am also directed to return to the Senate, Senate File No. 101, a bill for an act rendering valid the service of original notices in certain cases.

Also, Senate File No. 264, a bill for an act respecting the taking effect of the laws of 1858, entitled an act respecting aliens, approved March 15th, 1858; the same having passed the House without amendment.

I am also directed to inform the Senate that the House has refused to concur in the amendments of the Senate to House File No. 150, a bill for an act to provide for the appraisement of property sold under execution, and that Messrs. Baker, Clark of Johnson, and Williamson of Louisa, have been appointed a committee of conference, on the part of the House.

CHAS. ALDRICH, Chief Clerk.

Mr. Saunders moved to take up Senate File No. 196, a bill for an act to pay the Commissioners of Revision; which motion prevailed.

The question being on concurring in the amendments reported by the Committee on Ways and Means, Mr. Patterson of Muscatine, moved to amend the report as follows: In section 2, fill the first blank with $3,500; second and third blanks, with $17 50; in section 3, fill blank with $1,000; upon which question, Mr. Williams demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Henderson, Patterson of Muscatine, Pattison of Marshall, Powers, Scott, Thompson, Trumbull—8.

The nays were—Senators Anderson, Bowen, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Hagans, Hammer, Hastings, Kent, Lewis, Mann, McPherson, Neal, Reiner, Saunders, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—22.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Brown, Buechel, Drummond, Green, Sherradden and Udell.

So the amendment was not concurred in.

Mr. Patterson, of Muscatine, moved to so amend said section as to give Mr. Darwin $200 extra, and each of the others $100 extra.

Mr. Kent moved to lay the motion on the table, which prevailed.

Mr. Angle moved to amend section 2, by filling the second blank with $16 30.

Mr. Wilson, of Jefferson, moved to lay the motion on the table, which was concurred in.

Mr. English moved to amend the report of the committee so as

to pay Mr. Darwin $2000, Mr. Smith $1250, Mr. Barker $1250, and Mr. Thomas $600.

Mr. Powers moved to lay the amendment on the table; upon which question Mr. English called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Brown, Davis of Polk, Gray, Green, Hagans, Hammer, Hastings, Kent, Mann, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Scott, Thompson, Trumbull, Watson, Wilson of Jefferson—23.

The nays were—Senators Bowen, Buechel, Duncombe, English, Henderson, Lewis, Neal, Taylor, Udell, Williams, Wilson of Dubuque—11.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Davis of Clinton, Drummond and Sherradden.

So the motion to lay on the table prevailed.

Mr. Neal moved to amend section 1, by adding the following proviso: *Provided*, The amount heretofore received by said parties shall be deducted from the amount allowed by this bill.

Mr. Angle moved to lay the amendment on the table; upon which question Mr. Neal demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Bowen, Brown, Gray, Green, Hagans, Hammer, Hastings, Henderson, Lewis, McPherson, Patterson of Muscatine, Powers, Reiner, Saunders, Scott, Thompson, Watson.—18.

The nays were—Senators Buechel, Davis of Clinton, Davis of Polk, Duncombe, English, Kent, Mann, Neal, Taylor, Udell, Williams—11.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey, and Rankin. Absent, but not excused—Drummond, Pattison of Marshall, Sherradden, Trumbull, Wilson of Dubuque and Wilson of Jefferson.

So the motion to lay on the table prevailed.

The question being on the adoption of the report as amended, it was adopted.

On motion of Mr. Saunders the 11th Rule was suspended, the bill read the 3d time and put upon its final passage.

The yeas and nays were as follows:—

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Polk, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Wilson of Jefferson—26.

The nays were—Senators Buechel, Davis of Clinton, Duncombe, English, Neal, Taylor, Udell, Watson, Wilson of Dubuque—9.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Drummond.

The bill was passed and title agreed to.

Mr. Reiner moved to reconsider the vote by which Senate File No. 77, a bill for an act making a further appropriation for the erection of the Blind Asylum at Vinton, was on yesterday lost, which motion prevailed.

On motion of Mr. Wilson of Jefferson the bill was tabled.

Mr. Saunders moved to take up Senate File No. 216, a bill for an act for the better management of the School Fund of the State Iowa, which motion prevailed.

The amendments reported by the Committee on Ways and Means were concurred in.

Mr. Neal moved to amend section 14 by striking out "four dollars" and inserting "three dollars."

On motion of Mr. Udell, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Thompson submitted the following report:

The majority of the committee on apportionment, to whom was referred the matter of apportionment of the State into Representative districts, report that the committee have had the subject under consideration, and do not entirely harmonize in their opinions; the majority of your committee have agreed on the accompanying bill, and recommend that it do pass.

JNO. W. THOMPSON,
M. L. McPHERSON,
A. F. BROWN.

The bill was read the first and second time.

Mr. Duncombe moved to amend the bill by adding the following as an additional section:

SEC. —. The counties of Sioux, Buncombe, O'Brian and Osceola, shall constitute the 65th District, and shall be entitled to one Representative; the votes shall be canvassed at the County Seat of Sioux county.

Mr. Thompson moved to amend the amendment as follows: The unorganized counties of Osceola ond O'Brian are attached to the fifty-eighth Representative District.

The unorganized counties of Sioux and Duncombe shall be connected with and attached to the fifty-ninth Representative District.

Which was concurred in.

The question then being on the amendment as amended, it was adopted.

On motion of Mr. Wilson of Jefferson, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hagans, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—22.

The nays were—Senators Duncombe, English, Gray, Green, Mann, Neal, Patterson of Muscatine, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—12.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent but not excused—Buechel and Hammer.

So the bill was passed and title agreed to.

Mr. Thompson submitted the following report.

The Committee on Banks, to whom was referred Senate File No. 200, an act amendatory of chapter 114 of the laws of the 7th General Assembly, entitled an act authorizing general banking in the State of Iowa, having had the same under consideration, instruct me to report the same back with the accompanying substitute, and recommend the adoption and passage of the substitute,

JNO. W. THOMPSON, Chairman.

Report concurred in.

Mr. Davis of Clinton, moved to amend section 1 by striking out $20,000 and inserting $25,000; upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bowen, Davis of Clin-

ton, Davis of Polk, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Scott, Trumbull, Watson, Williams, Wilson of Dubuque—22.

The nays were—Senators Angle, Brown, Duncombe, Mann, McPherson, Neal, Pattison of Marshall, Thompson, Taylor—9.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent but not excused—Buechel, Drummond, English, Sherradden, Udell and Wilson of Jefferson.

The amendment was adopted.

Mr. Taylor offered the following as an additional section to the bill:

SEC. 3. That section 20 of the act to which this is amendatory, shall be so amended, as to authorize the location of any bank established under the provisions of this act, in any city, town or village, having a population of not less than two hundred and fifty inhabitants.

The question being on its adoption, Mr. Taylor demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Anderson, Angle, Davis of Clinton, Drummond, Duncombe, Gray, Green, Hagans, Kent, Mann, McPherson, Neal, Powers, Taylor, Udell, Watson, Williams—17.

The nays were—Senators Bowen, Brown, Davis of Polk, English, Hammer, Hastings, Lewis, Patterson, of Muscatine, Pattison of Marshall, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull—15.

Excused—Mr. Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent but not excused—Buechel, Henderson, Wilson of Dubuque and Wilson of Jefferson.

So the amendment was adopted.

On motion of Mr. Watson, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Drummond, Duncombe, Gray, Green, Hagans, Hammer, Hastings, Kent, Lewis, McPherson, Neal, Powers, Scott, Thompson, Taylor, Udell, Watson, Williams—23.

The nays were—Senators Davis of Polk, English, Mann, Neal, Pattison of Marshall, Reiner, Saunders, Sherradden, Trumbull—9.

Excused—Messrs. Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent but not excused—Messrs. Bue-

chel, Henderson, Patterson of Muscatine and Wilson of Dubuque.

So the bill was passed, and title agreed to.

Mr. Drummond from the special committee, to which was referred Senate File No. 209, a bill for an act entitled an act to prescribe the duties of the Secretary of State in certain cases, reported a substitute for the same: A bill for an act relating to the Journals of the Senate and House of Representatives, and recommended its adoption and passage. Report adopted.

Mr. Drummond moved to fill the first blank in section 4, with "three," the second blank with "one," and the third blank with "three;" which motion prevailed.

Mr. Taylor moved to amend section 4, by giving to each officer and reporter of this General Assembly one copy of each of its Journals; which was concurred in.

Mr. Drummond moved to fill the blank in section 5, with the word "five;" which motion prevailed.

On motion of Mr. Drummond, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Polk, Drummond, Hagans, Hammer, Hastings, Henderson, Lewis, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Udell, Watson, Wilson of Jefferson—23.

The nays were—Senators Davis of Clinton, Duncombe, English, Gray, Green, Mann, Neal, Patterson of Muscatine, Taylor, Williams, Wilson of Dubuque—11.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Buechel and Kent.

So the bill was passed and title agreed to.

Mr. Taylor moved to take up Senate File No. 164, a bill for an act to regulate the compensation of Clerks of the District Courts, which motion prevailed.

Mr. Wilson, of Jefferson, had leave to offer the following amendnent, as an additional section, which was adopted:

Sec. –. In all counties where the fees received by the Clerk do ıot amount to more than $200, the Board of Supervisors may alow the Clerk such additional compensation as they may deem ıroper, which shall be paid out of the county treasury; but in no ıch case shall such allowance, when added to his fees, exceed $300.

The bill was read the third time. The yeas and nays, on its passage, were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, English, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Thompson, Taylor, Udell, Watson Williams, Wilson of Dubuque, Wilson of Jefferson—27.

The nays were—Senators Duncombe, Gray, Mann, Neal, Patterson of Muscatine—5.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Buechel, Drummond, Saunders and Trumbull.

So the bill was passed, and title agreed to.

Mr. Wilson, of Dubuque, moved to take up House File No. 331, a bill for an act authorizing the owners of land subject to overflow, on the Mississippi and Iowa bottoms, in Des Moines and Louisa counties, to raise a tax on such lands for the purpose of repairing and extending the levee now commenced, to prevent such overflow, which was concurred in.

The bill was read the first and second time, and on motion of Mr. Reiner, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Henderson, Kent, Mann, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—29.

The nays were—None.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Buechel, Drummond, Hastings, Lewis, Neal, Patterson of Muscatine and Saunders.

So the bill was passed, and title agreed to.

UNFINISHED BUSINESS.

Senate File No. 6, a bill for an act to provide for the appraisement of property sold under execution, was taken up.

Mr. Davis of Polk, moved that the Senate do not concur in the

House amendment to said bill, but agree to the appointment of a committee of conference, which motion prevailed.

The President appointed as said committee, Messrs. Davis of Polk, Wilson of Dubuque and Powers.

Senate File No. 129, an act for the relief of all persons heretofore divorced since the 4th day of July, 1858, was taken up and considered.

Mr. Neal moved to refer the bill to the Judiciary Committee, which was agreed to.

House File No. 158, a bill for an act entitled an act to define the powers and duties of County Surveyors, was taken up and considered.

On motion of Mr. Hagans, the 11th Rule was suspended, the bill was read the third time and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—30.

The nays were—Senators Johnson, Trumbull—2.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Buechel, Drummond, Gray, Trumbull and Udell.

The bill was passed, and title agreed to.

Substitute for House File No. 277, a bill for an act to legalize the levy of a School House tax, in the district township of Jefferson, in Powsheik county, Iowa, was taken up. Read the first and second time, and on motion of Mr. Watson, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, Gray, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Scott, Thompson, Taylor, Udell, Watson, Wilson of Dubuque—28.

The nays were—Senators English, Green, Trumbull, Williams, Wilson of Jefferson—5.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent but not excused—Buechel, Drummond, and Sherradden.

So the bill was passed, and title agreed to.

House File No. 292, a bill for an act to legalize the taxes levied in Howard county, for the year 1859, was taken up. Read the first and second time, and on motion of Mr. Hammer, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, Gray, Green, Hammer, Hastings, Henderson, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Scott, Taylor, Wilson of Dubuque—24.

The nays were—Senators English, Hagans, Kent, Trumbull, Williams, Wilson of Jefferson—6.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent but not excused—Buechel, Drummond, Sherradden, Thompson, Udell and Watson.

So the bill was passed and title agreed to.

Substitute for House File No. 133, a bill for an act to regulate the interest on money, and punish usury, was taken up and read the first and second time.

On motion of Mr. Saunders the bill was referred to a select committee of three.

The President appointed as said committee, Messrs. Saunders, Trumbull and Hagans.

House File No. 297, a bill for an act to legalize the County Bonds, issued by the County Judge of Lee county, to pay for the building to be used for a Court House, in the city of Keokuk, in said county, was taken up. Read the first and second time, and made the special order for to-morrow morning at 9 o'clock.

House File No. 230, a bill for an act relating to the publication of ordinances and other acts of city government, was taken up. Read the first and second time, and referred to the Judiciary Committee.

House File No. 322, a Joint Resolution for additional mail facilities, was taken up. Read the first and second time, and on motion

of Mr. Hagans, the 11th Rule was suspended, the bill read the third time and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Saunders, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque Wilson of Jefferson—31.

The nays were—None.

Excused—Messrs. Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent but not excused—Brown, Buechel, Drummond, Reiner and Sherradden.

So the resolution was passed and title agreed to.

House File No. 228, a bill for an act legalizing certain bonds issued by the city of Camanche, was taken up. Read the first and second time, and on motion of Mr. Davis of Clinton, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Davis of Clinton, Davis of Polk, Duncombe, Green, Hagans, Hastings, Henderson, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Reiner, Saunders, Scott, Thompson, Taylor, Watson, Wilson of Dubuque—22.

The nays were—Senators English, Gray, Hammer, Kent, Trumbull, Williams, Wilson of Jefferson—7.

Excused—Messrs. Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent but not excused—Messrs. Angle, Brown, Buechel, Drummond, Powers, Sherradden and Udell.

The bill was passed and title agreed to.

Substitute for House File No. 252, a bill for an act in relation to debtors to the School Fund, was taken up. Read the first and second time and referred to the Committee on Schools and University.

Substitute for House File No. 203, a bill for an act to amend section 1249 of the Code, was taken up. Read the first and second time, and referred to the Judiciary Committee.

House File No. 161, a bill for an act to regulate costs in certain cases in District Court, was taken up. Read first and second time, and referred to the Judiciary Committee.

House File No. 333, a bill for an act exempting the lands owned by the University from taxation, and protecting real estate on which the School or University funds have liens from sale for taxes was taken up. Read the first and second time, and referred to the Judiciary Committee.

House File No. 337, a Joint Resolution for a grant of land from the General Government, to the McGregor, St. Peters & Missouri River Railroad Company, was taken up. Read the first and second time, and on motion of Mr. Scott, the 11th rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marhall, Powers, Reiner, Scott, Thompson, Trumbull, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—30.

The yeas were—None.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Buechel, English, Saunders, Sherradden, Taylor and Udell.

So the bill was passed and title agreed to.

House File No. 327, a bill for an act to cede jurisdiction over certain lots, the property of the United States, in the City of Dubuque, was taken up. Read the first and second time, and on motion of Mr. Trumbull, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Polk, Davis of Clinton, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Scott, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque—29.

The nays were—Senators Saunders, Wilson of Jefferson—2.

Absent, but not excused—Angle, Buechel, Lewis, Sherradden, and Thompson. Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin.

The bill was passed and title agreed to.

House File No. 307, a bill for an act in relation to the records of

original title of lots in Iowa City, was taken up. Read the first and second time, and on motion of Mr. Bowen, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Lewis, Mann, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Scott, Thompson, Trumbull, Udell, Watson, Wilson of Dubuque, Wilson of Jefferson—29.

The nays were—Senators Neal and Taylor.

Excused—Messrs. Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Angle, Buechel, Kent, Sherradden and Williams.

So the bill was passed, and title agreed to.

House File No. 285, a bill for an act to authorize a change of venue in certain cases, wos taken up. Read the first and second time, and referred to the Judiciary Committee, with instructions to report to-morrow morning.

Substitute for Senate File No. 167, a bill for an act entitled an act requiring witness fees to be paid into the County Treasury, was taken up, read the third time and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, English, Gray, Green, Hagans, Hastings, Henderson, Mann, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—26.

The nays were—Senators Duncombe, Neal, Patterson of Muscatine—3.

Excused—Messrs. Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Messrs. Buechel, Davis of Polk, Drummond, Hammer, Kent, Lewis and Scott.

The bill was passed and title agreed to.

House File No. 143, a bill for an act for the relief of tax-payers in certain cases, was taken up. Read the first and second time, and on motion of Mr. Wilson, of Jefferson, referred to Mr. Duncombe.

Senate File No. 203, a bill for an act amendatory to section 83

of the Code, was taken up, and on motion of Mr. Angle, was indefinitely postponed.

Mr. Angle offered the following resolution, which was adopted:

Resolved, (The House of Representatives concurring,) That this General Assembly will adjourn *sine die* on Friday, the 30th day of March, A. D. 1860.

Mr. Wilson, of Jefferson, from the Committee on Federal Relations, in response to a resolution, reported Senate File No. 219, a Joint Resolution for additional mail facilities. Read the first and second time, and on motion of Mr. Wilson, of Jefferson, the 11th Rule was suspended, the resolution read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Hagans, Hammer, Hastings, Henderson, Kent, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Udell, Watson, Wilson of Dubuque, Wilson of Jefferson—31.

The nays were—None.

Excused—Messrs. Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Messrs. Buechel, Green, Lewis, Taylor and Williams.

The resolution was passed, and title agreed to.

Mr. Powers, from the Committee on Township and County Organization, reported back Senate File No. 208, a bill for an act regulating the Board of Supervisors, with one amendment, and recommended the adoption of the amendment, and the passage of the bill.

Report concurred in, and bill considered.

On motion of Mr. Wilson, of Jefferson, the bill, as amended, was re committed, with instructions.

Mr. Wilson, of Jefferson, offered the following resolution, which was adopted:

Resolved, That the Secretary of State is hereby authorized to deliver to the Secretary and Assistant Secretary of the Senate, each a copy of Supreme Court Reports, if such Reports are in his possession, and not otherwise appropriated.

Mr. Saunders had leave to introduce Senate File No. 220, a bill for an act making provision for the continuance of the Geological

Survey of the State. Read the first and second time, and on motion of Mr. Bowen, laid on the table.

Mr. Thompson submitted the following report:

The Committee on Banks, to whom was referred Senate File No. 60, "a bill for an act to amend an act entitled an act authorizing General Banking in the State of Iowa, approved March 22d, 1858," having had the same under consideration, instruct me to report the same back, with the recommendation that it lie on the table, the committee having provided for the subject matter by substitute for Senate File No. 200.

JNO. THOMPSON, Ch'm.

Report concurred in.

Mr. Thompson presented the petition of S. M. Little, and two others, citizens of Scott county, asking for the passage of a law that will better enable the owners of stock to get pay for cattle, horses, &c., killed on Railroads. Read, and referred to the Committee on Railroads.

Mr. Powers, from the Committee on Township and County Organization, reported back Senate File No. 208, a bill for an act regulating the Board of Supervisors, with one amendment, and recommended its adoption, and the passage of the bill.

Report adopted, and on motion of Mr. Powers, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, Mann, Neal, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—31.

The nays were—Senator Taylor—1.

Excused—Messrs. Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Messrs. Angle, Buechel, McPherson, and Patterson of Muscatine.

So the bill was passed, and title agreed to.

Mr. Wilson, of Dubuque, moved that when the Senate adjourns, it adjourn until to-morrow morning, at 8½ o'clock; which motion prevailed.

On motion of Mr. Anderson, Mr. Hagans was added to the Committee on Ways and Means, in the place of Mr. Coolbaugh.

Mr. Thompson had leave to introduce Senate File No. 221, a bill for an act to provide for the allotment of terms of Senators. Read the first and second time, and on motion of Mr. Wilson, of Jefferson, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Polk, Drummond, Duncombe, Gray, Hagans, Hammer, Hastings, Henderson, Kent, Lewis, McPherson, Neal, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Thompson, Trumbull, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—26.

The nays were—Senators English, Green, Mann, Taylor, Udell—5.

Excused—Messrs. Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Messrs. Angle, Buechel, Davis of Clinton, Patterson of Muscatine, and Saunders.

So the bill was passed, and title agreed to.

On motion of Mr. Wilson, of Jefferson, Senate adjourned.

SENATE CHAMBER,
Wednesday, March 28, 1860, 9 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Teeter.

Journal of yesterday read and approved.

On motion of Mr. Udell, House File No. 297, a bill for an act to legalize the county bonds issued by the County Judge of Lee county, Iowa, to pay for the building to be used for a Court House in the city of Keokuk, in said county, was taken up, and referred to Mr. Buechel.

Message from the House.

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

House File No. 338, a bill to amend chapter 29, section 327, of the Code, in relation to Constables bonds.

House File No. 318, Joint Resolution for increased mail facilities from St. Charles City, via. Rockford, in Floyd county, to Mason City and Clear Lake, in Cerro Gordo county, and thence to Algona, in Kossuth county.

House File No. 304, a bill for an act to cure defective confessions of judgement, in certain cases.

House File No. 388, a bill for an act entitled an act to amend an act entitled an act to provide a system of Common Schools.

House File No. 334, a bill for an act regulating and authorizing the sale of Swamp Lands, and disposing of the proceeds thereof.

House File No. 355, a bill for an act to legalize the acts of the City Council of Fort Madison, in Lee county, in vacating Oriental street, and to confirm the title of said street to the State of Iowa.

House File No. 345, Joint Resolution for additional mail facilities from Cedar Rapids to Onowa.

Substitute for House File No. 216, a bill for an act to amend chapter 38 of the Code, in relation to roads and highways.

No. 151, a bill for an act to amend an act to provide for levying a tax on certain lands, to complete, and keep in repair, a levee on Muscatine Island, and for the election of levee commissioner to superintend the same.

No. 353, an act in relation to evidence.

No. 352, an act providing for auditing accounts for publishing laws in newspapers.

No. 362, Joint Resolution for additional mail facilities from Des Moines to Sioux City, Denison to Fort Dodge, Council Bluffs to Spirit Lake, and to add Dowsville and Butler's Mill in the route from Council Bluffs to Denison and Deloit.

Substitute for No. 286, an act in relation to Swamp Land preemptors.

I also herewith return the following, the same having passed the House without amendment:

No. 171, a Joint Resolution for additional mail facilities.

No. 213, a bill for an act to re-apportion the State into Senatorial Districts.

No. 218, an act apportioning the State of Iowa into Representative Districts.

No. 75, a bill for the regulation of State and county roads, within towns and cities.

No. 205, a bill for an act regulating the compensation of County Judges.

CHARLES ALDRICH, Chief Clerk.

SPECIAL ORDER.

The special order for 9 o'clock this morning, being the consideration of Senate File No. 198, a bill for an act making provision for the settlement of all liabilities of the State, growing out of the sale of certain lands of the Des Moines River Improvement Grant, as School Lands.

Mr. Duncombe moved to amend the bill by striking out all after the "enacting clause," and inserting therefor a substitute, providing for the adjustment of all claims against the State arising from a failure, on the part of the State, to give title to the purchasers of said lands.

Amendment concurred in; and, on motion of Mr. Duncombe, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Buechel, Davis of Polk, Duncombe, Green, Hammer, Hastings, Henderson, Kent, Lewis, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Trumbull, Udell, Watson, Williams—23.

The nays were Senators Davis of Clinton, English, Gray, Mann—4.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Angle, Drummond, Hagans, McPherson, Saunders, Thompson, Taylor, Wilson of Dubuque and Wilson of Jefferson.

So the bill was passed and title agreed to.

Mr. Bowen, from the Committee on Schools and University, reported back Substitute for House File No. 252, a bill for an act in relation to debtors to the School Fund, without amendment, and recommended its passage.

Mr. Neal moved to amend the bill by adding a section providing for its going into effect upon publication in the Des Moines Register and Journal; which was concurred in.

On motion of Mr. Bowen, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Buechel, Davis of Clinton, Davis of Polk, Duncombe, Gray, Green, Hammer, Henderson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—29.

The nays were—Senators English—1.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent but not excused—Angle, Drummond, Hagans, Hastings and Saunders.

The bill was passed and title agreed to.

Mr. Bowen, from the Committee on Schools and University, reported back, with one amendment, House File No. 181, a bill for an act relating to weights and measures, and amendatory of chapter 56, of the Code; and recommended the adoption of the amendment and passage of the bill as amended. Report adopted.

Mr. Davis of Polk, moved to amend section 2, by striking out Iowa City, in Johnson county," and inserting the words, "Des Moines, Polk county."

Mr. Neal moved to amend the amendment by adding the words "without expense to the State," which was concurred in.

The question recurring upon the amendment offered by Mr. Davis of Polk, it was not adopted.

Mr. Davis of Polk, moved to strike out section 6 of the bill; which was not concurred in.

Mr. Patterson of Muscatine, moved to amend section 7, so as to make the Curator of the State University, "keeper of weights and measures," and in section 7, strike out the words, ———; which was concurred in.

Mr. Angle moved to amend the committee amendment by inserting the words "or other person," after the word "merchant," in section 5; which was concurred in.

On motion of Mr. Wilson of Jefferson, the bill was recommitted.

Mr. Wilson of Dubuque, moved to reconsider the vote by which House File No. 158, a bill for an act entitled an act to define the

powers and duties of the County Surveyor, was on yesterday passed; which motion prevailed.

On motion of Mr. Wilson of Dubuque, the Secretary was directed to ask of the House, the return of said bill.

UNFINISHED BUSINESS.

Senate File No. 216, a bill for an act for the better management of the School Fund of the School Fund of the State of Iowa, was taken up and considered.

The question being upon the pending amendment offered by Mr. Neal, Mr. Taylor demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Buechel, Davis of Clinton, Davis of Polk, Gray, Green, Hammer, Mann, Neal, Patterson of Muscatine, Sherradden, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque.—15

The nays were—Senators Anderson, Angle, Bowen, Brown, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Scott, Thompson, Watson, Wilson of Jefferson—17.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Drummond, Duncombe, English and Hagans.

So the amendment was lost.

Message from the House.

Mr. President:—I am directed to inform your honorable body that the House insists upon its amendment to Senate File No. 88, and ask for a committee of conference upon the disagreement, and that Messrs. Clark, of Johnson, Gue and Taylor have been appointed as such committee on the part of the House.

CHARLES ALDRICH, Chief Clerk.

Mr. President:—I am directed by the House of Representatives to inform the Senate that the House has passed the following bill, in which the concurrence of the Senate is asked.

No. 363, "a bill for an act to preserve the laws and journals of the General Assembly and other public documents."

No. 269, "a bill for an act to repeal part of section six of chapter 93 of the acts of the 7th General Assembly authorizing the construction of bridges."

I am also directed to inform the Senate that the House has passed without amendment No. 180, an act for the relief of John Bell, a defaulting School Fund Commissioner and the sureties upon his official bonds.

CHARLES ALDRICH, Chief Clerk.

Mr. Powers moved to strike out the name of Edward Wright, and insert the name E. M. Aiken, in section 1 of the bill under consideration.

Mr. Davis, of Clinton, moved to amend the amendment by inserting the name of Horace Anthony.

Mr. Mann moved to lay the whole matter on the table; which motion prevailed.

Senate File No. 88, a bill for an act to regulate the foreclosure of Deeds of Trust and Mortgages with power of sale on real estate, was taken up and on motion of Mr. Thompson a committee of conference to reconcile the disagreement between the Senate and House of Representatives in relation to the provisions of said bill, asked by the House was concurred in.

The President appointed as said committee Thompson, Trumbull and McPherson.

House File No. 358, a bill for an act to amend an act entitled an act to provide a system of common schools, was taken up, read the first and second time.

Mr. Neal moved to refer the bill to the Committee on Schools & University, with instructions to so amend the bill as to provide for levying a separate tax on each district for the erection of school houses, and a general tax for the county for the incidental expenses of schools; which was not concurred in.

On motion of Mr. Wilson, of Jefferson, the 11th Rule was suspended, the bill read the third time and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Hastings, Henderson, Kent, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—24.

The nays were—Senators Duncombe, English, Gray, Green, Mann, Neal, Trumbull—7.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pu-

sey and Rankin. Absent, but not excused—Angle, Buechel, Drummond, Hagans, and Hammer.

The bill was passed and title agreed to.

Message from the House:

MR. PRESIDENT:—I am directed to inform your honorable body, that the House of Representatives has amended the concurrent resolution of the Senate, in relation to the adjournment of the General Assembly, by striking out Friday, March 30th, and inserting April 3d, and adopted the same.

CHAS. ALDRICH, Chief Clerk.

House File No. 352, a bill for an act providing for auditing accounts for publishing laws in newspapers, was taken up, read the first and second time.

Mr. Powers moved to amend section 1, by adding the following proviso: *Provided*, That in the settlement of any account, the publishers shall receive the same rates for composition that is paid the State Printer for public printing, and nothing shall be allowed for press work or paper.

Mr. Anderson moved the following, as a substitute for the amendment: *Provided*, That he shall not receive more than thirty cents per square of ten lines.

On motion of Mr. Taylor, the Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Saunders had leave to introduce Senate File No. 222, a bill for an act providing for the revision of the laws of this Session into the revision presented by the Commissioners, and also for superintending the publication, indexing and distribution of the same. Read the first and second time, and referred to the Committee on Ways and Means.

Mr. Sherradden submitted the following report:

The Committee on Enrolled Bills have examined the following acts, and find them correctly enrolled:

Senate File No. 214, an act to authorize the Board of Directors of Clear Creek Township School District, of Keokuk county, to correct the assessment made in 1859.

Senate File No. 179, an act authorizing the Trustees of the Agricultural College and Farm to sell lands.

Senate File No. 101, an act rendering valid the services of original notices, in certain actions.

Senate File No. 170, an act to legalize certain bonds, heretofore issued by the county of Story.

Mr. Taylor, from the Committee on the Judiciary, to which was referred Senate File No. 210, a bill for an act entitled an act to repeal chapter 160, of the acts of the 7th General Assemby, reported a substitute for the same, and recommended its adoption and passage. Report adopted.

Mr. Neal moved to amend section 1, by adding the following proviso: *Provided*, One of said Commissioners shall be appointed from the party opposed to the Governor, in politics.

Mr. Watson moved to amend the amendment as follows: The Governor shall appoint one Republican, one Abolitionist and one Dimocrat.

On motion of Mr. Udell, the amendments were laid on the table.

Mr. Taylor moved the following as an additional section to the bill: Sec. 2. The Commissioners appointed by the Governor, under the act to which this is amendatory, shall examine the books, accounts, vouchers, work and prices of the State Printer and State Binder, in the same manner as other State officers; which was concurred in.

On motion of Mr. Bowen, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Buechel, Davis of Clinton, Duncombe, English, Gray, Green, Hastings, Henderson, Kent, Lewis, Mann, Neal, Powers, Reiner, Saunders, Sherradden, Taylor, Udell, Williams, Wilson of Jefferson—22.

The nays were—Senators Drummond, Patterson of Muscatine, Watson—3.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Angle, Brown, Davis of Polk, Hagans, Hammer, McPherson, Pattison of Marshall, Scott, Thompson, Trumbull and Wilson of Dubuque.

The bill was passed and title agreed to.

UNFINISHED BUSINESS.

The question being on the amendment offered by Mr. Anderson to the bill under consideration, Mr. Wilson of Jefferson, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bowen, Buechel, Davis of Clinton, Drummond, Duncombe, English, Gray, Green, Hastings, Henderson, Kent, Lewis, Mann, Neal, Patterson of Muscatine, Powers, Reiner, Saunders, Sherradden, Scott, Taylor, Williams, Wilson of Dubuque, Wilson of Jefferson—24.

The nays were—Senator Watson—1.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent but not excused—Angle, Brown, Davis of Polk, Hagans, Hammer, McPherson, Pattison of Marshall, Thompson, Trumbull, Udell.

The amendment was adopted.

Mr. Powers moved to amend by adding the following proviso: *Provided*, That no publisher shall be allowed for a full square, when there is a fraction, but shall be paid pro rata on said fraction; upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bowen, Buechel, Davis of Clinton, Davis of Polk, English, Gray, Kent, Neal, Powers, Wilson of Jefferson—10.

The nays were—Senators Anderson, Drummond, Duncombe, Green, Hastings, Henderson, Mann, Patterson of Muscatine, Saunders, Sherradden, Scott, Thompson, Taylor, Udell, Watson, Williams, Wilson of Dubuque—17.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent and not excused—Angle, Brown, Hagans, Hammer, Lewis, McPherson, Pattison of Marshall, Reiner and Trumbull.

The amendment was lost.

On motion of Mr. Wilson of Jefferson, the 11th Rule was suspended the bill read the third time and but upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Buechel, Davis of Clinton, Davis of Polk, Duncombe, English, Hammer, Hastings, Henderson, Kent, Lewis, Neal, Patterson of Muscatine, Pattison

of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—28.

The nays were—Senators Drummond, Gray, Green, Mann—4.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent but not excused—Angle, Brown, Hagans and McPherson.

So the bill was passed and title agreed to.

Mr. Powers moved to reconsider the vote last taken.

Mr. Mann moved to lay the motion to reconsider on the table; which motion prevailed.

House File No. 355, a bill for an act to legalize the acts of the City Council of Fort Madison, in Lee county, in vacating Oriental street and to confirm the title of said street to the State of Iowa, was taken up, read the first and second time.

On motion of Mr. Bowen the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Davis of Polk, Drummond, Gray, Green, Hammer, Henderson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Udell, Williams—21.

The nays were—Senators Buechel, Duncombe, English, Kent, Mann, Taylor, Watson, Wilson of Dubuque, Wilson of Jefferson—9.

Excused—Messrs. Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent but not excused—Brown, Davis of Clinton, Hagans, Hastings, Lewis and McPherson.

The bill not receiving a constitutional majority, was lost.

On motion of Mr. Wilson, of Jefferson, the vote last taken was reconsidered.

Mr. Wilson, of Jefferson moved to suspend the 11th Rule, have the bill read the third time, and again put upon its passage; which motion prevailed.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Davis of Clinton, Davis of Polk, Drummond, Hammer, Henderson, Lewis, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Wilson of Dubuque—23.

The nays were—Senators Buechel, Duncombe, English, Gray, Kent, Mann, Williams, Wilson of Jefferson—8.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Green, Hagans, Hastings and McPherson.

So the bill was passed and title agreed to.

House File No. 363, a bill for an act to preserve the laws and journals of the General Assembly, and other public documents, was taken up, read the first and second time, and referred to the Committee on Ways and Means.

House File No. 269, a bill for an act to repeal part of section 6, chapter 93, of the acts of the 7th General Assembly, authorizing construction of bridges, &c., was taken up, read the first and second time, and referred to the Committee on Internal Improvements.

House File No. 358, a bill for an act in relation to evidence, was taken up, read the first and second time, and referred to the Judiciary Committee.

House File No. 318, a Joint Resolution for increased mail facilities from St. Charles City, via Rockford, in Floyd county, to Mason City and Clear Lake, in Cerro Gordo county, and thence to Algona, in Kossuth county, was taken up, read the first and second time, and on motion of Mr. Hammer, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Buechel, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Henderson, Kent, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—30.

The nays were—None.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Brown, Drummond, Hagans, Hammer, Hastings, Lewis.

So the resolution was passed and title agreed to.

House File No. 304, a bill for an act to cure defective confessions of judgment in certain cases, was taken up, read the first and second time, and referred to the Judiciary Committee.

House File No. 334, a bill for an act regulating and authoring

the sale of Swamp Lands, and disposing of the proceeds thereof, was taken up, read the first and second time, and referred to the Committee and Public Lands.

Substitute for House File No. 216, a bill for an act to amend chapter 38, of the Code, in relation to roads and highways, was taken up, read the first and second time, and referred to the Judiciary Committee.

House File No. 345, a Joint Resulution for additional mail facilities, was taken up, read the first and second time, and on motion of Mr. Powers, the 11th Rule was suspended, the resolution read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pattison of Marshall, Powers, Reiner, Saunders, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—30.

The nays were—None.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Angle, Brown, Hagans, Hammer, Patterson of Muscatine and Sherradden.

The resolution was passed, and title agreed to.

House File No. 151, a bill for an act to provide for levying a tax on certain lands, to complete and keep in repair a levee on Muscatine Island, and for the election of a Levee Commissioner to superintend the same, was taken up, read the first and second time, and on motion of Mr. Patterson of Muscatine, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Buechel, Duncombe, English, Gray, Green, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Scott, Thompson, Taylor, Udell, Watson, Williams, Wilson of Dubuque—23.

The nays were—Senators Mann, Neal, Powers, Trumbull—4.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent but not excused—Brown, Davis of Clin-

ton, Davis of Polk, Drummond, Hagans, Hammer, Saunders, Sherradden, and Wilson of Jefferson.

So the bill was passed and title agreed to.

House File No. 338, a bill for an act to amend chapter 29, section 327, of the Code, in relation to Constables' bonds, was taken up, read the first and second time, and on motion of Mr. Wilson of Jefferson, referred to the Judiciary Committee.

House File No. 362, a Joint Resolution for additional mail facilities from Des Moines to Sioux City, Denison to Ft. Dodge, Council Bluffs to Spirit Lake, and to add Dowsville and Butler's Mill in the route from Council Bluffs to Denison and Deloit, was taken up, read the first and second time, and on motion of Mr. Powers, the 11th Rule was suspended, the resolution read the 3d time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Buechel, Davis of Clinton, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Reiner, Sherradden Scott, Thompson, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—28.

The nays were—None.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Angle, Brown, Davis of Polk, Drummond, Hagans, Powers, Saunders and Trumbull.

So the resolution was passed and title agreed to.

House File No. 286, a bill for an act in relation to Swamp Land pre-emptors was taken up, read the first and second time, and referred to the Committee on Public Lands.

House File No. 158, a bill for an act to define the powers and duties of County Surveyors, was taken up, and considered.

Mr. Trumbull moved to strike out section 7, of the bill; upon which question Mr. Bowen demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Buechel, Davis, of Clinton, Duncombe, English, Gray, Green, Hammer, Henderson, Mann, McPherson, Patterson of Muscatine, Pattison of Marshall, Reiner, Thompson, Trumbull, Taylor, Williams, Wilson of Dubuque—18.

The nays were—Senators Anderson, Bowen, Davis, of Polk,

Hastings, Neal, Powers, Sherradden, Scott, Wilson of Jefferson —9.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey, Rankin. Absent, but not excused—Angle, Brown, Drummond, Hagans, Kent, Lewis, Saunders, Udell and Watson.

So the amendment was not concurred in.

On motion of Mr. Bowen, the bill was indefinitely postponed.

Substitute for Senate File No. 25, a bill for an act entitled an act to provide for the payment of the late School Fund Commissioner, in certain cases, was taken up.

Mr. Bowen moved a call of the House, which was sustained, and ordered.

The following Senators were found to be absent, but not excused: Brown, Drummond, Hagans and Saunders.

On motion of Mr. Taylor, Mr. Hagans was excused on account of illness.

On motion of Mr. Bowen, the Sergeant-at-Arms was sent for the absentees.

On motion of Mr. Bowen, further proceedings under the call were dispensed with.

On motion of Mr. Taylor, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Buechel, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Sherradden, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque—29.

The nays were—Senator Wilson of Jefferson—1.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Brown, Drummond, Hagans, Saunders, Scott and Udell.

So the bill was passed and title agreed to.

Substitute for Senate File No. 194, a bill for an act to amend an act passed by the Board of Education December 24, 1859, entitled an act to amend an act to provide a system of Common Schools, was taken up, read the first and second time.

Mr. Mann moved the following amendment to the bill: *Pro-*

vided, That said text books shall not be changed oftener than once in three years; which was not concurred in.

On motion of Mr. Duncombe, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Angle, Buechel, Davis of Clinton, Drummond, Duncombe, English, Gray, Green, Kent, Mann, McPherson, Patterson of Muscatine, Pattison of Marshall, Reiner, Sherradden, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—22.

The nays were—Senators Bowen, Davis of Polk, Hammer, Hastings, Lewis, Powers, Thompson—7.

Excused—Anderson, Ainsworth, Bailey, Bussey, Coolbaugh, Hagans, Johnson, Pusey, Rankin and Scott. Absent, but not excused—Brown, Henderson and Saunders.

So the bill was passed, and title agreed to.

Mr. Duncombe reported back House File No. 143, a bill for an act for the relief of tax payers, in certain cases, with one amendment, and recommended the adoption of the amendment, and the passage of the bill as amended. Report adopted.

On motion of Mr. Duncombe, the 11th Rule was suspended, the bill read the third time and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Angle, Buechel, Davis of Clinton, English, Green, Henderson, Mann, Neal, Patterson of Muscatine, Pattison of Marshall, Thompson, Trumbull Taylor, Williams, Wilson of Dubuque—15.

The nays were—Senators Bowen, Duncombe, Gray, Hammer, Hastings, Lewis, Mann, McPherson, Powers, Reiner, Sherradden, Udell, Wilson of Jefferson—12.

Excused—Anderson, Ainsworth, Bailey, Bussey, Coolbaugh, Hagans, Johnson, Pusey, Rankin and Scott. Absent but not excused—Brown, Davis of Polk, Drummond, Kent, Saunders and Watson.

The bill not receiving a constitutional majority, was lost.

Mr. Duncombe moved to reconsider the vote last taken, which motion prevailed.

Mr. Powers moved to lay the bill on the table, which was not agreed to.

Mr. Reiner offered the following sesolution, which was adopted:

Resolved, That the committee, to which was referred the bill in regard to usury, be requested to report on to-morrow morning.

Mr. Thompson submitted the following report:

The Committee on the Judiciary, to whom was referred House File No. 230, an act relating to the publication of ordinances, and other acts of city governments, having had the same under consideration, instruct me to report the same back, and recommend that it do pass. JNO. W. THOMPSON, For Committee.

On motion of Mr. Taylor, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Angle, Bowen, Buechel, Davis of Clinton, Davis of Polk, Duncombe, Gray, Green, Hammer, Henderson, Kent, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Reiner, Sherradden, Thompson, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—25.

The nays were—Senator English—1.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Anderson, Brown, Drummond, Hastings, Lewis, Powers, Saunders, Scott and Watson.

The bill was passed, and title agreed to.

Mr. Thompson submitted the following report:

The Committee on the Judiciary, to whom was referred House File No. 300, "a bill for an act in relation to persons insane, and providing for the relinquishment of dower of married women who are insane," having had the same under consideration, instruct me to report the same back, and recommend that it do pass.

JNO. W. THOMPSON,
For Committee.

Mr. Mann moved that when the Senate adjourns, it adjourn till to-morrow morning, at 8½ o'clock; which motion prevailed.

On motion of Mr. Pattison, of Marshall, the vote by which House File No. 237, a bill for an act to revoke taxes assessed against property destroyed by fire or otherwise, was on yesterday lost, was reconsidered.

Mr. Thompson submitted the following report:

The Committee on the Judiciary, to whom was referred Senate File No. 129, "an act for the relief of all persons heretofore divorced

since the 4th day of July, 1858," having had the same under consideration, instruct me to report the same back, and recommend that it do pass.

JNO. W. THOMPSON,
For Committee.

On motion of Mr. Hammer, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Duncombe, Gray, Hammer, Kent, Mann, McPherson, Neal, Patterson, of Muscatine, Pattison of Marshall, Reiner, Sherradden, Thompson, Trumbull, Taylor, Williams, Wilson of Dubuque, Wilson of Jefferson—17.

The nays were—Senators Buechel, Davis of Clinton, Davis of Polk, English, Green, Lewis, Powers, Udell, Watson—9.

Excused—Messrs. Ainsworth, Bailey, Bussey, Hagans, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Messrs. Anderson, Angle, Bowen, Brown, Drummond, Hastings, Henderson, Saunders and Scott.

The bill not receiving a constitutional majority, was lost.

Mr. Mann moved to adjourn; which was not agreed to.

Mr. Thompson submitted the following report:

The Committee on the Judiciary, to whom was referred Senate File No. 211, "a bill for an act to provide for transcribing records in the Recorders' offices in the counties of this State, in certain cases," having had the same under consideration, instruct me to report the same back, with the accompanying amendment, and so amended, recommend that it do pass.

JNO. W. THOMPSON,
For Committee.

Amendments concurred in.

Mr. Thompson submitted the following report:

The Committee on Banks, to whom was referred Senate File No. 175, "a bill for an act to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks, and promissory notes," having had the same under consideration, instruct me to report the same back, with the accompanying substitute, and recommend the adoption and passage of the substitute.

JNO. W. THOMPSON, Ch'm.

Substitute adopted.

Mr. Saunders moved to strike out the word "succeeding," in

last line of section 1, and insert "preceding;" which motion prevailed.

Mr. Sherradden made the following report:

The Committee on Enrolled Bills have examined Senate File No. 180, an act for the relief of John J. Bell, a defaulting School Fund Commissioner, and the sureties on his official bond, and find the same correctly enrolled.

Also, the Committee on Enrolled Bills have examined Senate File No. 126, an act to establish a Code of Civil Practice at Law and in Equity, and find the same correctly enrolled.

On motion of Mr. Udell, Senate adjourned.

SENATE CHAMBER,
Thursday, March 29th, 1860, 8½ o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Bird.

Journal of yesterday read and approved.

Mr. Neal, from the Committee on Ways and Means, reported back Senate File No. 13, a bill for an act fixing the salaries of the Governor and State officers of the State of Iowa, with the recommendation of the majority of said committee, that the same be indefinitely postponed; and the recommendation of the minority, of which he was one, that the bill be passed.

Mr. Neal moved a call of the Senate, which was sustained, and ordered.

The following Senators were found to be absent, and not excused: Messrs. Drummond, Duncombe, Hagans, Hastings, Saunders, Sherradden and Scott.

On motion of Mr. Wilson, of Dubuque, Mr. Hagans was excused, on account of illness.

On motion of Mr. McPherson, Mr. Hastings was excused.

On motion of Mr. Neal, the Sergeant-at-Arms was sent for the absentees.

Several of the absentees coming in, further proceedings under the call were dispensed with.

The question being on concurring in the report of the majority of the committee, Mr. Neal demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Thompson, Trumbull, Watson, Wilson of Jefferson—18.

The nays were—Senator Buechel, Duncombe, English, Gray, Green, Hammer, Mann, Neal, Patterson of Muscatine, Taylor, Udell, Williams, Wilson of Dubuque—13.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent but not excused—Drummond, Hastings, Sherradden and Scott.

So the motion to indefinitely postpone prevailed.

Message from the House.

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

House File No. 373, a bill for an act to legalize the acts of Jas. T. Lane, as Notary Public.

House File No. 238, a bill for an act for the incorporation and government of the Hospital for the Insane.

I also return the following Senate Files, which have passed the House without amendment:

Senate File No. 199, an act authorizing the construction of mill dams on the Nishnabotany River.

Substitute for Senate File No. 207, a bill for an act relating to the Journals of the Senate and House of Representatives.

Substitute for Senate File No. 200, a bill for an act amendatory of chapter 114 of the laws of the 7th General Assembly, entitled "an act authorizing General Banking in the State of Iowa."

Also, Senate File No. 212, the House having made the following amendment: insert the word "Tri," before "Weekly," in the fourteenth line.

Senate File No. 202, a bill for an act authorizing the County Judge of Polk county to appropriate a portion of the proceeds of the Swamp Lands, for the completion of a Court House, amended as follows: by adding to the first section, "*Provided*, That noth-

ing in this act shall be so construed as to authorize the said County Judge to sell, or otherwise dispose of, or incumber, any of said Swamp Lands belonging to Polk county, without first submitting the question to the electors of said county, and it shall have received the approval of a majority of said electors, at a special or general election held for that purpose."

CHARLES ALDRICH, Chief Clerk.

Message from the House.

MR. PRESIDENT:—I am directed by the House of Representatives to inform the Senate that the House has passed House File No. 340, "a bill for an act in relation to the government of the Penitentiary of Iowa, the appointment of its officers, fixing their salaries, and punishing malfeasance in office," in which the concurrence of the Senate is asked.

I am also directed to return to the Senate, Substitute for Senate File No. 71, "a bill for an act making a further appropriation for the State Insane Asylum," the same having passed the House without amendment.

CHARLES ALDRICH, Chief Clerk.

Mr. Angle, from the Committee on Railroads, reported back Senate File No. 115, a bill for an act defining the duties of Railroad Companies with sundry amendments, with the recommendation that the amendments be adopted, and bill as amended passed. Amendments concurred in, and on motion of Mr. Wilson of Jefferson, the bill was ordered engrossed for its third reading on tomorrow.

Mr. Brown, from the Committee on Public Lands, reported back House File No. 286, a bill for an act in relation to swamp land preemptors, with the recommendation of said committee that the same be passed. Report concurred in.

Mr. Angle, from the Committee on Railroads, reported Senate File No. 223, a bill for an act in relation to Railroad connections and the hauling of freight cars on railroads, with the recommendation of said committee that the same be passed. Report concurred in.

On motion of Mr. Kent, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green,

Hammer, Hastings, Henderson, Kent, Lewis, Mann, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Trumbull, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—27.

The nays were—Senators Thompson and Watson—2.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent but not excused—Buechel, Drummond, McPherson, Sherradden, Scott and Taylor.

The bill was passed and title agreed to.

Message from the House.

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

House File No. 368, a Joint Resolution for the election of Trustees of the State Agricultural College.

I am also directed to inform the Senate that the House has ordered the printing of the usual number of copies of the report of the special committee to inquire into the subject of State Printing.

CHAS. ALDRICH, Chief Clerk.

Mr. Wilson of Jefferson, from the Judiciary Committee, in response to certain instructions, reported Senate File No 224, a bill for an act conforming existing laws to the change made in the system of county government and organization, with the recommendation that the same be passed. Report adopted.

On motion of Mr. Taylor the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Buechel, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hammer, Henderson, Kent, Lewis, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque, Wilson of Jefferson—26.

The nays were—Senators Mann and Williams—2.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Drummond, Hagans, Johnson, Pusey and Rankin. Absent but not excused—Angle, Brown, Hastings, Sherradden, Scott and Udell.

The bill was passed, and title agreed to.

Mr. Wilson of Jefferson, from the committee of conference, appointed to consider the disagreement between the two Houses of

this General Assembly, in relation to Senate File No. 6, a bill for an act to provide for the appraisement of property sold under execution, reported, that upon conference had, said committee recommended the House to pass said bill.

Mr. Taylor, from the Committee on the Judiciary, reported back substitute for Senate File No. 111, a bill for an act to legalize the sales of certain School Lands in Tama county, made by L. S. Frederick, as Fund Commissioner of said county, with sundry amendments, and recommended the adoption of said amendments, and passage of the bill as amended. Report adopted.

Mr. Saunders, from the Committee on Ways and Means, reported back Senate File No. 157, a bill for an act to provide for issuing the bonds of the State to the School Fund, for the $57,500 borrowed of the School Fund, January 1st, 1857.

Mr. Saunders, from same committee, reported back Senate File No. 84, a bill for an act making a further appropriation for the University, with the recommendation that the same be indefinitely postponed, which was concurred in.

Mr. Saunders, from same committee, reported back Senate File No. 85, a bill for an act to enable the Board of Trustees to purchase the so-called Mechanics' Academy, at Iowa City, with the recommendation that the same be laid on the table. Report concurred in.

On motion of Mr. Udell, House File No. 286, a bill for an act in relation to Swamp Land pre-emptors, was taken up and considered.

On motion of Mr. Udell, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Brown, Buechel, Henderson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—12.

The nays were—Senators Anderson, Angle, Davis of Clinton, Davis of Polk, Duncombe, English, Green, Kent, Lewis, Mann, McPherson, Reiner, Saunders, Thompson, Wilson of Jefferson—15.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Drummond, Hagans, Johnson, Pusey and Rankin.

Absent but not excused—Bowen, Gray, Hammer, Hastings, Sherradden, Scott and Watson.

The bill not receiving a constitutional majority, was lost.

Mr. Henderson made the following report:

The Committee on Enrolled Bills, have instructed me to report, that they have examined and compared the following bills, and find them correctly enrolled, to wit:

Senate File No. 205, an act regulating the compensation of County Judges.

Senate File No. 171, resolution for additional mail facilities.

Senate File No. 209, an act relating to the Journals of the Senate and House of Representatives.

HENDERSON,
From Committee on Enrolled Bills.

Mr. Brown, from the Committee on Public Lands, reported back House File No. 334, a bill for an act regulating and authorizing the sale of Swamp Lands, and disposing the proceeds thereof, with the recommendation that the same be passed.

Mr. Angle moved a call of the House, which was sustained, and ordered. The following Senators were found to be absent, and not excused: Drummond Hastings, Sherradden, Scott, Watson.

On motion of Mr. Duncombe, Mr. Drummond was excused, on account of illness.

Several Senators coming in, further proceedings under the call were dispensed with.

Mr. Powers, from the Committee on Township and County Organization, reported back, with one amendment, Senate File No. 161, a bill for an act to amend section 2548, of the Code, amending said section by making 10 hours a day, instead of 6 hours, with the recommendation that the same be passed when amended. Report concurred in.

On motion of Mr. Powers, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hammer, Henderson, Kent, Lewis, Neal, Pattison of Marshall, Powers, Reiner, Saunders, Scott, Taylor, Watson, Williams, Wilson of Dubuque—23.

The nays were—Senators Buechel, Mann, Patterson of Muscatine, Trumbull, Udell, Wilson of Jefferson—6.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Drummond,

Hagans, Johnson, Pusey and Rankin. Absent, but not excused —Angle, Hastings, McPherson, Sherradden and Thompson.

So the bill was passed and title agreed to.

Mr. Gray had leave to introduce Senate File No. 225, a bill for an act providing for the submission to the people, of an act to amend the General Banking Law.

Read the first and second time, and on motion of Mr. Gray, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Angle, Bowen, Brown, Buechel, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hammer, Henderson, Kent, Lewis, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Scott, Taylor, Watson, Williams, Wilson of Dubuque—23.

The nays were—Senators Mann, Reiner, Wilson of Jefferson—3.

Excused—Messrs. Ainsworth, Bailey, Bussey, Coolbaugh, Drummond, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Messrs. Anderson, Hastings, McPherson, Saunders, Sherradden, Thompson, Trumbull and Udell.

So the bill was passed, and title agreed to.

Mr. Scott, from the Committee on Incorporations, reported back Senate File No. 192, a bill for an act entitled an act relating to municipal incorporations, with the recommendation that the same be passed.

Mr. Neal moved to strike out all that part of the last section relating to the publication of rules and by-laws; which was concurred in.

On motion of Mr. Scott, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Angle, Bowen, Brown, Buechel, Davis of Clinton, Gray, Green, Hammer, Henderson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Scott, Thompson, Taylor, Udell, Watson, Williams, Wilson of Dubuque—25.

The nays were—Senators Duncombe, English, Wilson of Jefferson—3.

Excused—Messrs. Ainsworth, Bailey, Bussey, Coolbaugh, Drum-

mond, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Messrs. Anderson, Hastings, Saunders, Sherradden, and Trumbull.

So the bill was passed, and title agreed to.

Mr. Angle, from the Committee on Claims, reported back Senate File No. 201, a bill for an act for the relief of Hugh Loynachan, with the recommendation of said committee, that the bill do not pass.

Mr. Neal moved to amend section — by adding the following proviso: "*Provided*, Any sum heretofore paid to said Hugh Loynachan, under the provisions of chapter 48 of the laws of 1854, approved January 9th, 1855, shall be deducted from the amount allowed by this bill;" which was concurred in.

Mr. Taylor, from the Judiciary Committee, reported back House File No. 333, a bill for an act exempting lands owned by the University from taxation, and protecting real estate in which the School and University Funds have liens, from sale for taxes, with sundry amendments, and recommended the adoption of the amendments, and passage of the bill as amended.

Report concurred in, and on motion of Mr. Bowen, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Polk, Duncombe, English, Green, Hammer, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pattison of Marshall, Scott, Thompson, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—24.

The nays were—Senators Davis of Clinton, Gray, Powers, Reiner, Saunders, Trumbull—7.

Excused—Messrs. Ainsworth, Bailey, Bussey, Coolbaugh, Drummond, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Messrs. Hastings, Patterson of Muscatine, and Sherradden.

The bill was passed.

On motion of Mr. Udell, the title was so amended as to read as follows: "A bill for an act protecting real estate on which the School and University Funds have lien, from sale for taxes."

Mr. Angle, from the Committee on Claims, reported back the memorial of Wm. Hall, praying for certain relief, with the recommendation that no action be had on the matter at the present time.

Report concurred in.

Mr. Thompson submitted the following report:

The Committee of Conference on part of the Senate, on disagreement between the Senate and House on House amendment to Senate File No. 88, an act regulating foreclosure of deeds of trust, report that they have met the House committee, and that the Commitee of Conference agreed to recommend that the House recede from their amendment, and pass the bill; that the committee on part of the House has the bill to report to the House for its action.

THOMPSON,
McPHERSON,
TRUMBULL.

Report adopted.

Mr. Thompson made the following report:

The Committee on the Judiciary, to whom was referred House File No. 304, a bill for an act to cure defective confessions of judgments, in certain cases, having had the same under consideration, instruct me to report the same back, and recommend that it pass, one member dissenting.

JNO. W. THOMPSON, Ch'm.

Report adopted, and bill considered.

Mr. Thompson moved to suspend the 11th Rule, have the bill read the third time, and put upon its passage; which motion prevailed.

Mr. Wilson, of Dubuque, moved to reconsider the vote last taken; upon which question Mr. Duncombe demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Bowen, Brown, Buechel, English, Gray, Green, Hammer, Henderson, Mann, McPherson, Neal, Pattison of Marshall, Powers, Reiner, Saunders, Scott, Thompson, Trumbull, Taylor, Williams, Wilson of Dubuque—22.

The nays were—Senators Davis of Clinton, Davis of Polk, Duncombe, Lewis, Sherradden, Udell, Wilson of Jefferson—7.

Excused—Messrs. Ainsworth, Bailey, Bussey, Coolbaugh, Drummond, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Messrs. Anderson, Hastings, Kent, Patterson of Muscatine and Watson.

So the motion to reconsider prevailed.

Mr. Udell moved to lay the bill on the table; which motion was lost.

On motion of Mr. Wilson, of Dubuque, the bill was re-committed.

Mr. Taylor moved to take up the resolution fixing the time of adjournment; which was concurred in.

On motion of Mr. Taylor, the House amendment thereto was concurred in.

Mr. Thompson made the following report:

The Committee on the Judiciary, to whom was referred House File No. 353, "an act in relation to evidence," having had the same under consideration, instruct me to report the same back, without recommendation, the members present being equally divided thereon.

JNO. W. THOMPSON, Ch'm.

Mr. Henderson submitted the following report:

The Committee on Enrolled Bills have presented to His Excellency, the Governor, for his approval, the following acts, to-wit:

Senate File No. 205, an act regulating the compensation of Co. Judges.

Senate File No. 171, Joint Resolution for additional mail facilities.

Senate File No. 209, an act relating to the Journals of the Senate and House of Representatives.

On motion of Mr. Udell, the Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Duncombe, Mr. Buechel had leave of absence from and after to-morrow noon.

Mr. Reiner moved to take up Senate File No. 169, a bill for an act to pay C. B. Van Gent for services as Clerk of the Iowa Penitentiary; which motion prevailed.

Mr. Wilson, of Jefferson, moved the indefinite postponement of the bill; upon which question Mr. Drummond demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bowen, Davis of Clinton, Drummond, English, Hammer, Kent, Lewis, McPherson, Neal, Pattison of Marshall, Powers, Scott, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—18.

The nays were—Senators Angle, Buechel, Duncombe, Gray,

Green, Henderson, Mann, Reiner, Saunders, Thompson, Trumbull, Udell—12.

Excused—Messrs. Ainsworth, Bailey, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Messrs. Davis of Polk, Hastings, Patterson of Muscatine, Sherradden.

So the motion to postpone prevailed.

Mr. Saunders, from the Committee on Ways and Means, reported back Senate File No. 19, a bill for an act to amend Chapter 152 of Session Law of 1858, with the recommendation that the bill be laid on the table, as the purpose for which it was drawn had been accomplished by other legislation of this General Assembly.

Report concurred in.

On motion of Mr. Drummond, substitute for Senate File No. 111, a bill for an act to legalize the sale of certain school lands in Tama county, made by L. S. Frederick, a Fund Commissioner of said county, was taken up and considered.

The amendments reported by the Judiciary Committee were concurred in; and on motion of Mr. Drummond, the 11th Rule was suspended, the bill read the third time and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pattison of Marshall, Powers, Reiner, Saunders, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—31.

The nays were—Senator English—1.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent but not excused—Brown, Patterson of Muscatine and Sherradden.

So the bill was passed and title agreed to.

Mr. Thompson moved to take up Senate File No. 102, a bill for an act to regulate brokers; which was concurred in, and bill considered.

Mr. Hammer moved to amend section 1, by striking out the words, "the first Monday of each month," and insert once the words, "once in three months; upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Buechel, Duncombe, English, Gray, Green, Hammer, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pattison of Marshall, Powers, Reiner, Scott, Thompson, Taylor, Williams, Wilson of Dubuque, Wilson of Jefferson—23.

The nays were—Senators Bowen, Brown, Davis of Clinton, Davis of Polk, Saunders, Trumbull—6.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Drummond, Hastings, Patterson of Muscatine, Sherradden, Udell and Watson.

Amendment concurred in.

Mr. Saunders moved to insert the word "merchant," after the word "banker," in section 1, upon which question Mr. Bowen demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Duncombe, Gray, Mann, Neal, Saunders, Trumbull—6.

The nays were—Senators Anderson, Angle, Bowen, Buechel, Davis of Clinton, Davis of Polk, English, Green, Hammer, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Reiner, Scott, Thompson, Taylor, Williams, Wilson of Dubuque, Wilson of Jefferson—22.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent but not excused—Brown, Drummond, Hastings, Patterson of Muscatine, Sherradden, Udell and Watson.

So the amendment was not concurred in.

Mr. Bowen offered the following amendment:

Any person under the guise of any other business, carrying on the business of banking, shall subject himself to all the penalties of this act.

Mr. Duncombe moved to amend the amendment by striking out the following words—"under the guise of any other business."

On motion of Mr. Mann, the amendments were tabled.

On motion of Mr. Mann, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Bowen, Buechel, Davis of Polk, English, Henderson, Kent, Lewis, Mann, McPherson, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Thompson, Tay-

lor, Williams, Wilson of Dubuque, and Wilson of Jefferson—19.

The nays were—Senators Anderson, Angle, Brown, Davis of Clinton, Drummond, Duncombe, Gray, Green, Hammer, Neal, Saunders, Trumbull, Watson—13.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent but not excused—Hastings and Udell.

The bill not receiving a constitutional majority, was lost.

Mr. Henderson submitted the following report:

The Committee on Enrolled Bills, would report that they have examined the following bills, and find them correctly enrolled, to wit:

Files Nos. 204, 199, 75, 71, 200.

Mr. Saunders, from the Committee on Ways and Means, reported Senate File No. 226, a bill providing for the payment of the indebtedness of the Iowa Penitentiary. Read the first and second time, and on motion of Mr. Saunders, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Buechel, Davis of Clinton, Davis of Polk, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Wilson of Jefferson —21.

The nays were—Senators Drummond, Duncombe, English, Gray, Green, Hammer, Mann, Neal, Taylor, Williams, Wilson of Dubuque—11.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Hastings, Patterson of Muscatine and Udell.

The bill not receiving a constitutional majority, was lost.

Mr. Taylor moved to reconsider the vote last taken; which motion prevailed.

Mr. Scott moved to suspend the 11th Rule, have the bill read the third time, and put upon its passage, which motion prevailed.

On motion of Mr. Scott, the vote last taken, was reconsidered.

On motion of Mr. Wilson of Dubuque, the bill was laid on the table, and made the special order for to-morrow morning at 9 o'clock. Carried.

Mr. Mann submitted the following report:

Your Committee on Enrolled Bills, report that the following acts have been presented to the Governor for his signature:

Senate Files Nos. 126, 101, 170, 179, 214 and 180.

On motion of Mr. Angle, House File No. 341, a bill for an act in relation to the government of the Penitentiary of Iowa, the appointment of its officers, fixing their salaries, and punishing malfeasance in office, was taken up and considered.

Message from the House.

MR. PRESIDENT:—I am directed to inform your honorable body, that the House has receded from its amendments to Senate File No. 6, and substitute for House File No. 150, and also from its amendment to Senate File No. 88, and passed the bills.

I also return Senate File No. 196, the same having passed the House without amendment.

I am also directed to inform the Senate that the House has concurred in the Senate's amendment to House File No. 84.

CHARLES ALDRICH, Chief Clerk.

Mr. Angle moved to amend the bill under consideration, by striking out the word "Clerk," in section 3; upon which question Mr. Hammer demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle—1.

The nays were—Senators Anderson, Bowen, Brown, Buechel, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—32.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Patterson of Muscatine and Udell.

The motion to strike out was lost.

Mr. Angle moved to strike out in section 18, the words, "one thousand dollars per annum," and insert "fifteen hundred dollars;" which was not concurred in.

Mr. Angle moved to strike out section 25, which was not concurred in.

On motion of Mr. Wilson of Jefferson, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Buechel, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—32.

The nays were—Senators Angle—1.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Drummond, Patterson of Muscatine, Udell.

The bill was passed and title agreed to.

Mr. Sherradden submitted the following report:

The Committee on Enrolled Bills have presented to his Excellency, the Governor, for his approval, the following acts:

An act requiring complete reports from officers in charge of State buildings and State institutions.

Also, an act making appropriations for selecting Swamp Lands.

An act respecting the taking effect of the Laws of 1858.

An act authorizing the construction of mill dams on the Nishnabotany river.

An act for the regulation of State and county roads, within towns and cities.

An act making a further appropriation for the State Insane Asylum.

An act to amend an act entitled an act authorizing General Banking in the State of Iowa, passed by the Seventh General Assembly.

Also, they have examined the following act, and find the same correctly enrolled: Senate File No. 196, an act to pay the Commissioners of Revision.

Mr. Davis, of Clinton, moved that when the Senate adjourns, it adjourn until to-morrow morning at 8½ o'clock, which motion prevailed.

On motion, Senate adjourned.

SENATE CHAMBER,
Friday, March 30, 1860, 8½ o'clock A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Bird.

Journal of yesterday read and approved.

Mr. Hastings, from the Committee on Engrossed Bills, reported substitute for Senate File No. 115, a bill for an act defining the duties of Railroad Companies, correctly engrossed.

Message from the House.

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

House File No. 388, "a bill for an act providing for the publication of certain laws."

Substitute for House File No. 367, "a bill for an act to provide for the canvassing of votes in Senatorial and Representative Districts."

CHARLES ALDRICH, Chief Clerk.

Substitute for Senate File No. 115, a bill for an act defining the duties of Railroad Companies, was taken up and considered at length.

11 O'CLOCK, A. M.

Mr. McPherson moved a call of the Senate, which was sustained and ordered.

The following Senators were found to be absent and not excused: Brown, Duncombe, English, Hastings and Mann.

On motion of Mr. Drummond, further proceedings under the call were dispensed with.

Message from the House.

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

House File No. 357, a bill for an act to provide for a meeting of the Board of Education.

House File No. 356, a bill for an act to amend an act entitled an act to amend an act entitled an act to provide a system of Common Schools.

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

House File No. 335, a bill for an act in relation to revenue.

CHAS. ALDRICH, Chief Clerk.

The question being on the passage of the bill under consideration, the yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Buechel, Davis of Polk, Drummond, Gray, Green, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Thompson, Trumbull, Taylor, Udell, Wilson of Dubuque, Wilson of Jefferson—26.

The nays were—Brown, Davis of Clinton, Duncombe, Hammer, Neal, Scott, Watson, Williams—8.

Excused—Ainsworth, Bailey, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—English.

The bill was passed, and title agreed to.

Message from the House:

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

House File No. 325, a bill for an act making appropriation for the pay of State officers, and other purposes, and defining the duties of State officers in certain cases.

CHARLES ALDRICH, Chief Clerk.

Mr. Sherradden submitted the following report:

The Committee on Enrolled Bills, have examined the following acts, and find them correctly enrolled:

Senate File No. 88, an act to regulate the foreclosure of deeds of trust and mortgages.

Senate File No. 213, an act to re-apportion the State into Senatorial Districts.

Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Saunders presented the bill of John Bryan, for work done upon the capitol building, and moved its reference to the Committee on Claims; which motion prevailed.

On motion of Mr. Taylor, House File No. 335, a bill for an act relating to revenue, was taken up.

Mr. Anderson moved a call of the Senate, which was sustained, and ordered.

The following Senators were found to be absent, and not excused: Brown, Drummond, English, Hastings, Neal and Scott.

On motion of Mr. Duncombe, Mr. English was excused, on account of illness.

Several of the absentees coming in, Mr. Davis of Polk, moved to suspend further proceedings under the call, which motion prevailed.

Mr. Udell moved to amend section 1, sub-division 2, by striking out the words, "and a poll tax of fifty cents;" which was not concurred in.

Mr. Bowen moved to amend section 1, by adding the following words: In counties having a resident population of less than one hundred, there shall, in no case, be levied and collected a tax for any, and all purposes, excepting the State tax, of more in the aggregate, than 1000 dollars in any one year; and where the population, as aforesaid, shall exceed one hundred, and not exceed five hundred, the tax, as aforesaid, shall not exceed 2000 dollars in any one year; and when the population, as aforesaid, shall exceed five hundred, and not exceed one thousand, the tax, as aforesaid, shall not exceed 4000 dollars; and when the population, as aforesaid, shall exceed one thousand, and not exceed fifteen hundred, the tax, as aforesaid, shall not exceed 6000 dollars; and when the population, as aforesaid, shall exceed fifteen hundred, and not exceed two thousand, the tax, as aforesaid, shall not exceed 8000 dollars; upon which question, he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bowen, Patterson of Muscatine, Wilson of Jefferson—3.

The nays were—Senators Anderson, Angle, Brown, Davis of Clinton, Davis of Polk, Duncombe, Gray, Green, Hammer, Henderson, Kent, Lewis, Mann, McPherson, Pattison of Marshall, Powers, Saunders, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque—24.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, English, Hagans, Johnson, Pusey, Rankin and Reiner. Absent, but not excused—Drummond, Hastings, Neal, Sherradden and Scott.

So the amendment was not concurred in.

Mr. Taylor moved to amend section 22, by striking out "$2,00," and inserting "$1,50; which was not concurred in.

Mr. Saunders moved to strike out the words "County Clerk," wherever they occur in the bill, and insert, "Clerk of the Board of Supervisors;" which was concurred in.

Message from the House.

MR. PRESIDENT:—I am directed to present for your signature, the following bills, the same having passed both branches of the General Assembly, and been duly enrolled in the House.

House File No. 170, a bill for an act to provide for the establishment of a Commissioner in the City of New York, to promote immigration to the State of Iowa.

House File No. 307, a bill for an act in relation to the records of original title of lots in Iowa City.

Substitute for House File No. 277, a bill for an act to legalize the levy of a school house tax in the District Township of Jefferson, in Poweshiek county, Iowa.

No. 285, a bill for an act to authorize change of venue in certain cases.

House File No. 292, a bill for an act to legalize the taxes levied in Howard county, for the year 1859.

No. 327, a bill for an act to cede jurisdiction over certain lots, the property of the United States, in the city of Dubuque.

CHARLES ALDRICH, Chief Clerk.

Also,

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

Substitute for House File No. 347, a bill for an act providing for the payment of the expenses incurred by the Attorney General, in the case of the State vs. Wm. Tighlman, *et al.*

I am also directed to return Senate File No. 96, the same having passed the House without amendment.

CHAS. ALDRICH, Chief Clerk.

Mr. Wilson, of Jefferson, offered the following as an additional section to the bill:

Where any duties that by the provisions of this act, are required to be performed by the Clerk of the Board of Supervisors, should be performed prior to the said Board's coming into existence, they shall be performed by the Clerk of the District Court.

Adopted.

Mr. McPherson moved to take up the bill, section by section; which motion prevailed.

Mr. Scott moved to strike out the word "cattle," at the end of line four, in section 3.

Mr. McPherson moved to amend the amendment, by striking out the word "neat," before the word "cattle," in said line; which motion prevailed.

Mr. Davis, of Clinton, moved to insert the following, as a part of section ——:

"That it shall be the duty of the several assessors of the county or township in which the Railroad may be situated, to appraise the number of miles of Railroad running through the several counties, at a rate not less than $1,000 per mile, which valuation shall be inclusive of the depot buildings and rolling stock, and road bed."

Mr. Scott moved to lay the amendment on the table; upon which question Mr. Davis, of Clinton, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Brown, Davis of Polk, Duncombe, Hammer, Henderson, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Williams, Wilson of Dubuque—17.

The nays were—Senators Angle, Bowen, Davis of Clinton, Green, Hastings, Kent, Lewis, Mann, Reiner, Udell, Wilson of Jefferson—11.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, English, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Anderson, Drummond, Gray, Neal and Watson.

So the motion to lay on the table prevailed.

Mr. Powers moved to strike out the word "neat" wherever it occurs in the bill before the word "cattle;" which was concurred in.

Mr. Scott moved to amend section 25, by inserting the words, "and required,' after the word "authorized," in the first line; which was agreed to.

Mr. Henderson moved to amend section 31, by inserting the words, "persons and," before the word "township," in the second line; which motion prevailed.

Mr. Udell moved to amend section 55, by striking out the words "year or," and inserting the word "two," in the fourth line; which was not concurred in.

Mr. Taylor moved to amend section 56, by striking out the words "then in the newspaper in this State nearest the county seat," and inserting the words, "then by posting up a notice of such sale in three public places in said county, one of which shall be on the Court House door;" which was not agreed to.

Mr. Davis, of Clinton, moved to amend section 56, by striking out the words, "thirty cents," in the tenth line, and inserting the words, "twenty cents;" upon which question Mr. Drummond demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bowen, Davis of Clinton, Davis of Polk, Drummond, Henderson, Kent, Lewis, Mann, Neal, Patterson of Muscatine, Pattison of Marshall, Reiner, Trumbull, Udell, Williams, Wilson of Dubuque—16.

The nays were—Senators Brown, Duncombe, Gray, Green, Hammer, Hastings, McPherson, Powers, Saunders, Scott, Thompson, Taylor, Wilson of Jefferson—13.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, English, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Anderson, Angle, Sherradden and Watson.

So the motion to strike out and insert prevailed.

Mr. Drummond moved a call of the Senate, which was sustained and ordered.

The following Senators were found to be absent, but not excused —Messrs. Sherradden and Watson.

On motion of Mr. Udell, further proceedings under the call were dispensed with.

Mr. Taylor moved to insert after the word "publication," in the fourteenth line of section 56, the words, "at the price above specified;" which motion prevailed.

Mr. Neal moved to amend section 56, by inserting after the word "seat," in third line, "and by posting up a copy of said notice on the door of the Court House in said county, at least four weeks before the day of sale;" which motion prevailed.

Message from the House.

Mr. President:—I am directed to return the following Senate Files, the same having passed the House without amendment:

Substitute for Senate File No. 140, an act providing for the election of, and defining the duties of Supreme Court Reporter.

Substitute for Senate File 159, a bill for an act to carry into ef-

fect the provisions of section 5 of the acts of the 7th General Assembly, and amendatory thereto.

Senate File No. 209, a bill for an act to legalize the levy of the road tax of Mitchell county, for the year 1858, and the collection of the taxes of said county for said year.

CHAS. ALDRICH, Chief Clerk.

Also,

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

House File No. 253, a bill for an act providing greater safety for books, papers and records belonging to the State.

CHAS. ALDRICH, Chief Clerk.

Mr. Davis, of Polk, moved to amend section 62 by striking out all after the word "costs" in the fourth line.

Mr. Taylor moved to amend the amendment by inserting the word "unimportant" before the word "irregularity," in the fourth line of said section, and striking out the word "error" in said line.

Mr. Neal moved to amend the amendment by striking out the word "error" in said line; upon which question he demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Davis of Clinton, Davis of Polk, English, Green, Hammer, Neal, Patterson of Muscatine, Reiner, Trumbull, Udell, Wilson of Dubuque—11.

The nays were—Senators Anderson, Angle, Bowen, Brown, Drummond, Duncombe, Gray, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Pattison of Marshall, Powers, Saunders, Sherradden, Scott, Thompson, Taylor, Watson, Williams, Wilson of Jefferson—23.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin.

The amendment was lost.

The question being upon the amendment offered by Mr. Davis, of Polk, Mr. Wilson, of Dubuque, demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Anderson, Angle, Brown, Davis of Clinton, Davis of Polk, Duncombe, English, Green, Hammer, Hastings, Kent, Mann, Neal, Patterson of Muscatine, Sherradden, Scott, Trumbull, Taylor, Udell, Watson, Wilson of Dubuque—21.

The nays were—Senators Bowen, Drummond, Gray, Hender-

son, Lewis, McPherson, Pattison of Marshall, Powers, Saunders, Thompson, Williams, Wilson of Jefferson—12.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey, Rankin and Reiner.

The amendment prevailed.

Mr. Drummond moved to reconsider the vote by which the words "thirty cents" were stricken out of section 56, and "twenty cents" inserted; upon which question Mr. Davis, of Clinton, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Brown, Drummond, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Mann, McPherson, Pattison of Marshall, Powers, Reiner, Scott, Taylor, Watson, Wilson of Dubuque, Wilson of Jefferson—20.

The nays were—Senators Anderson, Bowen, Davis of Clinton, Davis of Polk, Kent, Lewis, Neal, Patterson of Muscatine, Saunders, Sherradden, Thompson, Trumbull, Udell, Williams—14.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin.

So the motion to reconsider prevailed.

Mr. Drummond moved to amend the pending amendment, by inserting after the word "sale," in the tenth line, the words, "when the same is included in one line of single column width, of the paper in which the publication is made; but if the description occupies more than one line of such single column width, then the same shall be thirty cents for such description;" upon which question Mr. Neal demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Drummond, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Mann, McPherson, Pattison of Marshall, Powers, Reiner, Scott, Thompson, Trumbull, Watson, Wilson of Dubuque, Wilson of Jefferson—20.

The nays were—Senators Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Kent, Neal, Patterson of Muscatine, Saunders, Sherradden, Taylor, Udell, Williams—13.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent, but not excused—Lewis.

So the amendment prevailed.

Mr. Thompson moved to strike out, in the 13th line of said section, the words "of thirty cents for each tract of real property," which motion prevailed.

Mr. Bowen moved to amend section 71, by striking out all after the word "costs," and inserting "20 per cent. per annum for the first year, for the time after the expiration of one year, together with," &c.

Mr. Davis, of Polk, moved to amend the amendment, by striking out "five per cent." and inserting "three per cent."

On motion of Mr. Udell, Senate adjourned.

---

7 O'CLOCK, P. M.

Senate met pursuant to adjournment.

Mr. Sherradden, submitted the following report:

The Committee on Enrolled Bills have examined Senate File No. 153, an act to establish a Code of Civil Practice, and find the same correctly enrolled.

Also, Senate File No. 6, substitute for House File No. 150, an act to provide for the appraisement of property sold under execution.

O. P. SHERRADDEN, Chairman.

The question being upon the pending amendment to the bill under consideration, Mr. Taylor offered the following as a substitute for the amendments and section to which they were amendatory:

Real property sold under the provisions of this act, may be redeemed at any time before the expiration of three years from the date of sale by the payment in specie to the Clerk of the Board of Supervisors of the proper county, to be held by him, subject to the order of the purchaser of the amount for which the same was *sold, together with costs*, and 30 per cent on the same, with ten per cent interest per annum on the whole amount from the day of sale, and the amount of all taxes accruing after such sale, with ten per cent interest per annum on such subsequent taxes, unless such subsequent tax has been paid by the person for whose benefit the redemption is made, which fact may be shown by the Treasurer's receipt.

The question being on the adoption of the amendment, Mr. Tay-

lor demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Gray, Hastings, Henderson, Kent, McPherson, Pattison of Marshall, Powers, Saunders, Scott, Thompson, Taylor, Watson and Wilson of Jefferson—14.

The nays were—Senators Bowen, Davis of Clinton, Davis of Polk, Duncombe, Green, Hammer, Lewis, Mann, Neal, Patterson of Muscatine, Sherradden, Trumbull, Udell, Williams and Wilson of Dubuque—15.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, English, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Angle, Brown, Drummond and Reiner.

The substitute was not adopted.

Message from the House.

MR. PRESIDENT:—I am directed to inform your honorable body, that the House of Representatives has passed the following Senate bill without amendment:

Senate File No. 198, a bill for an act making provision for the settlement of all liabilities of the State, growing out of the sale of certain lands of the Des Moines River Improvement Grant as school lands.

Mr. Anderson moved a call of the Senate, which was sustained, and ordered.

The following Senators were found to be absent, and not excused: Angle, Brown, Drummond, English and Reiner.

Messrs. English and Reiner were excused on account of illness.

On motion of Mr. Wilson of Jefferson, further proceedings under the call were dispensed with.

Mr. Lewis moved to amend the pending amendment by striking out "twenty" and inserting "thirty."

Mr. Taylor moved the following as a substitute for the amendments and entire section:

Real property sold under the provisions of this act, may be redeemed at any time before the expiration of three years from the date of sale, by the payment, in specie, to the Clerk of the Board of Supervisors of the proper county, to be held by him, subject to the order of the purchaser, of the amount for which the same was sold, and thirty per cent on the same, with ten per cent interest per annum on the whole amount from the day of sale, and the amount of all taxes accruing after such sale, with ten per cent

interest per annum, on such subsequent taxes, unless such subsequent tax has been paid by the person for whose benefit the redemption is made, which fact may be shown by the Treasurer's receipt; *Provided*, That if real property of any minor, married woman, or lunatic, be sold for taxes, the same may be redeemed at any time within one year after such disability be removed, upon the terms specified in this section, which redemption may be made by the guardian or legal representatives.

On motion of Mr. Anderson, the further consideration of the bill and amendments was postponed till to-morrow morning.

Mr. Wilson of Jefferson, moved to take up House File No. 388, a bill for an act providing for the publication of certain laws; which motion prevailed. Read the first and second time.

Mr. Neal moved the indefinite postponement of the bill, which was not agreed to.

On motion of Mr. Henderson, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Davis of Clinton, Davis of Polk, Duncombe, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, Pattison of Marshall, Powers, Saunders, Scott, Thompson, Trumbull, Taylor, Udell, Wilson of Jefferson—22.

The nays were—Senators Neal, Patterson of Muscatine, Sherradden, Watson, Williams, Wilson of Dubuque—6.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, English, Hagans, Johnson, Pusey, Rankin and Reiner. Absent, but not excused—Angle, Brown, Drummond, and McPherson.

So the bill was passed and title agreed to.

On motion of Mr. Duncombe, substitute for House File No. 347, a bill for an act providing for the payment of expenses incurred by the Attorney General, in the case of the State of Iowa, against William Tighlman, *et al*, was taken up, read the first and second time, and referred to the Committee on Claims.

On motion of Mr. Davis of Polk, Senate adjourned.

SENATE CHAMBER,
Saturday, March 31st, 1860, 8½ o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Bird.

Journal of yesterday read and approved.

The President laid before the Senate, the following communication from the Governor:

EXECUTIVE OFFICE, IOWA,
March 30th, 1860.

Gentlemen of the Senate:

I herewith return to your House, in which it originated, without my approval, "an act to amend an act entitled an act authorizing General Banking in the State of Iowa," passed by the Seventh General Assembly.

Should the proposed act become a law, it would change the existing law in three particulars: First, By permitting banks to be organized thereunder, with a paid up capital of twenty-five thousand dollars, instead of fifty thousand dollars, as now provided. Second, By abolishing the office of Bank Commissioners, as provided by the original law, and dispensing with the supervision and control, by these Commissioners of the banks that might be established: And third, By permitting the establishment of banks in towns, with a population of two hundred and fifty inhabitants, instead of five hundred, as provided by the original law.

It seems very clear to me, that the second and third of these changes, would be very injurious to the interest of our people, by bringing into disrepute our entire banking system, and inflicting upon us a practically irredeemable paper currency.

The Bank Commissioners, (whose duties it is proposed to dispense with,) are now required to make semi-annually, and as much oftener as they may deem advisable, thorough and searching examinations of each bank, for the purpose of ascertaining if the law has been complied with, and the public are safe in receiving the bills in circulation; and, in case they find that the law has not been complied with, and that the public are not safe, they are empowered to take proper steps to secure the public safety. These Commissioners cannot be, either directly or indirectly, engaged in banking, under the law, and must be sworn to a faithful and impartial discharge of their duties. I am well satisfied that

the provisions of the law providing for the appointment of these Commissioners, and defining their powers and duties, are wise and salutary, and that the performance of these duties is essential to the protection of the people, and I cannot approve an act which proposes to leave our people without that protection, which, in my judgment, is so essential to their safety.

The provisions of the original law, prohibiting the establishment of a bank in any city or town, with a population less than five hundred, are also, in my judgment, eminently wise and proper. The object of the law was to prevent the establishment of banks at points remote and inaccessible to those who might wish to present their bills for redemption; in other words, to prevent flooding of our State with a paper currency, practically irredeemable, and at the same time, to prevent the establishment of banks of issue at points where they could not do a legitimate business, and must therefore, be necessarily unsafe. Banks of issue can only be tolerated where their bills are, at all times, convertible into specie, and any laws which practically prevent such conversion, are unwise and injurious. The States of Illinois and Wisconsin, have now a paper currency, practically irredeemable; and our people, as well as the people of those States, are annually suffering a heavy loss in consequence. It does not appear to me to be wise and prudent, to increase the evil, by adding to that currency now circulating largely among us, an additional amount of like character, issued in our own State.

It may be argued that the General Assembly, and the Executive of the State, are not required to examine banking laws with the same care and caution as others, because banking laws, after having been passed by the General Assembly, and approved by the Governor, do not take effect, unless approved by the people. I cannot concur in this opinion. In my judgment, the constitutional requirement that laws of this character should be approved by the people before going into effect, was not designed as a license to the General Assembly and Governor, to shirk their duties and responsibilities, and pass and approve such laws, without examination and deliberation, because the people were finally to pass upon them, but was intended to provide an additional ordeal through which such laws should pass, after the General Assembly and Governor had done their whole duty, as in other cases.

SAMUEL J. KIRKWOOD.

The question now being upon the passage of the bill returned by the Governor, without his approval, Senate File No. 200, a bill for an act to amend an act entitled an act authorizing General Banking in the State of Iowa, passed by the Seventh General Assembly, the yeas and nays were as follows:

The yeas were—Senators Angle, Duncombe, Gray, Green, Hammer, Kent, McPherson, Neal, Saunders, Thompson, Taylor, Udell, Watson, Williams, Wilson of Dubuque—15.

The nays were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, English, Henderson, Lewis, Mann, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Trumbull, Wilson of Jefferson—16.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Johnson, Pusey and Rankin. Absent but not excused—Drummond, Hagans, Hastings and Patterson of Muscatine.

The bill not receiving the majority required by the constitution in such cases, was lost.

UNFINISHED BUSINESS.

The question being upon the substitute offered by Mr. Taylor, pending on adjournment, Mr. Bowen moved to amend the substitute by adding the following proviso:

Provided, However, that it is hereby made the duty of each assessor, to assess the property of Railroad Companies, and other corporations for pecuniary benefit, as he is required to assess that of the property of other individuals; and after the assessment and levy, the collector is to collect the taxes thus levied in the same manner as the taxes of other persons.

Mr. Taylor moved to lay the amendment on the table; upon which question Mr. Bowen demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Brown, Davis of Polk, Duncombe, English, Gray, Hammer, Henderson, Kent, McPherson, Neal, Pattison of Marshall, Powers, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque—18.

The nays were—Senator Anderson, Angle, Bowen, Davis of Clinton, Green, Lewis, Mann, Reiner, Saunders, Sherradden, Udell, Wilson of Jefferson—12.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Ha-

gans, Johnson, Pusey and Rankin. Absent, but not excused—Drummond, Hastings, Patterson of Muscatine, and Scott.

So the motion to table prevailed.

Mr. Bowen moved a call of the House, which was sustained, and ordered.

The following Senators were found to be absent, but not excused: Messrs. Drummond, Hagans, Hastings, Patterson of Muscatine and Scott.

On motion of Mr. Duncombe, Mr. Hagans was excused, on account of illness.

Mr. Bowen moved to send the Sergeant-at-Arms for the absentees; which motion prevailed.

On motion of Mr. Anderson, further proceedings under the call were dispensed with.

The question being on the adoption of the substitute offered by Mr. Taylor, he called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Henderson, Kent, Lewis, Mann, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque, Wilson of Jefferson—22.

The nays were—Senators Angle, Bowen, Green, Neal, Williams—5.

Excused—Messrs. Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Messrs. Brown, Drummond, Hammer, Hastings, Patterson of Muscatine, Scott and Udell.

So the substitute was adopted.

Mr. Taylor moved the following as an additional section to the bill:

SEC. 52. Any person paying his taxes for the current year, prior to the first day of February, shall be entitled to a discount on the whole amount of his tax for that year, of five per cent.

Which was not concurred in.

Mr. Duncombe moved the following as an additional section to the bill:

No County Treasurer shall hereafter collect more than ten per cent interest on any taxes which shall be paid on or before the first day of July next, which are now due, or may become due, but

when any such taxes are not paid before that time, the same amount of interest shall be due as now provided by law.

The question being on the adoption of the amendment, Mr. Bowen called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bowen, Davis of Clinton, Duncombe, Green, Hammer, Mann, Neal, Patterson of Muscatine, Reiner, Trumbull, Taylor, Watson, Wilson of Dubuque—14.

The nays were—Senators Angle, Brown, Davis of Polk, English, Gray, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Saunders, Sherradden, Thompson, Williams, Wilson of Jefferson—17.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Drummond, Scott, and Udell.

The amendment was lost.

Mr. Lewis moved to strike out the word "September," in the first line of section 53, and insert "October;" which was concurred in.

Mr. Brown moved to amend section 69, by adding the following, which was not concurred in:

And in all cases of purchases of lands for the taxes due thereon, in which suit has been, or may hereafter be commenced, and in which suit the purchaser may fail by reason of any neglect or omission of any officer to whom any duty in connection with the assessment, levy or collection of taxes has been heretofore, or may hereafter be assigned, shall be entitled to recover the full amount paid and expended by him in the prosecution of said suit, from the county in which said suit may have been commenced.

Message from the House.

Mr. President:—I am directed to inform the Senate that the House has passed the following bills, in which the concurrence of the Senate is asked:

Substitute for House File No. 50, a bill for an act to amend an act to provide for the making and repairing of public highways, and prescribing the duties of township officers, in certain cases.

House File No. 324, a bill for an act to amend an act entitled an act to provide for taking up water crafts found adrift, lost goods, and estray animals, approved January 24th, 1858.

House File No. 271, a bill for an act to provide a levy of tax for State purposes, for the year 1860.

House File No. 347, a bill for an act to provide for the canvassing of votes in Senatorial and Representative Districts.

House File No. 377, a bill for an act conferring certain powers on the Board of Commissioners appointed for the purpose of ascertaining the liabilities of the Des Moines River Improvement, and for other purposes.

I also return the following bills, the same having passed the House without amendment:

Substitute for Senate File No. 69, a bill for an act to amend chapter 188 of the acts of the 6th General Assembly.

Substitute for Senate File No. 210, a bill for an act entitled an act to amend chapter 160 of the acts of the 7th General Assembly.

CHARLES ALDRICH, Chief Clerk.

Mr. Wilson, of Dubuque, moved to strike out the word "five," in the second line of section 80, and insert "ten;" which motion did not prevail.

Message from the House.

MR. PRESIDENT:—I herewith present for your signature the following bills, the same having passed both branches of the General Assembly, and been duly enrolled in the House:

House File No. 312, a bill for an act to legalize the official acts of Wm. R. Brown, a Notary Public of Des Moines county.

House File No. 317, an act to legalize the elections and official acts of the corporation of McGregor.

House File No. 318, Joint Resolution for increased mail facilities —a tri-weekly from Cedar Rapids to Onawa.

Substitute for House File No. 84, a bill for an act to prevent counties, incorporated cities and towns from taking stock in works of internal improvements and banking institutions.

House File No. 337, Joint Resolution for a grant of land from the General Government to the McGregor, St. Peters & Missouri River Railroad Company.

House File No. 345, Joint Resolution for additional mail facilities from Knoxville to Winterset.

House File No. 322, Resolutions for additional mail facilities from St. Charles to Algona.

House File No. 362, Joint Resolution for additional mail facilities from Des Moines to Sioux City—from Dennison to Fort Dodge—

from Council Bluffs to Spirit Lake, and for "Dowesville" and "Butler's Mill" to be added in the route asked for from Council Bluffs to Dennison, and Deloit, in Crawford county.

Substitute for House File No. 252, a bill for an act in relation to debtors to the School Fund.

House File No. 331, a bill for an act authorizing owners of land subject to overflow on the Iowa and Mississippi bottom in Des Moines and Louisa Counties to raise a tax on such lands for the purpose of repairing, continuing and extending the levee now commenced to prevent such overflow.

CHARLES ALDRICH, Chief Clerk.

Mr. Henderson moved to amend section 89, by striking out the words "15th of January," and inserting "1st day of February," in the seventh line; in the eighth line, strike out "10th day of October" and insert "the 10th day of November;" and in the eighth and ninth lines strike out the words "15th day of October," and insert "1st day of November," which was concurred in.

Mr. Drummond moved to strike out the words, "or to any bank incorporated under the laws of this State, in the tenth line of said section: upon which question Mr. Wilson of Dubuque, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Drummond, Duncombe, English, Gray, Green, Mann, McPherson, Neal, Scott, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque—16.

The nays were—Senators Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Hammer, Kent, Lewis, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Thompson, Wilson of Jefferson—17.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent but not excused—Hastings.

So the amendment was lost.

Mr. Drummond moved to amend section 90 by striking out the words "or through any Banking House chartered by law," in second line: upon which question Mr. Duncombe demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Drummond, Duncombe, English, Gray, Green, Kent, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque—19.

The nays were—Senators Angle, Bowen, Brown, Davis, of Clinton, Davis of Polk, Henderson, Lewis, Powers, Reiner, Saunders, Sherradden, Scott, Wilson of Jefferson—13.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey, Rankin. Absent, but not excused—Hammer and Hastings.

The amendment was concurred in.

Message from the House.

MR. PRESIDENT:—I herewith return Senate File No. 224, a bill for an act conforming existing laws to the change made in the system of county government and organization.

Also, Senate File No. 221, a bill for an act to provide for the allotment of terms of Senators.

Also, Senate File No. 24, a bill for an act to enforce the collection of taxes for the year 1858.

The same having passed the House without amendment.

CHAS. ALDRICH, Chief Clerk.

Mr. Wilson of Jefferson, moved to add to section 99 the following: "and all duties imposed by this act on the Board of Supervisors, which are required to be performed before the organization of that Board, shall, until said organization, be performed by the officers who are now required by law to perform them, which was concurred in.

Mr. Anderson moved to reconsider the vote by which the amendment to section 90 was adopted, which motion prevailed.

Mr. Wilson of Jefferson, moved to amend the section so that it shall read as follows "or through any bank chartered by any of the laws of this State," which motion prevailed.

The question being upon striking out the amendment, Mr. Duncombe demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Duncombe, English, Green, Mann, Neal, Patterson of Muscatine, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—11.

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Wilson of Jefferson—18.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Ha-

gans, Johnson, Pusey and Rankin. Absent, but not excused—Drummond, Gray, Hammer, Hastings and Watson.

So the motion to strike out did not prevail.

Mr. Wilson of Dubuque, moved to amend section 90 by inserting after the word "State" in the second line, the words "but that no charge shall be made against the State by said bank on said amounts to exceed one-fourth of one per cent for transportation; upon which question Mr. Neal demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Angle, Brown, Duncombe, English, Gray, Green, Hammer, Kent, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque—24.

The nays were—Senators Anderson, Bowen, Davis of Clinton, Davis of Polk, Henderson, Saunders, Wilson of Jefferson—7.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Drummond, Hastings and Lewis.

The amendment was concurred in.

On motion of Mr. Wilson of Jefferson the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Brown, Davis of Polk, Drummond, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Wilson of Jefferson—23.

The nays were—Senators Bowen, Davis of Clinton, Duncombe, English, Gray, Green, Hammer, Neal, Udell, Williams, Wilson of Dubuque—11.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin.

So the bill was passed and title agreed to.

Mr. Thompson submitted the following report:

The Committee on the Judiciary, to whom was referred House File No. 338, a bill to amend chapter 29, section 327, of the Code, in relation to Constables' bonds, instruct me to report the same back, and recommend its indefinite postponement. The passage

of such an act, in the opinion of your committee, is entirely inexpedient.

JNO. W. THOMPSON, Chairman.

Report concurred in.

Also, the Committee on the Judiciary, to whom was referred substitute for House File No. 203, an act to amend section 1249, of the Code, instruct me to report the same back, that they have considered the same, and recommend that it be indefinitely postponed—Messrs. Taylor and Wilson, of Dubuque dissenting.

JNO. W. THOMPSON, Chairman.

The question being on concurring in the committee's report, Mr. Duncombe demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bowen, Brown, Davis of Clinton, Davis of Polk, English, Gray, Hastings, Henderson, Kent, Lewis, McPherson, Neal, Pattison of Marshall, Powers, Reiner, Saunders, Thompson, Williams, Wilson of Jefferson—19.

The nays were—Senators Anderson, Angle, Duncombe, Green, Hammer, Mann, Patterson of Muscatine, Sherradden, Scott, Trumbull, Udell, Wilson of Dubuque—12.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Drummond, Taylor and Watson.

So the report was concurred in.

Message from the House:

Mr. President:—I am directed to inform your honorable body, that the House has passed the following bill, in which the concurrence of the Senate is asked: House File No. 344, a bill for an act making a further appropriation for the Blind Asylum.

CHARLES ALDRICH, Chief Clerk.

Mr. Thompson submitted the following report:

The Commitee on the Judiciary, to whom was referred House File No. 304, a bill for an act to cure defective confessions of judgment, in certain cases, instruct me to report the same back, and that they have considered the same, and recommend that it do pass—Wilson, of Jefferson, and McPherson dissenting.

JNO. W. THOMPSON, Chairman.

Mr. Udell moved to indefinitely postpone the passage of the bill: upon which question Mr. Wilson, of Dubuque, demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, Hastings, Lewis, Mann, McPherson, Pattison of Marshall, Powers, Saunders, Udell, Williams and Wilson of Jefferson—16.

The nays were—Senators Anderson, English, Gray, Green, Hammer, Henderson, Neal, Patterson of Muscatine, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque—16.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Drummond and Kent.

The vote being a tie, the President voted nay; so the motion to indefinitely postpone did not prevail.

Mr. Wilson, of Jefferson, moved to suspend the 11th Rule, have the bill read the third time, and put upon its passage, which motion prevailed. The yeas and nays upon the passage of the bill were as follows:

The yeas were—Senators Anderson, Davis of Polk, Drummond, English, Gray, Green, Hammer, Henderson, Neal, Patterson of Muscatine, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque—18.

The nays were—Senators Angle, Bowen, Brown, Davis of Clinton, Duncombe, Hastings, Lewis, Mann, McPherson, Pattison of Marshall, Powers, Saunders, Udell, Williams, Wilson of Jefferson—15.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Kent.

The bill not receiving a constitutional majority was lost.

Mr. Thompson submitted the following report:

The committee on the Judiciary, to whom was referred Senate File No. 217, a bill for an act to submit to arbitration all matters in dispute or litigation between the inspectors and Warden of the Penitentiary of Iowa, or either of said officers, representing the State in their official capacity, and Winterbottom & Jones, contractors and lessees of said Penitentiary; instruct me to report the same back with the accompanying substitute, and recommend the adoption of the substitute and that it pass.

JNO. W. THOMPSON, Ch'm.

Substitute adopted.

On motion of Mr. Udell, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Hastings, Kent, Lewis, Mann, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Wilson of Jefferson—23.

The nays were—Senators Duncombe, English, Gray, Green, Hammer, Neal, Udell, Williams—8.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Drummond, Henderson and Wilson of Dubuque.

The bill was passed.

On motion of Mr. Thompson, the title was so amended as to read as follows:

An act to enforce collection and settlement of claims of the State with Winterbottom & Jones, successors to Winterbottom & Hendley, contractors for the convict labor of the Iowa Penitentiary.

Mr. Saunders, from the Committee on Ways and Means, reported Senate File No. 227, a bill for an act making appropriation for building fifty four cells and repairing the fence, and also to provide for the support of the Iowa Penitentiary, and recommended its passage. Read the first and second time, and on motion of Mr Udell, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—32.

The nays were—Senators Duncombe, English and Neal—3.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin.

So the bill was passed and title agreed to.

On motion of Mr. Udell, Senate File No. 226, a bill for an act providing for the payment of the indebtedness of the Iowa Penitentiary, was taken from the table and considered.

Mr. Saunders moved to amend section 1, by striking out the word "nine," in the third line, and inserting the word "eight," which motion prevailed.

On motion of Mr. Udell, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Green, Hastings, Henderson, Kent, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Udell, Watson, Wilson of Jefferson—24.

The nays were—Senators Duncombe, English, Gray, Hammer, Mann, Neal, Trumbull, Taylor, Williams, Wilson of Dubuque—10.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin.

The bill was passed and title agreed to.

On motion of Mr. Wilson of Jefferson, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Saunders, House File No. 238, a bill for an act for the incorporation and government of the Hospital for the Insane, was taken up, read the first and second time, and on motion of Mr. Saunders, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Davis of Clinton, Davis of Polk, Duncombe, Green, Hastings, Henderson, Kent, Lewis, McPherson, Patterson of Muscatine, Powers, Reiner, Saunders, Sherradden, Thompson, Taylor, Udell, Watson, Williams, Wilson of Jefferson—22.

The nays were—Senators English, Gray, Hammer, Neal, Trumbull—5.

Excused—Messrs. Angle, Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent but not excused—Messrs. Brown, Drummond, Mann, Pattison of Marshall, Scott and Wilson of Dubuque.

The bill was passed, and title agreed to.

Mr. Wilson, of Jefferson, moved a call of the House, which was sustained and ordered.

The following Senators were found to be absent, and not excused: Brown, Drummond, Mann, Pattison of Marshall, Scott and Wilson of Dubuque.

On motion of Mr. Wilson of Jefferson, the Sergeant-at-Arms was dispatched for the absentees.

Mr. Wilson of Jefferson moved to suspend further proceedings under the call, which motion prevailed.

Mr. Sherradden submitted the following report:

The Committee on Enrolled Bills, have examined Senate File No. 218, an act apportioning the State of Iowa into Representative Districts.

Also, Senate File No. 207, an act to legalize the levy of road tax in Mitchell county.

Also, an act providing for the election of a Supreme Court Reporter.

Also, Senate File No. 198, an act making provision for the settlement of all liabilities of State growing out of the sale of certain lands of the Des Moines River Improvement Grant, as School Lands, and find them correctly enrolled.

Mr. Angle, from the Committee on Claims, submitted the following report, which was adopted:

The Committee on Claims, beg leave to report back the within claim of John Bryan, with the simple remark, that the within bill having already been audited and allowed at the session of the Seventh General Assembly, indicates a coolness on the part of the claimant, truly refreshing. Report *against* it, *unanimously*.

H. G. ANGLE, Chairman.

Message from the House.

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

No. 389, a bill for an act to amend an act passed by the Board of Education, Dec. 24th, 1859, entitled "an act to amend an act entitled an act to provide a system of Common Schools.

No. 390, a bill for an act to amend section 3, of chapter 151, of the acts of the 7th General Assembly, of the State of Iowa.

No. 376, Joint Resolution in relation to the reduction of certain rates of duty on certain exported products.

No. 365, Joint Resolution to establish a mail route from West Union, in Fayette county, via Waverly, Clarksville and Hampton, to Fort Dodge, in Webster county.

No. 366, Joint Resolution for additional mail facilities.

No. 306, a bill for an act to render valid certain sales made, and rights acquired under execution.

No. 372, a bill for an act to provide for the publication of certain laws in certain German newspapers.

Also, that the House has concurred in the amendments made by the Senate to House File No. 352.

I am also directed to inform the Senate that the House has passed Senate File No. 219, a Joint Resolution for additional mail facilities, without amendment.

CHARLES ALDRICH, Chief Clerk.

Mr. Angle, from the same committee, reported back substitute for House File No. 347, a bill for an act providing for the payment of expenses incurred by the Attorney General, in the case of The State of Iowa, *vs* William Tighlman, *et al*, with the recommendation of said committee, that the same be passed.

Report adopted, and on motion of Mr. Duncombe, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Jefferson—30.

The nays were—None.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Brown, Drummond, Mann and Wilson of Dubuque.

The bill was passed, and title agreed to.

On motion of Mr. Wilson of Jefferson, House File No. 371, a bill for an act to provide for a levy of tax for State purposes, for the year 1860, was taken up, read the first and second time, and on motion of Mr. Wilson of Jefferson, the 11th Rule was sus-

pended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Jefferson—31.

The nays were—None.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent but not excused—Drummond, Mann and Wilson of Dubuque.

The bill was passed and title agreed to.

Message from the House:

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

House File No. 336, a bill for an act providing for the management of the School Fund, and the sale of the School Lands.

I also return Senate File No. 115, a bill for an act defining the duties of Railroad Companies, the same having failed to pass the House.

CHARLES ALDRICH, Chief Clerk.

On motion of Mr. Wilson of Jefferson, House File No. 367, a bill for an act to provide for the canvassing of votes in Senatorial and Representative Districts, was taken up, read the first and second time, and referred to the Judiciary Committee.

Mr. Wilson of Jefferson, moved to take up House File No. 325, a bill for an act making appropriations for the pay of State Officers, and other purposes, and defining the duties of the State Officers in certain cases; which motion prevailed. The bill was read the first and second time, and considered.

Mr. Taylor moved to amend section 2, by striking out "$4000," and inserting ("$3500,") which was not concurred in.

Mr. Angle moved to amend section 3, by striking out the word "two," before the word "thousand," in the last line, and inserting the word "one," which motion did not prevail.

Mr. Angle moved to strike out the word "twelve" before the word "hundred," in the last line of section 5, and inserting the

word "ten;" upon which question Mr. Duncombe called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Duncombe, English, Green, Hammer, Kent, Lewis, Mann, Neal, Patterson of Muscatine, Taylor, Udell, Williams, Wilson of Dubuque—14.

The nays were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Gray, Hastings, Henderson, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Wilson of Jefferson—19.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Drummond.

The amendment was lost.

Mr. Angle moved to amend section 6, by striking out the word "two," before the word "thousand," in the last line, and inserting the word "one;" upon which question Mr. Duncombe demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Duncombe, English, Gray, Green, Hammer, Hastings, Mann, Neal, Patterson of Muscatine, Taylor, Udell, Williams, Wilson of Dubuque—17.

The nays were—Senators Davis of Clinton, Davis of Polk, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Wilson of Jefferson—16.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Drummond.

The amendment was adopted.

Mr. Angle moved to strike out the word "eighteen," before the word "hundred," in the last line of section 7, and insert the word "ten."

Mr. Anderson moved to amend the amendment by inserting the word "twelve," which motion prevailed.

The question being on the amendment as amended, Mr. Duncombe demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Brown, Davis of Clinton, Duncombe, English, Gray, Green, Hammer, Kent, Lewis, Mann,

McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Reiner, Saunders, Scott, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—26.

The nays were—Senators Bowen, Davis of Polk, Hastings, Henderson, Powers, Sherradden, Thompson.—7.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent but not excused—Drummond.

So the amendment was concurred in.

Mr. Udell moved the following as a substitute for section 16:

For the salaries of Inspectors of the Penitentiary, up to the time they go out of office, according to a law of this session, the sum of one hundred dollars, or so much thereof as may be found due them, by the Governor; which was concurred in.

Mr. Watson moved to strike out the words "five dollars," in section 23, and insert the words "one dollar and twenty-five cents."

Mr. Scott moved to amend the amendment by striking out the word "five;" which was not concurred in.

The question being on the amendment of Mr. Watson, it was not adopted.

Mr. Wilson, of Dubuque, moved to strike out "two hundred and twenty-five dollars," in section 2, and insert "four hundred dollars;" upon which question Mr. Williams demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Brown, Davis of Polk, Duncombe, English, Hammer, Hastings, Henderson, Kent, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Scott, Thompson, Trumbull, Watson, Wilson of Dubuque, Wilson of Jefferson—23.

The nays were—Senators Davis of Clinton, Gray, Green, Mann, Neal, Sherradden, Taylor, Udell, Williams—9.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Bowen, and Drummond.

So the motion to strike out and insert prevailed.

Mr. Wilson, of Jefferson, moved to strike out the word "daily," before the words "Register" and "Journal," in section 24, which was concurred in.

Mr. Angle moved to strike out the words "or janitors," in section

20, and insert the words "and a watchman;" upon which question Mr. Davis, of Clinton, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Bowen, Davis of Polk, Green, Henderson, Kent, Pattison of Marshall, Reiner, Saunders, Sherradden, Scott, Trumbull, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—17.

The nays were—Senators Anderson, Davis of Clinton, Duncombe, Lewis, McPherson, Neal, Powers, Thompson, Taylor—9.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Brown, Drummond, English, Gray, Hammer, Hastings, Mann, and Patterson of Muscatine.

So the motion prevailed.

Mr. Wilson, of Jefferson, moved to suspend the 11th Rule, have the bill read the third time, and put upon its passage, which motion prevailed.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Green, Hastings, Henderson, Kent, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque, Wilson of Jefferson—25.

The nays were—Senators Duncombe, English, Gray, Hammer, Mann, Neal, Udell, Williams—8.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Drummond.

The bill was passed, and title agreed to.

On motion of Mr. Hammer, Senate File No. 151, a bill for an act to provide for issuing the bonds of the State to the School Fund for $57,500 borrowed of said Fund, January 1st, 1857, was taken up, and on motion of Mr. Duncombe, the 11th Rule was suspended, the bill read the third time and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Duncombe, English, Green, Hammer, Mann, Neal, Patterson of Muscatine, Taylor, Udell, Williams, Wilson of Dubuque—11.

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Henderson, Kent, Lewis, Pattison

of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Wilson of Jefferson—19.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, McPherson, Pusey and Rankin. Absent, but not excused—Drummond, Gray and Hastings.

The bill not receiving a constitutional majority, was lost.

On motion of Mr. Scott, House File No. 368, a Joint Resolution for the election of Trustees of the State Agricultural College and Farm, was taken up, the 11th Rule suspended, the bill read the third time and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, Gray, Green, Hammer, Kent, Lewis, Mann, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque, Wilson of Jefferson—25.

The nays were—Senators English, Udell and Williams,—3.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, McPherson, Pusey and Rankin. Absent but not excused—Angle, Drummond, Hastings, Henderson and Reiner.

The bill was passed and title agreed to.

On motion of Mr. Thompson, Senate File No. 211, a bill for an act providing for transcribing the Records in the Recorder's offices in the counties of this State, in certain cases was taken up and considered.

On motion of Mr. Thompson, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Polk, English, Henderson, Kent, Pattison of Marshall, Saunders, Sherradden, Thompson, Trumbull, Taylor, Wilson of Jefferson—13.

The nays were—Senators Davis of Clinton, English, Gray, Green, Hammer, Mann, Neal, Powers, Reiner, Udell, Williams—12.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, McPherson, Pusey and Rankin. Absent, but not excused—Angle, Drummond, Duncombe, Hastings, Mann, Scott, Wilson of Dubuque.

Mr. Patterson of Muscatine, had leave to introduce Senate File No. 228, a bill for an act in relation to delinquent taxes. Read the first and second time, and on motion of Mr. Watson, refer-

red to the Judiciary Committee, with instructions to report Monday morning.

Mr. Udell had leave to introduce Senate File No. 228, a bill for an act to provide a special contingent fund. Read the first and second time.

Mr. Bowen moved to fill the blank in section 1, with the sum of $10,000.

Mr. Mann moved to fill the blank with $5,000.

The question being on filling the blank with $10,000, it was concurred in.

On motion of Mr. Duncombe, the bill was referred to the Committee on Ways and Means.

On motion of Mr. Davis of Polk, Senate File No. 202, a bill for an act authorizing the County Judge of Polk county, to appropriate a portion of the proceeds of the Swamp Lands for the completion of a Court House.

The question being on concurring in the House amendments to the bill, the yeas and nays were taken, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Henderson, Kent, Lewis, Mann, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—29.

The nays were—Senator Neal—1.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, McPherson, Pusey and Rankin. Absent but not excused—Drummond, Hammer and Hastings.

The bill was passed and title agreed to.

On motion of Mr. Powers, Senate File No. 35, a bill for an act to legalize certain Railroad Bonds in Mitchell county, was taken up, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, Gray, Green, Hastings, Henderson, Mann, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Wilson of Dubuque—23.

The nays were—Senators English, Lewis, Saunders, Williams, Wilson of Jefferson—5.

Excused—Messrs. Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, McPherson, Pusey and Rankin. Absent but not excused—Messrs. Drummond, Hammer, Udell and Watson.

So the bill was passed and title agreed to.

Mr. Patterson of Muscatine, moved that when the Senate adjourns, it shall adjourn until Monday morning, at 8½ o'clock, which motion prevailed.

Mr. Wilson of Dubuque, had leave to introduce Senate File No. 230, a bill for an act in relation to roads and highways. Read the first and second time, and on motion of Mr. Wilson of Dubuque, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hastings, Henderson, Kent, Lewis, Mann, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—30.

The nays were—None.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, McPherson, Pusey, and Rankin. Absent, but not excused—Anderson, Drummond and Hammer.

The bill was passed and title agreed to.

Message from the House.

Mr. President:—I am directed to inform the Senate that the House has passed the following bills, in which the concurrence of the Senate is asked:

Substitute for House File No. 369, a bill for an act providing for the printing of the Revision of 1860.

House File No. 348, a bill for an act requiring State officers, and others, to record their reports.

I also return herewith, the following Senate bills, the same having passed the House without amendment:

Senate File No. 227, and Senate File No. 226.

I also return Senate File No. 215, with an amendment, as follows: "For pressing books and pamphlets, in the sheet, said

printer shall receive eight cents per hundred sheets;" in which the concurrence of the Senate is asked.

CHARLES ALDRICH, Chief Clerk.

On motion of Mr. Angle, Senate File No. 188, a bill for an act for the better management of the School Fund, was taken up and considered.

On motion of Mr. Bowen, the bill was made the special order for Monday morning next, at 9 o'clock.

Mr. Saunders had leave to introduce Senate File No. 231, a bill for an act making appointment of a Commissioner for the erection of the State Hospital for the Insane, and providing for filling vacancies in said Board. Read the first and second time, and on motion of Mr. Wilson, of Jefferson, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays upon the passage of the bill, were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Gray, Green, Hastings, Henderson, Kent, Lewis, Mann, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—26.

The nays were—Senator Udell—1.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, McPherson, Pusey and Rankin. Absent, but not excused—Angle, Drummond, Duncombe, English, Hammer and Thompson.

The bill was passed and title agreed to.

Message from the House.

Mr. President:—I am directed to inform the Senate that the House has refused to concur in the Senate's amendments made to sections six and seven of House File No. 325, and desires a committee of conference; and that Messrs. Wright, Peet and Baker have been appointed as such committee on part of the House.

CHARLES ALDRICH, Chief Clerk.

Mr. Sherradden submitted the following reports:

The Committee on Enrolled Bills have presented to His Excellency, the Governor, for his approval, the following acts:

An act to provide for paying the Revision Commissioners.

Also, an act to establish a Code of Criminal Practice.

Also, an act to re-apportion the State into Senatorial Districts.

Also, an act to regulate the foreclosure of deeds of trust and mortgages.

Also, Senate File No. 6, an act to provide for the appraisement of property sold under execution.

Also, an act making provision for the settlement of all liabilities of the State, growing out of the sale of certain lands of the Des Moines River Grant.

Also, an act providing for the election of Supreme Court Reporter.

Also, an act to legalize the levy of the road tax of Micthell Co.

Also, an act apportioning the State of Iowa into Representative Districts.

O. P. SHERRADDEN, Ch'm.

Also, the Committee on Enrolled Bills have examined the following acts, and find them correctly enrolled:

Senate File No. 24, an act to enforce the collection of taxes.

Substitute for Senate File No. 210, an act to amend chapter 160 of the acts of the 7th General Assembly.

Senate File No. 221, an act to provide for the allotment of terms of Senators.

Senate File No. 219, Joint Resolution for mail facilities.

Senate File No. 224, an act conforming existing laws to the change made in the system of county governments and organization.

O. P. SHERRADDEN, Ch'm.

Mr. Wilson, of Jefferson, moved to take up the message from the House, relating to House File No. 325, a bill for an act making appropriation for the pay of State officers, and other purposes, and defining the duties of State officers in certain cases; which motion prevailed.

Mr. Saunders moved that the Senate recede from its amendments to sections six and seven of said bill; upon which question Mr. Neal demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Polk, Hastings, Henderson, Lewis, Powers, Reiner, Saunders, Sherradden, Scott, Trumbull, Watson, Wilson of Jefferson—15.

The nays were—Senators Angle, Davis of Clinton, Duncombe, English, Gray, Green, Mann, Neal, Patterson of Muscatine, Pattison of Marshall, Taylor, Udell, Williams, Wilson of Dubuque—14.

Excused—Messrs. Ainsworth, Bailey, Buechel, Bussey, Cool-

baugh, Hagans, Johnson, McPherson, Pusey and Rankin. Absent but not excused—Messrs. Drummond, Hammer, Kent, Thompson.

The motion to recede prevailed.

On motion of Mr. Duncombe, Senate adjourned.

SENATE CHAMBER,
Monday, April 2d, 1860, 8½ o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Drake.

On motion of Mr. Udell, the reading of the Journal was dispensed with.

UNFINISHED BUSINESS.

House File No. 383, a joint resolution for additional mail facilities, was taken up, read the first and second time, and on motion of Mr. English, the 11th Rule was suspended, the resolution was read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Angle, Bowen, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hastings, Kent, Mann, Neal, Pattison of Marshall, Powers, Saunders, Sherradden, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Jefferson—23.

The nays were—None.

Excused—Messrs. Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Messrs. Anderson, Brown, Drummond, Hammer, Henderson, Lewis, McPherson, Patterson of Muscatine, Reiner, Scott, and Wilson of Dubuque.

The resolution was passed, and title agreed to.

Message from the House.

MR. PRESIDENT:—I herewith present for your signature the following bills, the same having passed both branches of the General Assembly, and been duly enrolled in the House:

House File No. 35, a bill for an act to provide for the redemption of real estate sold on foreclosure of mortgage.

House File No. 333, a bill for an act exempting lands owned by the University from taxation, and protecting real estate on which the School or University Funds have liens, from sale for taxes.

House File No. 341, a bill for an act in relation to the government of the Penitentiary of Iowa, the appointment of its officers, fixing their salaries, and punishing malfeasance in office.

CHARLES ALDRICH, Chief Clerk.

House File No. 385, a joint resolution for additional mail facilities, was taken up, read the first and second time, and on motion of Mr. Bowen, the 11th Rule was suspended, the resolution read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Angle, Bowen, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hastings, Kent, Mann, Neal, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Jefferson—24.

The nays were—None.

Excused—Messrs. Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Messrs. Anderson, Brown, Drummond, Hammer, Henderson, Lewis, McPherson, Patterson of Muscatine, Scott, and Wilson of Dubuque.

The resolution was passed, and title agreed to.

House File No. 390, a bill for an act to amend section three of chapter 151 of the acts of the 7th General Assembly of the State of Iowa, was taken up and read the first and second time, and considered.

Mr. Mann moved as a substitute for the bill, a bill for an act to amend chapter 151 of the acts of the 7th General Assembly; which was not adopted.

Mr. Williams moved to lay the bill on the table, upon which question, Mr. Duncombe demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bowen, Davis of Clinton, English, Gray, Green, Hastings, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Reiner, Saunders, Sherradden,

Trumbull, Taylor, Udell, Watson, Williams, Wilson of Jefferson —20.

The nays were—Senators Angle, Duncombe, Hammer, Kent, Mann, Powers, Thompson, Wilson of Dubuque—8.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent but not excused—Brown, Davis of Polk, Drummond, Henderson, Lewis and Scott.

The motion to lay on the table prevailed.

Senate File No. 212, a joint resolution for additional mail facilities, was taken up, and House amendments thereto concurred in.

House File No. 306, a bill for an act to render valid certain sales made and rights acquired under executions, was taken up,r ead the first and second time, and considered.

On motion of Mr. Duncombe, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Mann, McPherson, Reiner, Trumbull, Taylor, Wilson of Dubuque—6.

The nays were—Senators Anderson, Angle, Davis of Clinton, Davis of Polk, Drummond ,Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Sherradden, Thompson, Watson, Williams, Wilson of Jefferson—23.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Bowen, Brown, Saunders, Scott and Udell.

The bill not receiving a constitutional majority, was lost.

Message from the House.

Mr. President:—I am directed to inform the Senate, that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 380, a bill for an act to change the fiscal year, and define the duties of State officers, in certain cases.

House File No. 395, joint resolution providing for the distribution of the Code, and the laws of the 8th General Assembly.

CHAS. ALDRICH, Chief Clerk.

Mr. President:—I am directed to return to the Senate, Senate File No. 108, a bill for an act to grant to the city of Dubuque title to certain lands, the same having passed with the following amendment to section 1, viz: *Provided*, Nothing in this act shall

affect the rights of private individuals holding title either from the General Assembly or School Fund.

CHAS. ALDRICH, Chief Clerk.

SPECIAL ORDER.

The special order for 9 o'clock this morning, being the consideration of Senate File No. 188, a bill for an act for the better management of the School Fund, Mr. Bowen moved to strike out the word "Auditor," in section 1, and insert the words "Secretary of the Board of Education," which was concurred in.

Mr. Taylor moved to lay the bill on the table, and take up House File No. 336, a bill for an act providing for the management of the School Fund, and the sale of the School Lands, which was concurred in.

Mr. Davis, of Polk, offered the following resolution, which was adopted:

WHEREAS, The ladies of Des Moines have kindly proposed to give the members of the Legislature, on the last night of their session, an entertainment of a supper; and

WHEREAS, It has been rumored that objections have been made, by some of the members, to said proposition; and

WHEREAS, The ladies desire an expression of opinion upon the part of the members, as to the propriety of such entertainment; therefore,

Resolved, That we heartily approve said proposition and cheerfully accept the invitation tended by the ladies.

Mr. Hammer moved to fill the blank in section 24 with "ten days."

Mr. Angle moved to fill the blank with "thirty days," which was not concurred in.

Mr. Mann moved to fill the blank with "twenty days," which was not agreed to.

Mr. Kent moved to fill the blank with "fifteen days," which motion did not prevail.

The question recurring upon the motion to fill the blank with "ten days," which motion prevailed.

Mr. Taylor moved to amend section 10 as follows: after the word "same," in second line, insert "or any part of the 500,000 acre grant," which was concurred in.

Message from the House:

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

House File No. 396, a bill for an act authorizing the publication of certain laws in the Iowa State Register and Iowa State Journal.

CHAS. ALDRICH, Chief Clerk.

Mr. Wilson, of Dubuque, moved to strike out the words "both of principle and" in the fourth line of section 14; which was not concurred in.

On motion of Mr. Bowen, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, Gray, Hammer, Hastings, Henderson, Kent, Lewis, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Scott, Thompson, Taylor, Watson, Williams, Wilson of Jefferson—26.

The nays were—Senators English, Green, Mann, Sherradden, Trumbull, Udell, Wilson of Dubuque—7.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Drummond.

The bill was passed, and title agreed to.

On motion of Mr. Bowen, Senate File No. 188, a bill for an act for the better management of the School Fund, was taken from the table and considered.

Mr. Duncombe moved to strike out sections 13 and 14; upon which question Mr. Bowen demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Duncombe, English, Gray, Green, Hammer, Mann, McPherson, Neal, Patterson of Muscatine, Reiner, Sherradden, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—16.

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Hastings, Henderson, Kent, Lewis, Pattison of Marshall, Powers, Saunders, Scott, Thompson, Watson, Wilson of Jefferson—17.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Ha-

gans, Johnson, Pusey and Rankin. Absent, but not excused—Drummond.

The motion to strike out was lost.

Mr. Davis of Clinton, moved to strike out all of section 13, after the word "due," in the third line; upon which question he demand the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Angle, Davis of Clinton, Davis of Polk, English, Gray, Green, Hammer, Hastings, Mann, Neal, Reiner, Taylor, Udell, Watson, Williams, Wilson of Dubuque—18.

The nays were—Senators Anderson, Bowen, Henderson, Lewis, McPherson, Patterson of Muscatine, Pattison of Marshall, Sherradden, Scott, Thompson, Wilson of Jefferson—12.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Brown, Drummond, Powers and Saunders.

The motion to strike out prevailed.

Message from the House.

MR. PRESIDENT:—I am directed to inform the Senate that the House has concurred in the Senate's amendment to House File No. 336; and that the House has amended the Senate's amendment to sec. 24, by striking out "ten" and inserting "thirty."

CHARLES ALDRICH, Chief Clerk.

On motion of Mr. Duncombe, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—19.

The nays were—Senators Duncombe, English, Gray, Green, Hammer, Mann, Neal, Patterson of Muscatine, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque—13.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent but not excused—Drummond and Saunders.

The bill not receiving a constitutional majority, was lost.

On motion of Mr. McPherson, the Message from the House relating to House File No. 336, a bill for an act providing for the

management of the School Fund and the sale of School Land, was taken up.

Mr. McPherson moved that the Senate concur in the House amendments to the Senate's amendments to the same.

The yeas and nays upon concurring were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, Green, Hastings, Henderson, Kent, Mann, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Trumbull, Taylor, Udell, Watson, Wilson of Dubuque—24.

The nays were—Senators English, Gray, Hammer, Lewis, Neal, Thompson, Wilson of Jefferson—7.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Drummond and Saunders.

So the motion to concur prevailed.

Mr. McPherson moved to take up Senate File No. 215, a bill for an act relating to State Printing, which motion prevailed.

The question being on concurring in the House amendments the yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Polk, Drummond, Henderson, Kent, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Scott, Thompson, Trumbull, Watson—17.

The nays were—Senators Davis of Clinton, Duncombe, English, Gray, Green, Hammer, Lewis, Mann, Neal, Patterson of Muscatine, Sherradden, Taylor, Williams, Wilson of Dubuque, Wilson of Jefferson—15.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Hastings and Udell.

The motion to concur not receiving a constitutional majority, was lost.

Message from the House.

Mr. President:—I am directed to inform the Senate that the House has passed Senate File No. 34, Substitute, with the following amendment, in which the concurrence of the Senate is asked:

After the word "purposes" in the 1st section, insert the words "and Cemetery Association."

CHARLES ALDRICH, Chief Clerk.

Mr. Wilson of Dubuque, moved to reconsider the vote last taken, which motion prevailed.

The question being on the motion to concur, the yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Polk, Drummond, Hastings, Henderson, Kent, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque—22.

The nays were—Senators Davis of Clinton, Duncombe, English, Gray, Green, Hammer, Lewis, Mann, Neal, Williams, Wilson of Jefferson—11.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent but not excused—Udell.

On motion of Mr. McPherson, Senate File No. 108, a bill for an act to grant to the City of Dubuque, title to certain lands, was taken up.

The question being on concurring in the House amendments to the same; the yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—32.

The nays were—Senator English—1.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey, Rankin. Absent, but not excused—Angle.

Message from the House.

Mr. President:—I am directed to inform the Senate that the House has passed Senate File No. 191, without amendment.

CHARLES ALDRICH, Chief Clerk.

On motion of Mr. McPherson, Substitute for Senate File No. 34, a bill for an act to amend chapter 43 of the Code of Iowa, of 1851, was taken up.

Mr. McPherson moved that the Senate concur in the House amendments to the same.

The yeas and nays on concurring were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—31.

The nays were—Senator English—1.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent but not excused—Reiner and Saunders.

The House amendments were concurred in.

Mr. Neal, from the Committee on Ways and Means, reported back Senate File No. 127, a bill for an act to require the County Judges of the several counties in this State, to levy taxes upon certain lands for the years 1857 and 1858.

On motion of Mr. Neal, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hammer, Hastings, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Williams, Wilson of Dubuque, Wilson of Jefferson—29.

The nays were—Senator Watson—1.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Henderson, Saunders and Udell.

So the bill was passed, and title agreed to.

On motion of Mr. Powers, Mr. Pattison of Marshall, was granted leave of absence, from and after 3 o'clock this afternoon.

Mr. Patterson, of Muscatine, offered the following resolution:

Resolved, By the Senate, the House concurring, That it is hereby made the duty of the Secretary of State, to furnish one copy of the "Revised Statutes" of Iowa to each member of the General Assembly, as soon as they are published; also, purchase and deliver one copy of the Iowa Digest (by Dillon) of the Supreme Court of this State, to each of said members; also, purchase one copy of said Digest, and forward it, with a copy of the "Revised Statutes," to the Library of each State of the Union.

Mr. Davis, of Clinton, moved to strike out all that part of the resolution relating to Dillon's Digest; which was not agreed to.

The question being on the adoption of the resolution, Mr. Davis, of Clinton, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bowen, Davis of Polk, Drummond, Duncombe, Hammer, Hastings, Henderson, Mann, Patterson of Muscatine, Pattison of Marshall, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Wilson of Dubuque —19.

The nays were—Senators Anderson, Davis of Clinton, English, Gray, Green, Kent, Lewis, Powers, Reiner, Williams, Wilson of Jefferson—11.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Angle, Brown, Neal and McPherson.

So the resolution was adopted.

Mr. Gray had leave to introduce Senate File No. 232, a bill for an act to amend an act entitled an act authorizing General Banking in the State of Iowa. Read the first and second time, and on motion of Mr. Drummond, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Polk, Drummond, Duncombe, Gray, Green, Hammer, Hastings, Henderson, Kent, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Saunders, Scott, Thompson, Trumbull, Taylor, Udell, Wilson of Dubuque—24.

The nays were—Senators English, Mann, Reiner, Sherradden, Watson, Williams, Wilson of Jefferson—7.

Excused—Messrs. Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Messrs. Davis of Clinton, Lewis and McPherson.

The bill was passed, and title agreed to.

Message from the House.

Mr. President:—I am directed to inform the Senate that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 387, "a bill for an act in relation to injunctions sought and defences set up, on account of usury."

House File No. 340, a bill for an act to repeal chapter 43 of the acts of the First General Assembly.

House File No. 320, a bill for an act to insure a more speedy publication of the Laws and Journals of the Legislature.

CHARLES ALDRICH, Chief Clerk.

Mr. Drummond offered the following resolution, which was adopted:

Resolved, By the Senate, That the accounts of Jas. W. Woods, for services in going to Fort Dodge and attending to the case of The State of Iowa *vs* Snell Butterworth, *et. al.*, in March, 1857, be referred to the Committee on Claims.

Mr. Neal moved to reconsider the vote by which Senate File No. 127, a bill for an act to require the Co. Judges of the several counties in this State, to levy taxes upon certain lands for the years 1857 and 1858, was passed; which motion prevailed.

On motion of Mr. Wilson, of Dubuque, the bill was laid on the table.

On motion of Mr. Wilson, of Dubuque, House File No. 353, a bill for an act relating to evidence, was taken up.

Mr. Wilson, of Dubuque, moved a call of the House, which was sustained, and ordered.

Mr. McPherson was found to be absent, but not excused.

Mr. Bowen moved to send the Sergeant-at-Arms for the absentee; which was not agreed to.

On motion of Mr. Wilson, of Dubuque, further proceedings under the call were dispensed with.

On motion of Mr. Wilson, of Dubuque, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Kent, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Trumbull, Taylor, Watson, Wilson of Dubuque—26.

The nays were—Senator Davis of Clinton, Lewis, Scott, Thompson, Williams, Wilson of Jefferson—6.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Brown and Udell.

The bill was passed, and title agreed to.

Message from the House.

Mr. President:—I am directed to inform the Senate that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 393, a bill for an act to abolish the salary of Clerk of the District Court, and to compensate for his services by fees.

House File No. 392, a bill for an act to provide for the election of Recorder, and for prescribing his powers and duties, and defining his fees, and the compensation of other county officers, in certain cases.

House File No. 394, a bill for an act defining the duties of Co. Treasurers, in certain cases, and defining the manner in which they shall be paid for their services.

I also return Senate File No. 124, the same having passed the House without amendment.

CHARLES ALDRICH, Chief Clerk.

On motion of Mr. Davis, of Polk, House File No. 117, a bill for an act to pay a certain reward heretofore offered by the Governor of the State of Iowa, was taken up.

Mr. Davis, of Polk, moved to strike out the words "five hundred dollars," in section one, and insert the words "one hundred and fifty;" which motion prevailed.

On motion of Mr. Davis, of Polk, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, McPherson, Pattison of Marshall, Powers, Reiner, Scott, Thompson, Trumbull, Watson, Williams, Wilson of Dubuque—25.

The nays were—Senators English, Mann, Neal, Patterson of Muscatine, Saunders, Taylor, Udell, Wilson of Jefferson—8.

Excused—Messrs. Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Mr. Sherradden.

The bill not receiving the constitutional majority, as required in such cases, was lost.

On motion of Mr. Duncombe, House File No. 377, a bill for an act conferring certain powers on the Board of Commissioners appointed for the purpose of ascertaining the liabilities of the Des

Moines River Improvement, and for other purposes, was taken up, read the first and second time, and on motion of Mr. Udell, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Kent, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Reiner, Sherradden, Scott, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—29.

The nays were—Senator Mann—1.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Lewis, Powers, Saunders and Thompson.

So the bill was passed and title agreed to.

The President laid before the Senate the following communication from the Governor:

EXECUTIVE OFFICE, IOWA,
April 2d, 1860.

Gentlemen of the Senate:

An act providing for the election of, and defining the duties of Supreme Court Reporter, does not contain any enacting clause, without which it would not, in my opinion, be of any effect. I, therefore, return it to you for further consideration.

SAMUEL J. KIRKWOOD.

On motion of Mr. Wilson of Jefferson the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Drummond, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Kent, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—32.

The nays were—None.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent but not excused—Davis of Polk and Lewis.

So the bill was passed and title agreed to.

The President laid before the Senate the following communication:

Hon. N. J. Rusch, President of Senate:

The undersigned, a committee upon the part of the ladies of Des Moines, in response to your resolution, communicated to us by the Secretary of State, hereby tender to the Hon. members of the Senate, an invitation to meet us in the offices on the second floor of the Capitol, at 11 o'clock, P. M., where they will take pleasure in entertaining you with a supper.

MRS. T. K. BROOKS,
MRS. JOHN W. JONES, } Committee.
MRS. A. HOOKER,

Mr. Watson, from the special committee to which was referred Senate File No. 31, a bill for an act entitled an act for the re-location of County Seats; also, Senate File No. 36, a bill for an act to provide for the re-location of County Seats, reported a substitute for the same, and recommended its adoption and passage.

Message from the House:

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

House File No. 308, a bill for an act to provide for repairs upon the Capitol building.

House File No. 397, a bill for an act to repeal sections 50, 51 and 52 of chapter 152 of the acts of the 7th General Assembly.

I am also directed to return the following Senate bill, the same having passed the House without amendment. Senate File No. 232.

I am also directed to inform the Senate that the House has adopted the concurrent resolution of the Senate in relation to the distribution of Dillon's Digest and the new Code, with the following amendment, in which the concurrence of the Senate is asked.

After the words General Assembly, insert the following: "and the Clerks of the Senate and House of Representatives."

CHAS. ALDRICH, Chief Clerk.

Mr. Powers moved that the Senate concur in the House amendment to said resolution, which motion prevailed.

The substitute for Senate File No. 31 was adopted.

Mr. Angle moved to amend section 2 by striking out the words

"two years," and inserting the words "five years," which was not agreed to.

Mr. Powers moved to strike out the words "two years," and insert the words "three years," which motion prevailed.

On motion of Mr. Wilson, of Jefferson, all of section 1 after the enacting clause, was stricken out.

Message from the House:

MR. PRESIDENT:—I herewith return to the Senate Senate File No. 233, the same having passed the House without amendment.

I am also directed to inform the Senate that the House has passed the following bill, in which the concurrence of the Senate is asked.

House File No. 315, a bill for an act authorizing the Governor to offer rewards for the arrest and delivery of persons charged with the commission of capital crimes.

CHAS. ALDRICH, Chief Clerk.

Mr. Udell moved to lay the whole subject on the table. Lost.

Mr. Wilson, of Dubuque, moved to refer the bill and substitute to a select commmittee of three, of which Mr. Drummond shall be Chairman. Carried.

The President appointed as said committee, Drummond, Hammer and Angle.

Mr. Thompson submitted the following report:

The Committee on the Judiciary, to whom was referred substitute for House File 367, an act to provide for the canvassing of votes in Senatorial and Representative Districts, instruct me to report the same back, with the accompanying substitute, and recommend the adoption of the substitute, and that it pass.

JNO. W. THOMPSON, Chairman.

Substitute adopted.

On motion of Mr. Powers, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque—31.

The nays were—None.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Saunders, Udell and Wilson of Jefferson.

So the bill was passed and title agreed to.

On motion of Mr. Wilson of Dubuque, House File No. 237, a bill for an act to rebate taxes assessed and levied upon property destroyed by fire, or other casualties, was taken from the table and considered.

Mr. Wilson of Dubuque, moved to strike out of section 1, the words, "or other casualties;" which motion prevailed.

Mr. Powers moved to amend section 1, by adding the following proviso:

Provided, That there shall be no rebatement when the property is insured to the amount of two-thirds of its value, and when it is partially insured, that the rebatement shall be only two-thirds of the amount for which it is not insured; which was adopted.

On motion of Mr. Wilson, of Dubuque, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Gray, Green, Hammer, Henderson, Kent, Mann, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque—27.

The nays were—Senators English, Hastings, Thompson, Udell, Wilson of Jefferson—5.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Anderson, and Lewis.

So the bill was passed and title agreed to.

On motion of Mr. Davis of Polk, House File No. 372, a bill for an act to provide for the publication of certain laws in certain German newspapers, was taken up, read the first and second time, and considered.

On motion of Mr. Udell, Senate adjourned.

---

2 O'CLOCK, P. M.

Senate met pursuant to adjournment.

The question being on the passage of House File No. 372, a bill for an act to provide for the publication of certain laws in certain German newspapers, Mr. Udell moved to suspend the 11th Rule, have the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Hammer, Hastings, Henderson, Kent, Lewis, McPherson, Neal, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Thompson, Trumbull, Watson, Williams, Wilson of Dubuque—26.

The nays were—Senators Mann, Taylor, Wilson of Jefferson—3.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent but not excused—Brown, Gray, Green, Scott and Udell.

So the bill was passed, and title agreed to.

On motion of Mr. Udell, House substitute for House Files Nos. 76 and 191, a bill for an act to amend an act entitled an act to provide for taking up water crafts found adrift, lost goods, and estray animals, approved January 24th, 1858.

Mr. Drummond moved the reference of the bill to a select committee of three, of which Mr. Wilson of Dubuque, shall be Chairman, and with instructions to report in two hours, which motion prevailed.

The President appointed as said committee—Wilson of Dubuque, Drummond and Duncombe.

Mr. Davis, of Polk, had leave to introduce Senate File No. 234, a bill for an act providing for the taking effect of Senate File No. 6, a bill for an act to provide for the appraisement of property sold under execution, on its publication.

Read the first and second time, and on motion of Mr. Davis of Polk, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Patterson of Muscatine, Pattison of Marshall, Powers, Reiner, Sherradden, Trumbull, Udell, Watson, Wilson of Dubuque—22.

The nays were—Senators English, Gray, Green, Thompson, Taylor, Williams, Wilson of Jefferson—7.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent but not excused—Angle, Brown, Neal, Saunders, Scott.

Mr. Thompson submitted the following report:

The Committee on the Judiciary, to whom was referred Senate File No. 228, "an act in relation to delinquent taxes," instruct me to report the same back; that they have had the same under consideration, and recommend that it do not pass; Taylor and Wilson of Dubuque, dissenting.

JNO. W. THOMPSON, Chairman.

On motion of Mr. Bowen, the report was laid on the table, and bill considered.

Mr. Davis of Clinton, moved to amend section 1, by striking out the words "first day of October," and inserting "4th day of July; which motion prevailed.

On motion of Mr. Duncombe, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, Green, Hammer, Mann, McPherson, Neal, Patterson of Muscatine, Reiner, Trumbull, Taylor, Wilson of Dubuque—16.

The nays were—Senators Angle, Drummond, English, Gray, Henderson, Kent, Lewis, Pattison of Marshall, Sherradden, Scott, Thompson, Watson, Williams, Wilson of Jefferson—14.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Hastings and Saunders.

The bill not having received a constitutional majority, was lost.

On motion of Mr. Udell, House File No. 356, a bill for an act to amend an act entitled an act to amend an act entitled an act to provide a system of Common Schools, was taken up and read the first and second time.

Mr. Lewis moved the indefinite postponement of the bill, upon which question Mr. Bowen demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Duncombe, Hammer, Kent, Lewis, Neal, Sherradden, Williams—8.

The nays were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, English, Gray, Green, Hastings, Henderson, Mann, McPherson, Patterson of Muscatine, Powers, Reiner, Saunders, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Wilson of Dubuque, Wilson of Jefferson—26.

Excused—Messrs. Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey and Rankin.

The motion to indefinitely postpone was lost.

Message from the House.

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

House File No. 398, a bill for an act making appropriations for the per diem of the members and officers of the Eighth General Assembly, and for other purposes.

CHARLES ALDRICH, Chief Clerk.

Mr. Bowen moved to amend section 30, subdivision 13, by cutting off the pay of School Teachers after "expulsion." Carried.

Sub-division 18, by giving the Board of Directors power to receive a part of the school house fund in labor and materials. Carried.

Section 36, to conform it to the last amendment. Carried.

Message from the House.

MR. PRESIDENT:—I am directed to return to the Senate, Senate File No. 234, the same having passed the House without amendment.

CHAS. ALDRICH, Chief Clerk.

On motion of Mr. Udell, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Gray, Green, Hammer, Hastings, Henderson, McPherson, Neal, Patterson of Muscatine, Reiner, Saunders, Scott, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—24.

The nays were—Senators Duncombe, English, Kent, Lewis, Mann, Powers, Sherradden, Watson—8.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey and Rankin. Absent but not excused—Thompson.

The bill was passed and title agreed to.

On motion of Mr. Powers, House File No. 253, a bill for an act providing greater safety for books, papers and records belonging to the State, were taken up, read the first and second times, and on motion of Mr. Powers, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Polk, English, Gray, Hammer, Hastings, Henderson, McPherson, Patterson of Muscatine, Powers, Reiner, Saunders, Sherradden, Scott, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—22.

The nays were—Senators Davis of Clinton, Drummond, Duncombe, Green, Kent, Lewis, Mann, Neal—8.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey and Rankin.

Absent, but not excused—Angle, Thompson and Udell.

The bill was passed and title agreed to.

On motion of Mr. Saunders, general appropriation bill was taken up, read the first and second time, and on motion of Mr. Davis, of Polk, was referred to the Committee on Ways and Means.

On motion of Mr. Wilson, of Jefferson, House File No. 357, a bill for an act to provide for a meeting of the Board of Education, was taken up. Read the first and second time.

Mr. English moved to strike out 1860, in section 1, and insert 1862.

Mr. Mann moved to amend, by inserting 1861. Lost.

The question being on striking out 1860, and inserting 1862, it was lost.

On motion of Mr. Wilson, of Jefferson, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Gray, Hastings, Henderson, Kent, McPherson, Powers, Reiner, Saunders, Scott, Trumbull, Taylor, Watson, Wilson of Dubuque, Wilson of Jefferson—19.

The nays were—Senators Angle, Drummond, Duncombe, English, Green, Hammer, Lewis, Mann, Neal, Patterson of Muscatine, Pattison of Marshall, Sherradden, Udell.—13.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Ha-

gans, Johnson, Pusey and Rankin. Absent, but not excused—Thompson and Williams.

The bill not receiving a constitutional majority, was lost.

Message from the House:

MR. PRESIDENT:—I herewith present for your signature the following bills, the same having passed both branches of the General Assembly, and been duly enrolled in the House:

House File No. 290, a bill for an act appropriating the Saline Lands and Funds, to the State University of Iowa.

House File No. 225, an act legalizing certain bonds issued by the city of Camanche.

House File No. 298, a bill for an act requiring trustees, managers, commissioners, and inspectors of public buildings, improvements, and institutions, to take and subscribe an oath, and punishing a violation of the same.

House File No. 355, a bill for an act to legalize the acts of the City Council of the city of Fort Madison, Lee county, in vacating Oriental Street, and to confirm the title of said street to the State of Iowa.

CHARLES ALDRICH, Chief Clerk.

Mr. Wilson of Jefferson, moved to reconsider the vote by which the Senate passed House File No. 356, a bill for an act to amend an act entitled an act to amend an act entitled an act to provide a system of Common Schools; which motion prevailed.

On motion of Mr. Hammer, the bill was indefinitely postponed.

Mr. Brown offered the following resolution:

Resolved, That the per diem of the officers of the Senate for the present session, shall be as follows:

Secretary of the Senate	$5 00
Assistant Secretary of the Senate	4 00
Enrolling Clerk	3 00
Engrossing Clerk	3 00
Door-Keeper	3 00
Sergeant at-Arms	3 00
Messengers and Paper-Folders	2 00

Mr. Bowen moved to amend the resolution by allowing Willis Connard the sum of $2 50 per day; which was carried.

Mr. Powers moved to amend the resolution by giving the Assistant Secretary the same as the Secretary receives; upon which

question, Mr. Davis, of Clinton, called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bowen, Brown, Davis of Polk, Drummond, Gray, Green, Hammer, Hastings, Henderson, Lewis, McPherson, Neal, Powers, Reiner, Saunders, Sherradden, Trumbull, Udell, Watson, Wilson of Jefferson—20.

The nays were—Senators Davis of Clinton, Duncombe, Kent, Patterson of Muscatine, Taylor, Williams, and Wilson of Dubuque—7.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey, Pattison of Marshall, and Rankin. Absent but not excused—Anderson, Angle, English, Mann, Scott, Thompson.

The motion prevailed.

Message from the House.

Mr. President:—I herewith present for your signature the following bills, the same having passed both Houses of the General Assembly, and been duly enrolled by the House:

House File No. 230, a bill for an act relating to the publication of ordinances, and other acts of city governments.

House File No. 151, a bill for an act to amend an act to provide for levying a tax on certain lands, to complete and keep in repair a Levee on Muscatine Island, and for the election of a Levee Commissioner to superintend the same.

House File No. 358, a bill for an act to amend an act entitled an act to amend an act entitled an act to provide a system of Common Schools.

House File No. 306, a bill for an act to render valid certain sales made and rights acquired under execution.

House File No. 352, a bill for an act providing for auditing accounts, and for publishing laws in newspapers.

Substitute for House File No. 347, a bill for an act providing for the payment of expenses incurred by the Attorney General, in the case of The State of Iowa *vs* Wm. Tighlman, *et. al.*

House File No. 371, a bill for an act to provide for a levy of tax for State purposes, for the year 1860.

House File No. 368, Joint Resolution for the election of Trustees of the State Agricultural College and Farm.

House File No. 385, Joint Resolution for additional mail facilities.

House File No. 311, Memorial and Joint Resolution praying for addditional mail facilities.

House File No. 388, a bill for an act providing for the publication of certain laws.

House File No. 99, Memorial and Joint Resolution asking for a grant of land to aid in the construction of a Railroad, as herein set forth.

House File No. 383, Joint Resolution asking additional mail facilities.

CHARLES ALDRICH, Chief Clerk.

Message from the House.

MR. PRESIDENT:—I herewith return Senate Substitute for H. F. No. 367, the same having passed the House without amendment.

I am directed to inform the Senate that the House has concurred in the Senate's amendments to House File No. 237.

I am also directed to inform the Senate that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 399, a bill for an act requiring the Clerk of the Board of Supervisors to give an official bond.

CHARLES ALDRICH, Chief Clerk.

Mr. Sherradden, from the Committee on Enrolled Bills, reported the following acts correctly enrolled:

Substitute for Senate File No. 159, an act to carry into effect the provisions of chapter 21 of the acts of the 7th General Assembly.

Senate File No. 96, an act to amend an act in relation to Swamp Lands.

Senate File No. 226, an act providing for the payment of the indebtedness of the Iowa Penitentiary.

Senate File No. 202, an act to authorize the County Judge of Polk county to appropriate the proceeds of Swamp Lands to building Court House.

Senate File No. 212, Joint Resolution for mail facilities.

Senate File No. 227, an act making appropriation for the Penitentiary.

Senate File No. 124, an act requiring banking corporations to make quarterly statements.

Senate File No. 234, an act providing for taking effect of a certain law.

Senate File No. 108, an act to grant to the city of Dubuque title to certain lands.

Senate File No. 34, an act to amend chapter 43 of the Code.

Senate File No. 191, an act to authorize the Register of the State Land Office to convey the title and issue patents for certain lands.

Message from the House.

MR. PRESIDENT:—I am directed to inform your honorable body, that the House has passed Senate Files Nos. 231 and 225, without amendment.

CHARLES ALDRICH, Chief Clerk.

On motion of Mr. Drummond, the resolution was laid on the table, for the consideration of House File No. 344, a bill for an act making a further appropriation for the Blind Asylum, at Vinton.

The bill was read the first and second time, and on motion of Mr. Powers, the bill was read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hammer, Hastings, Henderson, Lewis, McPherson, Pattison of Marshall, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Wilson of Jefferson—22.

The nays were—Senators Duncombe, English, Gray, Green, Kent, Neal, Patterson of Muscatine, Taylor, Udell, Williams, Wilson of Dubuque—11.

Excused—Messrs. Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey and Rankin. Absent, but not excused—Mr. Mann.

The bill was passed and title agreed to.

On motion of Mr. Drummond, the resolution offered by Mr. Brown, relating to the pay of the officers of the Senate, was taken from the table.

Mr. Angle moved to so amend the resolution, as to pay the Enrolling Clerk $3 50 per day.

Mr. Trumbull moved to amend the amendment by striking out "$3 50," and inserting "$4 00;" upon which question Mr. Neal demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bowen, Brown, Davis of Polk, Drummond, English, Gray, Hammer, Henderson, Saunders, Sherradden,

Thompson, Trumbull, Wilson of Dubuque, Wilson of Jeff.—14.

The nays were—Senators Anderson, Angle, Davis of Clinton, Duncombe, Green, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Reiner, Scott, Taylor, Udell, Watson, Williams—17.

Excused—Messrs. Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey and Rankin. Absent, but not excused—Messrs. Hastings and Powers.

The motion was lost.

The question being on the motion to strike out $3 00, and insert $3 50, Mr. Davis, of Clinton, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Polk, Drummond, English, Gray, Green, Hammer, Hastings, Henderson, Mann, McPherson, Patterson of Muscatine, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Wilson of Dubuque, Wilson of Jefferson—24.

The nays were—Senators Davis of Clinton, Duncombe, Kent, Lewis, Neal, Taylor, Udell, Watson, Williams—10.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey, Pattison of Marshall, and Rankin.

The motion prevailed.

Mr. McPherson moved to strike out $3 00, and insert $3 50, as the per diem of the Engrossing Clerk; upon which question Mr. Duncombe demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bowen, Brown, Davis of Polk, Drummond, Hastings, Henderson, McPherson, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Udell, Watson, Wilson of Jefferson—17.

The nays were—Senators Anderson, Angle, Davis of Clinton, Duncombe, Gray, Green, Hammer, Kent, Lewis, Mann, Neal, Patterson of Muscatine, Taylor, Williams—14.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pusey, Pattison of Marshall and Rankin. Absent, but not excused—English, and Wilson of Dubuque.

The motion prevailed.

Mr. Reiner moved to amend the resolution by adding the Fireman, at the per diem of $3 00; which motion prevailed.

The question being on the adoption of the resolution as amended, Mr. Taylor called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Polk, Drummond, Gray, Hastings, Henderson, Lewis, McPherson, Patterson of Muscatine, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Wilson of Jefferson—21.

The nays were—Senators Davis of Clinton, Duncombe, Green, Hammer, Kent, Mann, Neal, Taylor, Udell, Williams, Wilson of Dubuque—11.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey and Rankin. Absent, but not excused—Mr. English.

Message from the House.

Mr. President:—I am directed to inform the Senate that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 400, an act to cede jurisdiction over certain lots the property of the United States, in the City of Dubuque.

I am also directed to return Senate File No. 230, the same having passed the House without amendment.

CHAS. ALDRICH, Chief Clerk.

Mr. Saunders from the Committee on Ways and Means, reported back Senate File No. 222, a bill for an act providing for the revision of the laws of this session of the Legislature into the revision of 1860, with sundry amendments, and recommended the adoption of the amendments, and passage of the bill as amended.

Amendments concurred in.

On motion of Mr. Saunders, the 11th Rule was suspended, the bill read the third time, and put upon its final passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Polk, Drummond, Duncombe, English, Green, Hammer, Hastings, Henderson, Kent, Lewis, McPherson, Patterson of Muscatine, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—27.

The nays were—Senators Davis of Clinton, Neal, Taylor, Udell—4.

Excused—Messrs. Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey, Pattison of Marshall and Rankin. Absent but not excused—Messrs. Gray and Mann.

The bill was passed, and title agreed to.

Mr. Drummond, from the special committee, to whom was referred House File No. 324, a bill for an act to amend an act entitled an act to provide for taking up water crafts found adrift, lost goods, and estray animals, approved January 24th, 1858, reported the same back with sundry amendments, and recommended the adoption of the amendments, and the passage of the bill as amended. Report concurred in.

On motion of Mr. Duncombe, the 11th Rule was suspended, the bill read the third time and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Bowen, Davis of Clinton, Drummond, Duncombe, Kent, Lewis, McPherson, Neal, Patterson of Muscatine, Powers, Reiner, Sherradden, Scott, Thompson, Taylor, Udell, Watson, Williams—18.

The nays were—Senators Anderson, Angle, Davis of Polk, English, Gray, Green, Hammer, Hastings, Henderson, Mann, Saunders, Trumbull, Wilson of Dubuque, Wilson of Jefferson—14.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey, Pattison of Marshall, and Rankin. Absent but not excused—Brown.

The bill not receiving a constitutional majority, was lost.

Message from the House.

Mr. President:—I am directed to inform the Senate that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 314, an act in relation to dogs.

I am also directed to return Senate File No. 35, the same having passed the House without amendment.

CHARLES ALDRICH, Chief Clerk.

Mr. Angle reported back, without amendment, the bill of James W. Woods, for expenses and services as Attorney General.

Mr. Powers moved to lay the matter on the table. Lost.

On motion of Mr. Duncombe, the bill was referred to a special committee of three.

The President appointed as said committee, Duncombe, Wilson, of Dubuque, and Watson.

5½ o'clock, P. M.

On motion of Mr. Wilson, of Jefferson, the Senate went into Executive Session on a Communication from the Governor.

5¾ o'clock, A. M.

Senate came out of Executive Session.

On motion of Mr. Anderson, House substitute for Senate File No. 69, a bill for an act to amend chapter 188 of the acts of the 6th General Assembly, was taken up.

Mr. Anderson moved an additional section to the bill providing for the distribution of the reports, which was adopted.

On motion of Mr. Anderson, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Gray, Green, Hammer, Hastings, Henderson, Kent, Mann, McPherson, Neal, Patterson of Muscatine, Powers, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—28.

The nays were—Senators English, Lewis, Udell—3.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pusey, Pattison of Marshall, and Rankin. Absent, but not excused—Duncombe and Reiner.

The bill was passed and title agreed to.

Mr. Saunders, from the Committee on Ways and Means, reported back House File No. 398, a bill for an act making appropriation for the per diem of members and officers of the 8th General Assembly, and for other purposes, with sundry amendments.

Mr. Saunders moved to strike out "sixty dollars," and insert "forty dollars" as the services of Edward Zitschke for translating the Governors's Message, which motion prevailed.

Mr. Gray moved to concur in the amendments of the committee; upon which question, Mr. Davis, of Clinton, demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Polk, Gray, Green, Henderson, McPherson, Patterson of Muscatine, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Udell, Watson, Wilson of Jefferson—19.

The nays were—Senators Davis of Clinton, Drummond, English,

Hammer, Hastings, Kent, Lewis, Mann, Neal, Powers, Taylor, Williams, Wilson of Dubuque—13.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pusey, Pattison of Marshall, and Rankin. Absent but not excused—Duncombe.

The motion to concur prevailed.

Mr. Patterson, of Muscatine, moved to amend the bill by inserting the following items:

To Mr. Udell.....$19 35
To Mr. Bowen..... 14 00

Which motion prevailed.

Mr. Gray moved to amend the bill by increasing the per diem of the mail carrier, to $2 50, which was concurred in.

On motion of Mr. Saunders, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Polk, English, Gray, Green, Henderson, Lewis, Mann, McPherson, Patterson of Muscatine, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Udell, Watson, Wilson of Dubuque, Wilson of Jefferson—24.

The nays were—Senators Davis of Clinton, Drummond, Hammer, Hastings, Kent, Neal, Taylor—7.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pusey, Pattison of Marshall and Rankin. Absent, but not excused—Duncombe and Williams.

On motion of Mr. Angle, Senate adjourned.

7½ O'CLOCK, P. M.

Senate met pursuant to adjournment.

The President being absent, the Secretary called the Senate to order.

The election of a President pro tem, being in order, Mr. Scott nominated Mr. Wilson, of Jefferson; Mr. Taylor nominated Mr. Wilson of Dubuque.

Those voting for Mr. Wilson of Jefferson, were—Anderson, Bowen, Davis of Clinton, Davis of Polk, Hastings, Henderson,

Kent, Lewis, McPherson, Powers, Reiner, Saunders, Sherradden, Scott and Wilson of Dubuque—15.

Those voting for Mr. Wilson of Dubuque, were—Duncombe, Gray, Green, Hammer, Mann, Neal, Patterson of Muscatine, Taylor, Udell, Williams and Wilson of Jefferson—11.

Mr. Wilson, of Jefferson, having received the majority of all the votes cast, was declared duly elected President pro tem.

Mr. Duncombe, from the special committee to whom was retered the matter of allowing James W. Woods, for services rendered in the case of State of Iowa, *ex rel.*, Attorney General *vs* Tiglman Snell, *et. al.* beg leave to report the following bill, and recommend its passage:

The bill was read the first and second time.

Mr. Powers moved to amend section 1, by striking out "fifty dollars," and inserting "five dollars;" which motion was lost.

On motion of Mr. Duncombe, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Davis of Polk, Duncombe, Gray, Green, Hammer, Hastings, Henderson, Kent, Mann, McPherson, Neal, Patterson of Muscatine, Saunders, Sherradden, Taylor, Udell, Williams, Wilson of Dubuque—20.

The nays were—Senators Davis of Clinton, Lewis, Powers, Scott, Watson, Wilson of Jefferson—7.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey and Rankin. Absent, but not excused—Angle, Brown, Drummond, Reiner, Thompson and Trumbull.

The bill not receiving a constitutional majority, was lost.

The Committee on Enrolled Bills, have presented to his Excellency, the Governor, for his approval, the following acts:

Senate File 219, Joint Resolution for mail facilities.

Senate File 224, an act conforming existing laws to the change made in the county government.

Senate File 221, an act to provide for the allotment of terms of Senators.

Senate File 210, an act to amend chapter 160, of the acts of the 7th General Assembly.

Senate File 24, an act to enforce the collection of delinquent taxes for the year 1858.

Senate File 159, an act to carry into effect the provisions of chapter twenty-one, of the acts of the 7th General Assembly.

Senate File 227, an act making an appropriation for the Penitentiary.

Senate File 212, Joint Resolution for mail facilities.

Senate File 202, an act in relation to swamp lands in Polk county.

Senate File 226, an act to provide for paying the indebtedness of the Penitentiary.

Senate File 96, an act to prevent trespass on swamp and other lands in the State of Iowa.

O. P. SHERRADDEN, Ch'm.

Mr. Kent offered the following resolution, which was adopted:

Resolved, That William Duane Wilson, Secretary of the State Agricultural College, for his diligence in the collection, and his impartiality in distributing seeds and plants through the members, for cultivation and trial, deserves, and is hereby tendered the thanks of the Senate.

Mr. Powers, from the Committee on Ways and Means, reported Senate File No. 236, a bill for an act relating to State Binding. Read the first and second time, and on motion of Mr. Powers, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Davis of Polk, Duncombe, Gray, Green, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Powers, Reiner, Saunders, Sherradden, Scott, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—23.

The nays were—None.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey and Rankin. Absent, but not excused—Angle, Brown, Davis of Clinton, Drummond, Hammer, English, Thompson, Trumbull, Taylor and Udell.

The bill was passed and title agreed to.

On motion of Mr. Wilson of Dubuque, House File No. 400, a bill for an act to cede jurisdiction over certain lots, the property of the United States, in the city of Dubuque, was taken up, read the first and second time, and on motion of Mr. Wilson of Du-

buque, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Reiner, Sherradden, Scott, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque—26.

The nays were—Senators Powers, Saunders, Wilson of Jefferson—3.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey and Rankin. Absent, but not excused—Angle, Brown, Drummond and Thompson.

The bill was passed, and title agreed to.

On motion of Mr. Duncombe, House File No. 334, a bill for an act regulating and authorizing the sale of Swamp Lands, and disposing of the proceeds thereof, was taken up. Read the first and second time.

Mr. Duncombe moved to strike out section 1, which motion prevailed.

On motion of Mr. Duncombe, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Brown, Davis of Clinton, Davis of Polk, Duncombe, Gray Green, Hammer, Hastings, Henderson, Kent, McPherson, Neal, Patterson of Muscatine, Scott, Trumbull, Taylor, Udell, Watson, Williams—20.

The nays were—Senators Bowen, English, Lewis, Mann, Powers, Reiner, Sherradden, Wilson of Jefferson—8.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey and Rankin. Absent, but not excused—Angle, Drummond, Saunders, Thompson, and Wilson of Dubuque.

The bill not receiving a constitutional majority, was lost.

Message from the House:

Mr. President:—I am directed to inform the Senate, that the House has concurred in the Senate's amendments to House File No. 398, and that the House has further amended the bill, as follows: "For paying further postage for this General Assembly, two hundred dollars, or so much thereof as may be necessary; and

for payment of John Watson, four days services as fireman, before the commencement of the session, twelve dollars."

CHAS. ALDRICH, Chief Clerk.

The question being on concurring in the House amendments to said bill, the yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Patterson of Muscatine, Powers, Reiner, Saunders, Sherradden, Scott, Trumbull, Udell, Watson, Wilson of Dubuque, Wilson of Jefferson—27.

The nays were—Senators Neal, Taylor, Williams—3.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey and Rankin. Absent, but not excused—Angle, Drummond and Thompson.

Amendments concurred in.

On motion of Mr. Brown, House File No. 250, a bill for an act providing for the printing of the revision of 1860, was taken up. Read the first and second time.

Mr. Davis, of Polk, offered, as a substitute for the bill, a bill for an act providing for printing the laws of the State of Iowa, as revised and enacted by the present session of the General Assembly.

Mr. Udell moved to lay the substitute on the table; upon which question Mr. Williams called the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bowen, Brown, Duncombe, English, Gray, Green, Hammer, Hastings, Mann, Neal, Patterson of Muscatine, Scott, Trumbull, Taylor, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson—18.

The nays were—Senators Anderson, Angle, Davis of Clinton, Davis of Polk, Henderson, Kent, Lewis, McPherson, Powers, Reiner, Saunders, Sherradden, Thompson—13.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey and Rankin. Absent, but not excused—Drummond and Watson.

The motion to table prevailed.

Mr. Bowen moved to add to section 2, the following words: "Exclusive of printing material;" which motion prevailed.

Mr. Thompson moved to amend the bill as follows: Strike out after "copy," in 3d line, of section 3, and the 4th, 5th and 6th line, in section 3, and insert "three thousand copies of said vol-

ume shall be delivered to the Secretary within six months;" and after the word "same," in 11th line, of section 3, insert "the remaining copies of said volume contracted for, shall be delivered to the Secretary within six months from and after the termination of the six months herein provided; which motion was not concurred in.

Mr. Davis of Clinton, moved to amend the bill as follows: *Provided*, That said Commissioners are hereby prohibited from letting the foregoing work to any person or persons who are not bona fide residents of the State.

The question being upon the adoption of the amendment, Mr. Davis of Clinton, demanded the yeas and nays, which were ordered and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Davis of Clinton, Davis of Polk, Drummond, Gray, Hastings, Henderson, Kent, Lewis, McPherson, Powers, Reiner, Sherradden, Scott, Thompson, Wilson of Dubuque, Wilson of Jefferson—19.

The nays were—Senators Brown, Duncombe, English, Green, Hammer, Mann, Neal, Patterson of Muscatine, Trumbull, Taylor, Udell, Williams—12.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Johnson, Hagans, Pattison of Marshall, Pusey and Rankin. Absent, but not excused—Saunders and Watson.

The amendment was adopted.

Mr. Davis of Polk, offered the following amendment to the bill: It shall be the duty of said Census Board to give notice for 30 days, of the letting of the contract, by publication in a newspaper published in Davenport, one in Keokuk, one in Dubuque, and one in Des Moines, and it shall further be the duty of the said Census Board, to let the contract to the lowest responsible bidder, who shall give security, to be approved by said Commissioners. And no party shall be allowed to make more than one bid.

Mr. Kent moved to lay the amendment on the table, upon which question, Mr. Williams demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Drummond, Duncombe, English, Gray, Green, Hastings, Henderson, Kent, Lewis, McPherson, Neal, Patterson of Muscatine, Reiner, Scott, Thompson, Trumbull, Taylor, Wilson of Jefferson—23.

The nays were—Senators Davis of Clinton, Davis of Polk, Ham-

mer, Powers, Saunders, Sherradden, Udell, Williams, Wilson of Dubuque—9.

Excused—Messrs. Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey and Rankin. Absent, but not excused—Mr. Watson.

The motion to table prevailed.

On motion of Mr. Wilson, of Dubuque, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Drummond, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Reiner, Saunders, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—30.

The nays were—Senators Davis of Polk, Sherradden—2.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey and Rankin. Absent, but not excused—Mr. Powers.

The bill was passed and title agreed to.

Message from the House.

Mr. President:—I herewith return to the Senate, Senate File No. 167, the same having passed the House without amendment.

Also, Senate File No. 222, the House having passed the same without amendment.

I also return Substitute for Senate File No. 69, the House having concurred in the Senate's amendments to the same.

I herewith return Senate Files Nos. 177 and 165, the same having passed the House without amendment.

CHARLES ALDRICH, Chief Clerk.

On motion of Mr. Neal, Senate File No. 127, a bill for an act to require the County Judges of the several counties in this State, to levy taxes upon certain lands for the years 1857 and 1858, was taken from the table and considered.

Mr. Neal moved to suspend the 11th Rule, have the bill read the third time, and put upon its passage; which motion prevailed.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Davis of Clinton, Drummond, Duncombe, Green, Hammer, Hastings, Kent, Lewis, Mann, McPherson, Neal, Powers, Reiner, Saunders, Sher-

radden, Scott, Taylor, Udell, Watson, Williams, Wilson of Jefferson—24.

The nays were—Senators Brown, Davis of Polk, English, Gray, Patterson of Muscatine, Trumbull, Wilson of Dubuque—7.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey, Pattison of Marshall and Rankin. Absent, but not excused—Henderson and Thompson.

The bill was passed, and title agreed to.

On motion of Mr. Wilson, of Dubuque, the vote was reconsidered, by which House File No. 324, substitute for House File No. 76 and 191, was lost.

On motion of Mr. Drummond, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hammer, Hastings, Kent, Lewis, Mann, McPherson, Neal, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Udell, Watson, Williams, Wilson of Dubuque—28.

The nays were—Senators Taylor, Wilson of Jefferson—2.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pusey, Pattisonof Marshall and Rankin. Absent, but not excused—Anderson, Henderson and Patterson of Muscatine.

The bill was passed, and title agreed to.

Mr. Bowen moved to reconsider the vote by which House File No. 304, a bill for an act to cure defective confessions of judgments in certain cases; upon which question, Mr. Drummond demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Anderson, Bowen, Davis of Polk, Drummond, Duncombe, Green, Hammer, Hastings, Kent, Mann, Neal, Patterson of Muscatine, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque—21.

The nays were—Senators Davis of Clinton, English, Gray, Lewis, McPherson, Powers, Udell, Williams, Wilson of Jefferson—9.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pattison, of Marshall, Pusey and Rankin. Absent, but not excused—Angle, Brown and Henderson.

So the motion to reconsider prevailed.

On motion of Mr. Wilson, of Dubuque, the 11th Rule was suspended, the bill read the third time and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Davis of Polk, Drummond, Green, Hammer, Henderson, Kent, Mann, Neal, Patterson of Muscatine, Reiner, Saunders, Sherradden, Scott, Thompson, Trumbull, Taylor, Watson, Wilson of Dubuque—21.

The nays were—Senators Brown, Davis of Clinton, Duncombe, English, Gray, Hastings, Lewis, McPherson, Powers, Udell, Williams, Wilson of Jefferson—12.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey, Pattison of Marshall, and Rankin.

The bill not receiving a constitutional majority, was lost.

Mr. Sherradden submitted the following report:

The Committee on Enrolled Bills have presented to his Excellency the Governor the following acts for his approval:

Substitute for House File 367, an act to adapt the laws for canvassing votes to the Supervisor system.

Senate File 234, an act in relation to taking effect of the appraisement law.

Senate File 108, an act to grant to the city of Dubuque the title to certain lands.

Senate File 34, an act to amend chapter forty-three of the Code.

Senate File 191, an act to authorize the Register of the State Land Office to convey titles to certain lands.

Senate File 124, an act requiring banking corporations to make quarterly statements.

Senate File 232, an act in relation to general banking.

Senate File 230, an act in relation to roads and highways.

Senate File 35, an act to legalize rail road bonds in Mitchell county.

Senate File 225, an act to submit a certain banking law to the people.

Senate File 215, an act relating to State Printing.

Senate File 231, an act making appointment of a Commissioner for the Insane Hospital.

O. P. SHERRADDEN, Ch'm.

Message from the House.

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

House File 270, substitute for House File No. 194, and House File No. 401.

I am also directed to inform the Senate that the House has passed Senate File No. 217, without amendment.

CHAS. ALDRICH, Chief Clerk.

On motion of Mr. Drummond, House File No. 315, a bill for an act authorizing the Governor to offer rewards for the arrest and delivery of persons charged with the commission of capital crimes, was taken up and considered.

On motion of Mr. Drummond, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Hastings, Henderson, Kent, Lewis, McPherson, Patterson of Muscatine, Reiner, Saunders, Sherradden, Scott, Thompson, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—24.

The nays were—Senators Duncombe, English, Gray, Green, Hammer, Neal, Trumbull, Taylor—8.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pusey, Pattison of Marshall, and Rankin. Absent, but not excused—Mr. Mann.

The bill was passed and title agreed to.

Mr. Trumbull, from the special committee, to which was referred House File No. 29, a bill for an act to regulate the interest on money, and punish usury, reported the same back, with a substitute, and recommended its adoption and passage.

Substitute adopted.

Mr. Patterson, of Muscatine, moved to lay the bill on the table, which motion prevailed.

On motion of Mr. Powers, House File No. 393, a bill for an act to abolish the salary of the Clerk of the District Court, and to compensate for his services by fees, was taken up, and read the first and second times.

Mr. Powers moved that the Senate disagree with the House substitute for Senate File No. 164.

Which motion prevailed.

Mr. Bowen moved to take up House File No. 389, a bill for an act to amend an act entitled an act passed by the Board of Education December 24th, 1859, entitled an act to amend an act entitled an act to provide a system of Common Schools; which motion prevailed, and bill read the first and second time.

On motion of Mr. Duncombe, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hammer, Henderson, Kent, Lewis, McPherson, Powers, Reiner, Sherradden, Scott, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—23.

The nays were—None.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey, Pattison of Marshall and Rankin. Absent, but not excused—Drummond, Hastings, Mann, Neal, Patterson of Muscatine, Saunders, Thompson, Trumbull, Taylor and Udell.

The bill was passed and title agreed to.

Message from the House:

Mr. President:—I am directed to inform the Senate that the House has passed the following bills, in which the concurrence of the Senate is asked:

House File No. 380, a bill for an act limiting the rate of interest upon delinquent taxes in municipal corporations.

House File No. 391, a bill for an act proposing an amendment to the eleventh section of the first article of the Constitution of the State of Iowa.

CHARLES ALDRICH, Chief Clerk.

Mr. Brown offered the following resolution:

Resolved, That the Secretary of State be and he is hereby authorized to furnish to the Clerks of the Insane Hospital and Penitentiary Investigating Committees, one copy each of the Supreme Court Reports, and of the Constitutional Debates; provided the same are in his possession, and not otherwise disposed of.

The question being on the adoption of resolution, Mr. ——— demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bowen, Brown, Davis of Polk, McPherson, Sherradden, Scott, Thompson, Trumbull, Watson—9.

The nays were—Senators Anderson, Angle, Davis of Clinton, Duncombe, Gray, Green, Henderson, Kent, Lewis, Neal, Patterson of Muscatine, Powers, Reiner, Taylor, Williams, Wilson of Dubuque, Wilson of Jefferson—17.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey, Pattison of Marshall and Rankin. Absent, but not excused—Drummond, English, Hammer, Hastings, Mann, Saunders and Udell.

The resolution was lost.

Message from the House:

MR. PRESIDENT:—I am directed to inform the Senate that the House has refused to concur in the amendments of the Senate to House File No. 324, which is herewith returned.

CHARLES ALDRICH, Chief Clerk.

On motion of Mr. Bowen, House File No. 270, a bill for an act to provide for the payment of School Fund Commissioners, in certain cases, was taken up, read the first and second time, and on motion of Mr. Davis, of Polk, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Davis of Clinton, Davis of Polk, Duncombe, Green, Hammer, Hastings, Henderson, Kent, Mann, McPherson, Neal, Patterson of Muscatine, Saunders, Scott, Thompson, Trumbull, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—24.

The nays were—Senators, Brown, English, Gray, Lewis, Powers, Sherradden—6.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey, Pattison of Marshall and Rankin. Absent, but not excused—Angle, Drummond and Reiner.

The bill was passed and title agreed to.

Message from the House.

MR. PRESIDENT:—I am directed to inform the Senate that the House has refused to concur in the Senate's amendments to House File No. 393, and asks a committee of conference; and that Messrs. Kellogg, Paulk and Harris have been appointed as such committee on the part of the House.

I am also directed to inform the Senate that the House has concurred in the Senate's amendments to Substitute for House File No. 369. CHAS. ALDRICH, Chief Clerk.

Mr. Anderson moved that the Senate recede from its amendments to House File No. 324, Substitute for House Files Nos. 76 and 191, a bill for an act to amend an act entitled an act to provide for taking up water crafts found adrift, lost goods and estray animals, approved January 24, 1858; which motion prevailed.

The question being on the passage of the bill, the yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Davis of Clinton, Davis of Polk, Hastings, Kent, Lewis, Neal, Saunders, Scott, Thompson, Trumbull, Udell, Watson, Williams—16.

The nays were—Senators Drummond, Duncombe, English, Gray, Green, Hammer, Henderson, Mann, McPherson, Patterson of Muscatine, Sherradden, Taylor, Wilson of Dubuque, Wilson of Jefferson—14.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey and Rankin. Absent, but not excused—Brown, Powers and Reiner.

The bill not receiving a constitutional majority, was lost.

On motion of Mr. McPherson, House File No. 396, a bill for an act to provide for the publication of certain laws in the Iowa State Register, and Iowa State Journal, was taken up, read the first and second time, and on motion of Mr. Hammer, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Davis of Polk, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Taylor, Udell, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—28.

The nays were—None.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pusey, Pattison of Marshall and Rankin. Absent, but not excused—Angle, Brown, Drummond, Davis of Clinton and Trumbull.

The bill was passed, and title agreed to.

Mr. Powers moved the appointment of a committee of conference to consider the disagreement between the Senate and House of Representatives, in relation to Senate File No. 164, a bill for an

act to regulate the compensation of Clerks of the District Court. Carried.

The President appointed as said committee, Messrs. Powers, Brown and Hammer.

On motion of Mr. Patterson, of Muscatine, the Senate took a recess till 12½ o'clock.

12½ o'clock.

Mr. Wilson, of Dubuque, offered the following resolution, which was adopted;

Resolved, That the thanks of the Senate be tendered to the Hon. N. J. Rusch, for the able, impartial and dignified manner in which he has presided over this body during this session of the General Assembly.

Mr. Anderson offered the following resolution, which was adopted:

Resolved, That the thanks of the Senate are due, and are hereby tendered to our worthy Secretary, assistant and other officers of the Senate, who have so impartially and faithfully discharged their several duties during the session of the present General Assembly.

Mr. Bowen presented the following protest:

Protest of Jesse Bowen, Senator from Johnson county, to the Minority Report of the Committee on Schools and University:

On the — of February, I made a report from the Committee on Schools and University, asking an appropriation for the University. That report was made without the names of the committee being signed to it. When the report was made, the Senate ordered it to be printed, and when the Secretary was about to hand the report to the printer, he came to my desk, when I was busily engaged, and enquired of me if there was any objection to the report. I, in the midst of the engagements that then occupied my attention, and without recollecting that the Senator from Alamakee was absent at the time when I obtained the consent of the balance of the committee to make that report, stated there was no objection, and from this statement, the Secretary appended all the names of the committee to the report. When the report was printed, I, for the first time, learned that the name of Mr. Gray was appended to it.

When Mr. Gray returned, I took the earliest opportunity to explain the whole matter to him, that he might be set right on the

Journal; and when the subject came up in the Senate, I gave the same explanation before the Senate. The Journal was corrected, and Mr. Gray expressed himself to me as being satisfied; and before leaving for Fort Madison, I made the same explanation, by a note, to the Journal of this city.

But on my return I find, in my absence, Senators Bussey and Gray presented a minority report, in which it is stated, "the Hon. J. Bowen prepared and presented to the Senate a report on said subject, with their names attached to it, and without their knowledge or consent; and that they, as members of said committee, did not know that the report of the Trustees of the University had been before the committee for consideration; and that, therefore, the use made of their names to such report, without consultation and consideration, is a usurpation of privilege on the part of the Chairman of the committee unusual, and ought to be condemned."

Here I wish to state, first, that I signed no names to the report, and this statement I made before the Senate; second, that the Secretary attached the names of the committee on account of having understood that I directed him to do so. Whilst I claim I never would have placed the name of Senator Gray to the report, I am equally free to state, that no blame should attach to our worthy Secretary, for the reason that he believed that I had directed him to do so.

I desire, also, to state that before making that report, I consulted with each member of the committee, and obtained the assent of each, save that of Mr. Gray, who was absent. I took the bill and report to the seat of Mr. Bussey. The bill was read by the Senator, and the report examined; he inquired of me what person drew up that bill; I replied by stating that Mr. Parvin had drawn up the bill at my request. I also stated that I was anxious to make the report to the Senate, that the bill might be referred to the Committee of Ways and Means, before whom Dr. Totten and Mr. Parvin desired to appear, to give such information in their possession, as would promote the interests of the University. After this statement, I most distinctly recollect, that Senator Bussey directed me to make the report in the manner and form as it was made to the Senate. I make this declaration in justice to myself as a citizen and a Senator, and, I trust, with a due sense of the responsibility that attaches to it.

After submitting the foregoing statement to Senator Bussey, desiring to do no member of this Senate any injustice, and upon his request, I have consented to insert here, that while I feel satisfied that I consulted Mr. Bussey upon the bill and report, I have submitted this statement to him, and he states he had no recollection of reading the bill or report, and that he did not know that a bill had been presented, making appropriation for the University, but that he recollects having had a conversation with me, in which I stated to him that I was preparing a bill and report, and that he understood the report of the Trustees would be reported back to the Senate without any recommendation. While I feel very confident about having submitted both report and bill to Mr. Bussey before presenting them to the Senate, I am generous enough to say, that in the multiplicity of affairs, he has entirely forgotten it.

Now, in conclusion, let me say, that Mr. Gray had my explanation before I left here for Fort Madison, on the business of the State, and knew the imputations cast against me, by the Journal newspaper published in this city; and he must have known that the fact of his name being signed to the report, was an error, committed without any intention to do him any injury. I had consulted Mr. Bussey, and he had authorized me to make the report, although he seems to have forgotten it. And yet, those two gentlemen unite in a report, in my absence, charging me with a usurpation of privilege, and pronounce sentence of condemnation against me, without giving me an opportunity to be heard.

Without venturing a conjecture as to the motives that dictated the report they made, they should have known that it would be exceedingly strange to suppose that the editor of the Journal would not claim their statement as a triumphant vindication of his most infamous slander against me.

If those gentlemen from the froegoing facts have taken the liberty to pronounce condemnation against me, under the circumstances and at the time they did, I ask, what should be the condemnation due to them from me. I shall not pronounce that judgment, but leave them to their own reflections, whether they, under all the circumstances, have done unto me that which they would have me to do unto them.

This, I desire, should be regarded as my protest against the language used in their report and the use sought to be made of it,

and against having been entered upon the journals of the Senate without giving me an opportunity for defence—and this, I ask, may also be entered upon the journals of the Senate.

JESSE BOWEN.

Mr. Neal offered the following resolution, which was adopted:

Resolved, By the Senate (the House concurring) that a Joint Committee be appointed to specify what matter should be printed in the Journals of the Senate and House of Representatives; the committee shall consist of ——— members on the part of the House and three on the part of the Senate.

The President appointed as said committee: Neal, Anderson and McPherson.

The following communication was received from the Lieut. Governor N. J. Rusch:

SENATORS:—When I entered upon the discharge of my duty as your presiding officer, it was, as is well known to you, under many embarrassing circumstances. Though greater than my embarrassment and reasonable doubts in my ability, was your generosity, your kindness and gentlemanly forbearance, and I am unable to employ language expressive enough to utter my deep emotion and the feelings of gratitude which I entertain for each and all of you. The resolution you have just adopted I must regard as a demonstration of your generous sympathy towards me, rather than as an approval, deserved by the deficient performance of my duties, however zealously I may have labored to discharge them with impartiality, and to the best of my knowledge. For this, your kindness, I again desire to express my sincere thanks.

Your labors are coming to a close, and an unusual importance is attached to them. You have enacted a Code of Civil and Criminal Practice, which will be a mark in the history of our State legislation. May it prove, what I believe it to be, a blessing to our young State.

The extraordinary embarrassment of our people through the failure of crops and the financial crisis, has called out many earnest appeals from your constituents to you for relief; and you have responded to them by enacting various so called relief-laws. Whoever may question the wisdom of such measures, will do you the justice not to doubt that they had their origin solely in a benevolent spirit, and the most ardent sympathy with the difficulties un-

der which our people are suffering. May a kind Providence remove the causes which seemed to demand such legislation.

I cannot close these remarks without again acknowledging the unbounded generosity and kindness which you have on all occasions accorded towards one who had not the fortune to call this country the land of his birth, and with no ordinary feeling of emotion I must express, that among you I feel at home, as one of yourselves, the noble sons of a great and noble nation.

Our labors will soon come to an end, though never our friendship towards each other.

Short and pleasant be your return to the bosom of your families —long and blessed the remaining days of your lives.

I bid you, one and all, a most hearty farewell.

NICHOLAS J. RUSCH.

Mr. Neal moved that the communication be entered on the journal. Carried.

Mr. Davis, of Clinton, moved to reconsider the vote by which Senate File No. 235, a bill for an act to pay the expenses for prosecuting in the case of the State of Iowa vs Tighlman, Snell *et. al.*, was lost. Carried.

On motion of Mr. Mann the 11th Rule was suspended, the bill read the third time and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Davis of Polk, Drummond, Duncombe, English, Gray, Green, Hammer, Henderson, Kent, Mann, McPherson, Neal, Patterson of Muscatine, Reiner, Saunders, Sherradden, Thompson, Taylor, Udell, Watson, Williams, Wilson of Dubuque—24.

The nays were—Senators Angle, Davis of Clinton, Lewis, Wilson of Jefferson—4.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey and Rankin. Absent but not excused—Brown, Hastings, Powers, Scott and Trumbull.

So the bill was passed, and title agreed to.

Mr. Neal, from the Committee on Ways and Means, reported back Senate File No. 103, a bill for an act entitled an act to provide for the transfer of real property for taxation, without recommendation.

On motion of Mr. Taylor, the bill was laid on the table.

Mr. Drummond, from the special committee, to which was re-

ferred substitute for Senate File No. 36, also substitute for House File No. 126, reported as a substitute for said bills, a bill for an act providing for the removal of county seats, with the recommendation of the majority of said committee, that the substitute be adopted and passed.

Mr. Wilson, of Dubuque, moved to lay the whole matter on the table; upon which question, Mr Drummond demanded the yeas and nays, which were ordered, and were as follows:

The yeas were—Senators Bowen, Davis of Clinton, Gray, Hammer, Henderson, Kent, Neal, Patterson of Muscatine, Saunders, Taylor, Udell, Williams, Wilson of Dubuque, Wilson of Jefferson —14.

The nays were—Senator Angle, Davis of Polk, Drummond, Duncombe, English, Green, Hastings, Lewis, Mann, McPherson, Reiner, Sherradden, Scott, Watson—15.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pusey, Pattison of Marshall, Rankin. Absent but not excused—Anderson, Brown, Powers, Thompson, and Trumbull.

The motion not receiving a majority, was lost.

Mr. Hammer moved to amend section 1, by striking out "three years," and inserting "one year;" which was lost.

On motion of Mr. Drummond, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Davis of Polk, Drummond, Duncombe, English, Green, Hastings, Henderson, Lewis, Mann, McPherson, Reiner, Saunders, Sherradden, Scott, Taylor, Watson, Wilson of Jefferson—20.

The nays were—Senator Davis of Clinton, Gray, Hammer, Neal, Udell, Williams, Wilson of Dubuque—7.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey and Rankin. Absent, but not excused—Brown, Kent, Patterson of Muscatine, Powers, Thompson and Trumbull.

The bill not receiving a constitutional majority, was lost.

On motion of Mr. McPherson, House File No. 397, a bill for an act to repeal sections 50, 51, 52, of chapter 152, of the acts of the 7th General Assembly, was taken up, read the first and second time, and, on motion of Mr. McPherson, the 11th Rule was sus-

pended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Patterson of Muscatine, Reiner, Saunders, Sherradden, Scott, Taylor, Watson, Williams, Wilson of Dubuque, Wilson of Jefferson—25.

The nays were—None.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey and Rankin. Absent but not excused—Angle, Brown, Drummond, Neal, Powers, Thompson, Trumbull, Udell.

The bill was passed and title agreed to.

Message from the House:

MR. PRESIDENT:—I herewith present for your signature, the following bills, the same having passed both branches of the General Assembly, and been duly enrolled in the House:

House File No. 377, a bill for an act conferring certain powers on the Board of Commissioners, appointed for the purpose of ascertaining the liabilities of the Des Moines River Improvement, and for other purposes.

House File No. 353, a bill for an act in relation to evidence.

House File No. 344, a bill for an act making further appropriations for the Blind Asylum at Vinton.

House File No. 372, a bill for an act to provide for the publication of the laws, of a general nature, of the 8th General Assembly, in certain German newspapers.

House File No. 237, a bill for an act to rebate taxes assessed and levied upon property destroyed by fire.

House File No. 253, a bill for an act providing greater safety for books, papers, and records, belonging to the State.

House File No. 325, a bill for an act making appropriations for the pay of State officers, and other purposes, and defining the duties of State officers in certain cases.

CHAS. ALDRICH, Chief Clerk.

Mr. Saunders offered the following resolution, which was adopted:

Resolved, That the sincere and heartfelt thanks of the members of the Senate, are hereby tendered to the citizens of Des Moines, for their uniform and marked kindness, and courteous treatment

towards them during our sojourn among them, the present session of the General Assembly. And especially do we return our sincere and most kind thanks to the ladies of Des Moines, for the very bountiful and rich repast this evening, affording but another convincing proof of woman's ever ready and willing heart to minister to the comfort and happiness of man. The Ladies of Des Moines—"happy are they who enjoy their smiles."

On motion of Mr. Taylor, House File No. 300, a bill for an act in relation to persons insane, and providing for the relinquishing of dower of married women who are insane, was taken up.

On motion of Mr. Taylor, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Kent, Mann, McPherson, Neal, Patterson of Muscatine, Reiner, Saunders, Sherradden, Scott, Taylor, Williams, Wilson of Dubuque, Wilson of Jefferson—25.

The nays were—Senators Lewis, Watson—2.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey and Rankin. Absent but not excused—Brown, Drummond, Powers, Thompson, Trumbull and Udell.

The bill was passed and title agreed to.

Message from the House.

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

Substitute for House File No. 275, a bill for an act to provide for the election of the members of the Board of Supervisors.

I am also directed to return substitute for Senate File No. 194, the same having passed the House without amendment.

CHARLES ALDRICH, Chief Clerk.

On motion of Mr. Green, Substitute for House File No. 50, a bill for an act to amend an act entitled an act to provide for the making and repairing of public highways and prescribing the duties of township officers in certain cases, was taken up, read the first and second time, and on his motion, the 11th Rule suspended, the bill read the third time and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Angle, Brown, Davis of Clinton, Davis of Polk, English, Green, Hammer, Hastings, Henderson, Mann, Neal, Patterson of Muscatine, Sherradden, Thompson, Taylor, Watson, Williams, Wilson of Dubuque—18.

The nays were—Senators Duncombe, Gray, Kent, Lewis, Scott, Wilson of Jefferson—6.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey and Rankin. Absent, but not excused—Anderson, Bowen, Drummond, McPherson, Powers, Reiner, Saunders, Trumbull, and Udell.

The bill not having received a constitutional majority, was lost.

Message from the House.

Mr. President:—I am directed to inform the Senate that the House has adopted the concurrent Resolution of the Senate, in relation to the matter to be printed in the Journals of the Senate and House of Representatives, &c., and has appointed Messrs. Goodrell, Parker, Hall and Beal, as a committee on the part of the House, to confer with the committee appointed by the Senate upon that subject.

CHARLES ALDRICH, Chief Clerk.

Mr. Wilson of Dubuque, moved to take from the table House File No. 350, a bill for an act to amend an act entitled an act to amend an act entitled an act to provide a system of Common Schools; which motion prevailed.

Mr. Mann moved to strike out the last section; which was not concurred in.

On motion of Mr. Brown, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Brown, Davis of Clinton, Davis of Polk, English, Gray, Green, Hammer, Hastings, Henderson, Patterson of Muscatine, Saunders, Scott, Taylor, Wilson of Dubuque—17.

The nays were—Senators Duncombe, Kent, Lewis, Mann, Neal, Sherradden, Thompson, Watson, Williams and Wilson of Jefferson—10.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pusey, Pattison of Marshall and Rankin. Absent, but not excused—Drummond, McPherson, Powers, Reiner, Trumbull and Udell.

The bill not receiving a constitutional majority, was lost.

Message from the House:

MR. PRESIDENT:—I am directed to present for your signature the following bills, the same having passed both branches of the General Assembly and been duly enrolled in the House:

No. 369, a bill for an act to provide for the printing of the Revision of 1860.

No. 398, a bill for an act making appropriations for the per diem of members and officers of the Eighth General Assembly and for other purposes.

CHARLES ALDRICH, Chief Clerk.

Mr. Neal moved to reconsider the vote by which substitute for House Files Nos. 31 and 36 and 126, a bill for an act providing for the removal of county seats, was lost, which motion prevailed.

Mr. Drummond moved to amend section 1, by striking out the word "three years" and inserting "fifteen months," which motion was lost.

Mr. Duncombe moved to strike from section 1, all relating to State and Federal Census. Lost.

Mr. Thompson moved to strike from section 1, the word "three years" and insert "two years;" which motion prevailed.

On motion of Mr. Thompson, the 11th Rule was suspended, the bill read the third time and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Davis of Clinton, Davis of Polk, Drummond, English, Gray, Green, Hastings, Henderson, Kent, Lewis, Mann, Powers, Sherradden, Scott, Thompson, Watson, Wilson of Jefferson—20.

The nays were—Senators Brown, Duncombe, Hammer, Neal, Patterson of Muscatine, Reiner, Saunders, Taylor, Wilson of Dubuque—9.

Excused—Messrs. Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pusey, Pattison of Marshall and Rankin. Absent, but not excused—Messrs. McPherson, Trumbull, Udell and Williams.

The bill not receiving a constitutional majority, was lost.

Mr. Thompson moved to take up Senate File No. 102, a bill for an act to regulate Brokers, which motion prevailed.

On motion of Mr. Thompson, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Bowen, Davis of Polk, Hastings, Henderson, Kent, Lewis, Mann, Patterson of Muscatine, Reiner, Sherradden, Thompson, Wilson of Jefferson—13.

The nays were—Senators Davis of Clinton, Drummond, Duncombe, Gray, Green, Hammer, Neal, Powers, Saunders, Scott, Taylor, Watson, Wilson of Dubuque—13.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pusey, Pattison of Marshall, and Rankin. Absent but not excused—Brown, English, McPherson, Trumbull, Udell and Williams.

The bill not receiving a constitutional majority, was lost.

On motion of Mr. Wilson of Dubuque, House File No. 387, a bill for an act in relation to injunctions sought, and defences set up, on account of usury, was taken up, read the first and second time, and, on motion of Mr. Wilson, of Dubuque, the 11th Rule was suspended, the bill was read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, Green, Hammer, Henderson, Lewis, McPherson, Patterson of Muscatine, Reiner, Taylor, Watson, Wilson of Dubuque, Wilson of Jefferson—17.

The nays were—Senators English, Gray, Mann, Neal, Powers, Saunders, Sherradden, Scott, Thompson—9.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pusey, Pattison of Marshall and Rankin. Absent but not excused—Angle, Drummond, Hastings, Kent, Trumbull, Udell and Williams.

The bill not receiving a constitutional majority, was lost.

Message from the House.

Mr. President:—I am directed to inform the Senate that the House has passed the following bill, in which the concurrence of the Senate is asked:

Substitute for House File No. 294, a bill for an act to amend an act creating a County Board of Supervisors.

I also return herewith, Senate File No. 236, a bill for an act in relation to State Binding, the same having passed the House with

an amendment, in which the concurrence of the Senate is asked.

CHARLES ALDRICH, Chief Clerk.

Mr. Patterson, of Muscatine, moved a call of the House, which was sustained, and ordered.

The following Senators were found to be absent, but not excused: Messrs. Trumbull, Udell and Williams.

On motion, further proceedings under the call were dispensed with.

Mr. Drummond had leave to introduce Senate File No. 237, a bill for an act to amend an act making further appropriation for the erection of the State Insane Asylum, passed at the present session of the General Assembly. Read the first and second time, and on motion of Mr. Saunders, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Angle, Bowen, Brown, Davis of Polk, Drummond, Henderson, Lewis, McPherson, Patterson of Muscatine, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Taylor, Watson, Wilson of Jefferson—18.

The nays were—Senators Davis of Clinton, Duncombe, English, Green, Hammer, Kent, Mann—7.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey and Rankin. Absent, but not excused—Anderson, Gray, Hastings, Neal, Trumbull, Udell, Williams, and Wilson of Dubuque.

The bill not receiving a constitutional majority, was lost.

On motion of Mr. Davis, of Polk, the message from the House relating to Senate File No. 236, a bill for an act relating to State Binder, was taken up and considered.

The question being on concurring in the House amendment to the same, the yeas and nays were as follows:

The yeas were—Senators Anderson, Angle, Brown, Davis of Clinton, Davis of Polk, Green, Hastings, Henderson, Lewis, Mann, McPherson, Powers, Reiner, Saunders, Sherradden, Taylor, Wilson of Jefferson—17.

The nays were—Senators Bowen, Drummond, Duncombe, English, Hammer, Kent, Neal, Patterson of Muscatine, Scott, Thompson—10.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey and Rankin. Absent,

but not excused—Gray, Trumbull, Udell, Watson, Williams, and Wilson of Dubuque.

The amendments not receiving a constitutional majority, were lost.

Mr. Angle moved to adjourn; which was not agreed to.

On motion of Mr. Thompson, Substitute for Senate File No. 175, a bill for an act to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks and promissory notes, was taken up and considered.

Mr. Thompson moved to amend section 2, by striking out the word "succeeding," and inserting the word "preceding;" which was concurred in.

On motion of Mr. Thompson, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Drummond, Duncombe, English, Green, Hammer, Hastings, Henderson, Kent, Lewis, McPherson, Neal, Patterson of Muscatine, Powers, Saunders, Sherradden, Scott, Thompson, Taylor, Wilson of Dubuque, Wilson of Jefferson—23.

The nays were—Senators Davis of Clinton, Davis of Polk, Mann, Reiner—4.

Excused—Ainsworth, Bailey, Buechel, Bussey, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey, and Rankin. Absent, but not excused—Angle, Gray, Trumbull, Udell, Watson and Williams.

The bill was passed and title agreed to.

Mr. Sherradden from the Committee on Enrolled Bills, reported the following acts correctly enrolled:

Senate File No. 215, an act relating to State Printing.

Senate File No. 231, an act making appointment of Commissioner for the Hospital for the Insane.

Senate File No. 35, an act to legalize certain Railroad bonds in Mitchell county.

Senate File 225, an act in relation to the General Banking Law.

Senate File No. 230, an act in relation to roads and highways.

Senate File No. 232, an act to amend the General Banking Law of the State of Iowa.

Substitute for Senate File No. 367, an act to adapt the laws for canvassing votes to the Supervisor system.

Substitute for Senate File No. 167, an act to amend an act requiring witness fees to be paid into the county treasury.

Senate File No. 177, an act legalizing the levy of taxes in the county of Grundy, for the year 1858.

Senate File No. 222, an act providing for the revision of the laws of this session.

Senate File No. 194, an act to amend an act passed by the Board of Education December 24th, 1859.

Senate File No. —, an act to enforce collections and settlement of claims of the State *vs* Winterbottom & Jones.

Senate File No. 165, an act securing liens to mechanics and laborers.

On motion of Mr. McPherson substitute for House File No. 275, a bill for an act to provide for the election of the members of the Board of Supervisors, was taken up, read the first and second time, and on motion of Mr. McPherson the 11th Rule was suspended, the bill read the third time and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Drummond, Duncombe, English, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Taylor, Wilson of Dubuque, Wilson of Jefferson—26.

The nays were—None.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey and Rankin. Absent, but not excused—Angle, Davis of Polk, Gray, Trumbull, Udell, Watson and Williams.

So the bill was passed and title agreed to.

Message from the House.

Mr. President:—I herewith return substitute for Senate File No. 175, the House having indefinitely postponed the same.

CHARLES ALDRICH, Chief Clerk.

On motion of Mr. Davis, of Clinton, the message from the House relating to the disagreement between the two Houses in relation to House File No. 393, was taken up, and committee of conference agreed to.

The President appointed as said committe: Kent, Drummond and Wilson, of Dubuque.

Mr. Brown from the special committee to which was referred

House File No. 364, reported sundry amendments which were concurred in by the following vote:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Powers, Reiner, Saunders, Sherradden, Scott, Taylor, Wilson of Dubuque, Wilson of Jefferson—26.

The nays were—Senator Drummond—1.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pusey, Pattison of Marshall and Rankin. Absent, but not excused—Angle, Thompson, Trumbull, Udell, Watson, and Williams.

The amendments were concurred in.

Message from the House.

MR. PRESIDENT:—I am directed to inform the Senate that the House insists upon the amendment to Senate File No. 236, and asks a committee of conference; and that Messrs. Hall, Taylor and Caldwell have been appointed as such committee on the part of the House.

CHARLES ALDRICH, Chief Clerk.

Mr. Drummond from the special commitee to which was referred House File No. 324, a bill for an act relating to the State Binder, reported the same back with the recommendation that the Senate concur in the House amendment to the same.

The yeas and nays on concurring were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Drummond, Duncombe, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Patterson of Muscatine, Powers, Reiner, Saunders, Sherradden, Scott, Taylor, Wilson of Dubuque and Wilson of Jefferson—25.

The nays were—Senators English and Neal—2.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pusey, Pattison of Marshall and Rankin. Absent, but not excused—Angle, Thompson, Trumbull, Udell, Watson and Williams.

The amendments were concurred in.

On motion of Mr. Thompson, House File No. 380, a bill for an act to change the fiscal year and define the duties of State officers in certain cases, was taken up, read the first and second time, and on motion of Mr. Wilson, of Dubuque, laid on the table.

On motion of Mr. Brown, House File No. 399, a bill for an act requiring the clerk of the Board of Supervisors to give an official bond, was taken up, read the first and second time, and on motion of Mr. Brown the 11th Rule was suspended, the bill read the third time and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Clinton, Davis of Polk, Duncombe, English, Gray, Green, Hammer, Hastings, Henderson, Kent, Lewis, Mann, McPherson, Neal, Patterson of Muscatine, Powers, Reiner, Saunders, Sherradden, Scott, Thompson, Taylor, Wilson of Dubuque, Wilson of Jefferson—27.

The nays were—None.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pusey, Pattison of Marshall and Rankin. Absent, but not excused—Angle, Drummond, Trumbull, Udell, Watson and Williams.

The bill was passed and title agreed to.

Mr. Bowen had leave to introduce Senate File No. 238, a bill for an act in relation to the publication of the School Laws, of this session. Read the first and second time, and on motion of Mr. Bowen, the 11th Rule was suspended, the bill read the third time, and put upon its passage.

The yeas and nays were as follows:

The yeas were—Senators Anderson, Bowen, Brown, Davis of Polk, Duncombe, Gray, Green, Hastings, Henderson, Kent, McPherson, Powers, Sherradden, Thompson—13.

The nays were—Senators English, Hammer, Lewis, Neal, Taylor, Wilson of Dubuque, Wilson of Jefferson—7.

Excused—Ainsworth, Bailey, Bussey, Buechel, Coolbaugh, Hagans, Johnson, Pattison of Marshall, Pusey and Rankin. Absent, but not excused—Angle, Davis of Clinton, Drummond, Mann, Reiner, Saunders, Scott, Trumbull, Udell, Watson, Williams.

On motion of Mr. Lewis, Senate adjourned.

SENATE CHAMBER,
Tuesday, April 3d, 1860, 8 o'clock A. M.

Senate met pursuant to adjournment.

Prayer by Rev. S. S. Howe.

On motion of Mr. Davis, of Clinton, the reading of the Journal was dispensed with.

Mr. Sherradden submitted the following report:

The Committee on Enrolled Bills, have examined the following acts and find them correctly enrolled:

Senate File 236, an act in relation to State Binding.

Message from the House.

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

House File No. 270, a bill for an act to provide for the payment of School Fund Commissioners in certain cases.

House File No. 400, a bill for an act to cede jurisdiction over certain lots, the property of the United States, in the city of Dubuque.

House File No. 315, a bill for an act authorizing the Governor to offer rewards for the arrest and delivery of persons charged with the commission of capital crimes.

Substitute for House File No. 69, a bill for an act to amend chapter 188, of the acts of the 6th General Assembly, entitled an act for the encouragement of agriculture.

House File No. 389, a bill for an act to amend an act passed by the Board of Education, December 24th, 1859, entitled an act to amend an act to provide a system of Common Schools.

House File No. 396, a bill for an act to authorize the publication of certain laws in the Iowa State Register, and Iowa State Journal.

CHARLES ALDRICH, Chief Clerk.

Mr. Henderson offered the following resolution, which was adopted:

Resolved, That Frederick Michael be allowed compensation for three additional days services, as fireman.

MR. PRESIDENT:—We have been appointed a committee by the House, to inform the honorable Senate that the House is now ready to adjourn *sine die*, and ask if the honorable Senate has any further communications to make.

P. ROBB,
G. W. RUDDICK.

On motion of Mr. Wilson of Dubuque, a committee of two was

appointed on the part of the Senate, to inform the Governor that the Senate and House of Representatives were now ready to adjourn, and to see whether he had anything further to communicate to this General Assembly.

The President appointed as said committee; Wilson of Dubuque, and Davis, of Clinton.

The committee appointed by the Senate to act in conjunction with a committee on the part of the House of Representatives, to wait upon his Excellency, the Governor of Iowa, and ask if he has any further communications to make to this General Assembly, announce that they have performed that duty, and that his Excellency has no further communication to make to this body.

WILSON, of Dubuque,
DAVIS, of Clinton.

Message from the House.

MR. PRESIDENT:—I herewith present for your signature, the following bills, the same having passed both branches of the General Assembly, and been duly enrolled in the House:

No. 238, a bill for an act for the incorporation and government of the Hospital for the Insane.

No. 335, an act in relation to Revenue.

No. 397, a bill for an act to repeal sections 50, 51 and 52 of chapter 152 of the acts of the 7th General Assembly.

No. 300, a bill for an act in relation to persons insane, and providing for the relinquishment of dower of married women who are insane.

No. 336, a bill for an act providing for the management of the school fund, and the sale of the school lands.

CHARLES ALDRICH, Chief Clerk.

Mr. Sherradden submitted the following report:

The Committee on Enrolled Bills have presented to his Excellency, the Governor, for his approval, the following acts:

Senate File 236, an act in relation to State Printing.

Senate File 222, an act providing for the revision of the laws.

Senate File 167, an act in relation to witness fees.

Senate File 177, an act to legalize the ley of taxes in Grundy county, for 1858.

Senate File 194, an act in relation to the Board of Education.

Senate File 165, an act securing liens to mechanics.

Senate File 217, an act to enforce collection and settlement with Winterbottom & Jones.

O. P. SHERRADDEN, Ch'm.

Mr. Neal, from the special committee, to which was referred a resolution relating to the publication of the Journals, made the following report, which was adopted:

Resolved, The House concurring, that the State Printer be directed not to print anything in the Journals except the Messages of the Governor and legislative proceedings, not including the Reports of State officers, and the reports of the Joint Committees, to investigate the affairs of the Hospital for the Insane, and the State Penitentiary.

Message from the House:

MR. PRESIDENT:—I herewith present for your signature, the following bills, the same having passed both branches of the General Assembly, and been duly enrolled in the House:

No. 399, a bill for an act requiring the Clerk of the Board of Supervisors to give an official bond.

Substitute for House File No. 275, a bill for an act to provide for the election of the members of the Board of Supervisors.

CHAS. ALDRICH, Chief Clerk.

On motion, Messrs. Scott and Patterson were appointed a Committee to inform the House that the Senate is now ready to adjourn, *sine die*.

Resolutions from the House.

CONCURRENT RESOLUTIONS.

Resolved by this House, (the Senate concurring) that the Secretary of State be instructed to take charge of and distribute equally among the members of this General Assembly, any, and all documents ordered printed by either house, and not already distributed; forwarding them by mail to the respective members.

On motion, the resolution was concurred in.

Resolved, (The Senate concurring,) That the State Printer be directed not to print anything in the Journals except the messages of the Governors, and Legislative proceedings, not including the reports of State Officers and the reports of the Joint Committees to investigate the affairs of the Hospital for the Insane, and the State Penitentiary.

On motion, the Senate concurred in the above resolution.

Message from the House.

MR. PRESIDENT:—I herewith present for your signature the following bill, the same having passed both branches of the General Assembly, and been duly enrolled in the House:

House File No. 393, a bill for an act to abolish the salary of the Clerk of the District Court, and to compensate for his services by fees.

CHARLES ALDRICH, Chief Clerk.

Mr. Powers offered the following resolution, which was adopted:

Resolved, That the Secretary of State forward to the members of the Senate, all mail matter that may come to the Des Moines Post-Office belonging to Senators.

On motion of Mr. Taylor, the Senate adjourned *sine die*.

J. H. SANDERS, Sec'y.

INDEX.

A.

Asylum of Deaf and Dumb, 109, 34, 155, 174.
Agricultural College, 199, 321, 322, 323, 327, 35.
Auditor's office, 205, 206, 224, 48.
Address of Lieut. Gov. Faville, 71.
" of " " Rusch, 71.
An act to amend chapter 92, of acts of 1858, 73.
An act to amend section 1, chapter 61, session laws of 1853, in relation to estates of decedents, 74.
Of agriculture, 78.
Auditor's report, additional copies, 94.
Appointment of Post-Master, 100.
Attorney General, communication, 164.
Absence of Gray, 187.
" of Taylor, 187.
" of Johnson, 187.
" of Anderson, 187.

B.

Board of Education, 18, 137.
Banks and banking, 35, 78.
Bill to repeal chap. 91 of the acts of the 7th Gen'l Assembly, 73.
Bill to amend charter of the city of Council Bluffs, 85.
Bill to fix the times of holding courts in the 10th judicial dist., 85.
Bill to amend chapter 80 of the Code of Iowa, 85.
Bill to amend sections 51, 58, 59, 60, of chapter 152, of the acts of the 7th General Assembly, 86.

C.

Committee on credentials, 3.
" " " report of, 4.

Compensation of, 7.
" " 8.
" of Sergeant-at-Arms, 12.
Census of 1859, 15.
College, Agricultural, 35.
Capitol Building, 42.
Certificates of election of Gov. and Lieut. Gov., 56.
Compensation of Sergeant-at-Arms, and other officers, 76.
Committee of claims, 78.
" of charitable institutions, 78.
" of county boundaries, 78.
" of commerce, 79.
" and report of, 107, 108.
Communication from Governor, 667, 114.
Committee on incorporations, 115.
Contingent fund, 147.
Capitol Square, 148.
Communication from S. S. Howe, 183.
Call of the House, 188.
Communication from the Governor, 189, 313, 340, 373.
" from the Auditor, 391, 190, 240, 241, 392.
" from Secretary Agricultural College, 199.
Code, resolution relative to, 209.
Communication from Secretary of State, 238, 239, 240.
" from Attorney General, 384.
Committee on printing, report of, 593 to 611.
Communication from Gov. Rusch, 745.

D.

Dimmitt, J. S., 3.
Des Moines River Grant, 23.
Deaf and Dumb Asylum, 34.

E.

Election of Secretary pro tem., 3.
" of Secretary, 6.
" of Assistant, 7.
" of Enrolling Clerk, 9.
" of Sergeant-at-Arms, 10.
" of Door Keeper, 10.
" of Fireman, 10.
" of 1st Messenger, 11.
" of 2d " 11.
" of 1st Paper-folder, 11.
" of 2d " 11.

Expenditures, 17.
Education, Board of, 18.
Executive office, 49.
Elections, 78.
Engrossed Bills, 79.
Enrolled Bills, 79.
Election of U. S. Senator, 79, 87.
" of State Printer and Binder, 130, 134.
" of Bank Directors, 193, 194.

F

Five per cent fund, 20.
Frontier difficulties, 38.
Of federal relations, 78.

G.

Grant 500,000 of, 23.
Grant of Des Moines river, 23.
Geological Survey, 42.
Governor's Inaugural, 183, 184.

H.

HOUSE FILES.

No. 1, a bill for an act to amend chapter 150 of the acts of the 7th General Assembly, 99, 102, 113, 135.
2, an act fixing the time of holding courts in the Fourth Judicial District, 100.
3, a bill for an act to amend section 2 of chapter 155 of the acts of the 7th General Assembly, 278, 356, 501.
6, a bill for an act to repeal an act authorizing Paul C. Jeffries to transcribe and index certain records of Wapello county, 155, 174, 359, 420.
12, a bill for an act to repeal part of section 4 of chapter 148 of the laws of the 7th General Assembly, 111.
14 and 51, a bill for an act allowing bounty on certain animals, 143, 173, 185, 225.
17, a bill for an act fixing the times of holding courts in the 7th Judicial District, 112, 133, 141.
79, an act for appropriation for Capitol, 141, 148, 158, 182, 483.
80, a bill for an act to punish the makers of chattel mortgages, in certain cases, 133, 163, 179, 242, 245, 480.

No. 53, a bill for an act making appropriations to meet the expenses of Deaf and Dumb Asylum, 155, 174, 310, 357, 398, 430, 472, 498, 546.
57, a bill for an act to repeal part of section 6, chapter 93, acts of the 7th General Assembly, 155, 174, 245, 251, 257, 265, 307, 356.
66, an act to declare the Little Sioux river navigable, 155, 174, 222, 246.
13, an act to amend section 12, of chapter 157, acts of 7th General Assembly, 156, 173, 207, 254, 259.
22, a bill for an act to regulate interest on delinquent taxes, 163, 165, 180.
28, an act to legalize the acts of Geo. S. C. Dow, Notary Public in Scott county, 156, 173, 179, 204.
29, a bill for an act to regulate interest on money, and punish usury, 571, 738.
30, an act relative to the town of Chariton, 213, 397, 514.
31, a bill for an act relating to incest, 413.
34, an act to encourage the growth of timber, 156, 173, 262, 267.
35, a bill for an act to provide for the redemption of real estate sold on foreclosure of mortgages, 272, 276, 393, 702.
38, a bill to amend section 20 of an act authorizing General Banking in Iowa, 202, 542.
50, a bill for an act relative to highways, 681, 749.
60, a bill for an act to pay Maj. Williams, and others, for service in the Spirit Lake Expedition, 156, 186, 188, 201, 202, 270, 271, 272, 420.
69, a bill for an act to amend chapter 188, of the acts of the 6th General Assembly, 758.
75, a bill for the regulation of State and County roads, within towns and cities, 636.
81, a bill for an act to provide for change of venue from District Court, 174, 180, 204.
84, an act to prevent towns, cities and counties taking stock in corporations, 155, 300, 450. 467, 468, 481, 682.
87, a bill to punish larceny, 399, 413, 500, 523, 573.
88, a bill to amend school law, 287, 289, 312.
91, a bill to amend sec. 10, art. 5 of the Constitution, 156, 173.
92, memorial for a Homestead law, 155, 173.
98, a Joint Resolution of instruction to the Governor, 156, 173.
99, memorial for a land grant, 287, 292, 302, 557.
100, an act to amend section 530 of the Code, 256, 259, 297, 356.

No. 106, a bill to amend section 940 of the Code, 287, 302, 400, 429.
107, to legalize the organization of Hartford township, Worth county, 397.
112, an act relative to the Iowa Central Air Line R. R. Company, 259, 388, 414, 419, 424, 480.
113, an act creating a Board of County Supervisors, 405, 412, 438, 439, 440, 441, 442, 443, 444, 454, 455, 465, 504,
116, a bill for an act to amend section 2096, of the Code, 272, 276.
117, a bill to pay certain reward offered by the Governor, 380, 398, 473, 479, 712.
133, a bill for an act to regulate the interest on money, 628.
137, a bill for an act to amend chapter 31, of acts of the 4th General Assembly, 401, 413.
139, a bill to legalize the acts of the City of Clinton, 272, 278, 397, 513, 514, 554.
141, a bill to legalize the acts of the County Judge of Scott county, 342, 349.
143, a bill for an act for the relief of tax payers, 434, 538, 648.
148, a bill for an act relative to Dillon's Digest, 473, 479, 490.
150, a bill for an act for the appraisement of property sold on execution, 304, 312, 501, 620.
151, a bill relative to Muscatine Island, 722.
156, a bill for an act relative to the American Association, 286, 302.
158, an act to define the powers and duties of County Surveyors, 569, 627, 634.
161, a bill for an act relative to oaths, 434, 618, 424.
164, a bill for an act to regulate the compensation of Clerks of the District Court, 546.
170, a bill for an act to establish an emigrant commission in New York, 419, 448, 460, 585, 591, 618, 669.
173, a bill for an act to amend chapter 150, of the acts of the General Assembly, 269, 174.
174, a bill relative to the Des Moines River Improvement, 284, 286, 287, 356.
178, a bill for an act to legalize the road tax in Sioux City, 399, 413, 432, 480.
180, a bill for an act relative to John Bell, a defaulting school fund commissioner, 639.
181, a bill for an act to amend chapter 56 of the Code, 554, 556, 637.
191, a bill for an act relative to estrays and lost goods, 717.
192, a bill for an act to legalize the acts of the city council of Maquoketa, 342, 398, 513, 546.

No. 197, a bill for an act relative to hogs and cattle, 375, 464, 398.
198, a bill for an act relative to Van Buren county, 306, 312, 356.
200, a bill for an act to amend chapter 52 of the Code, in relation to fences, 419, 472.
203, an act to amend section 1249 of the Code, 686.
209, a bill for an act to amend the law in reference to the sale of intoxicating liquors, 425, 434, 465, 483.
213, an act relative to the time of holding courts in the 5th judicial district, 344, 346, 356, 635.
216, a bill for an act to amend chapter 38 of the Code, 645.
219, a bill for an act to legalize the acts of N. D. Hashall, Notary Public, 375, 381, 420.
218, a bill for an act apportioning the State into districts, 635, 644.
202, a bill for an act to amend section 1249 of the Code, 618, 629.
205, a bill for an act regulating the compensation of County Judge, 636.
225, a bill for an act to legalize certain bonds of the city of Camanche, 721.
228, an act to legalize certain bonds issued by the city of Camanche, 569, 629.
229, a bill for an act relative to the Des Moines River Improvement, 529, 560, 573.
230, an act in relation to the publication of city ordinances, 569, 628, 649, 722.
232, a bill for an act for the relief of Michael Sweeney, 484, 494, 546.
238, a bill for an act for the incorporation and government of the Hospital of Insane, 652, 689.
239, a bill for an act to allow hotel and boarding house keepers certain liens, 465, 522.
237, a bill for an act to revoke taxes on property destroyed by fire, 716, 554, 557, 617, 649, 748.
250, a bill for an act to provide for the printing of the Code. 733.
252, a bill for an act relative to the school fund, 619, 629, 636, 683, 722.
253, a bill for an act providing for the safety of books, &c., 672, 720, 748.
262, a bill for an act for the relief of Benjamin Keller, and others, 498, 522, 573.
266, a bill for an act relative to the Railroad Company of the 42d parallel, 554, 556, 577, 578, 615.
269, a bill for an act to repeal part of section 6, of chap. 93, of acts of 7th General Assembly, 638, 644.
270, a bill for an act relative to the school fund, 740, 758.

No. 271, a bill for an act relative to the tax of 1860, 682.
272, a bill for an act to repeal section 845, of chapter 31, of Code of Civil Practice, 465, 505.
274, a bill relative to the time of holding court in the 11th judicial district, 465, 474, 546.
283, a bill for an act to legalize the acts of H. B. Horton, a Notary Public of Clinton county, 475, 573.
290, a bill for an act to amend section 3, of chapter 151, of the acts of 7th General Assembly, 690, 702.
352, an act providing for auditing accounts for publishing laws in newspapers, 635, 640, 722.
353, a bill for an act in relation to evidence, 635, 644, 660, 711, 748.
355, a bill for an act to legalize the acts of the city council of Fort Madison, 635, 643, 721.
357, a bill for an act to provide for a meeting of the Board of Education, 666, 720.
358, a bill for an act to amend an act relative to schools, 639, 702, 722, 718.
362, joint resolution for additional mail facilities, 635, 646, 682.
363, a bill for an act to preserve the laws and journals of the General Assembly, 638, 644.
367, a bill for an act relative to canvassing votes in the Representative and Senatorial districts, 692, 715, 754, 737.
368, a joint resolution relative to the State Agricultural College, 696, 654.
369, a bill for an act providing for the revision of 1860, 698, 740, 751.
275, a bill for an act to provide for the election of the members of the Board of Supervisors, 749, 755, 760.
276, a bill for an act to provide for the election of a Clerk of the Supreme Court, 465, 480, 497.
278, a bill for an act exempting certain articles from attachment, 465.
285, a bill for an act to authorize change of venue in certain cases, 572, 631, 669.
286, an act in relation to swamp lands, 646, 653, 655.
290, a bill for an act appropriating the saline land fund to the State University, 541, 584, 590, 592, 721.
291, a bill for an act limiting the powers and defining the duties of County Judge, 489, 493, 546.
292, an act to legalize the tax levied in Howard county, for the year 1859, 569, 628, 669.
294, a bill for an act to amend an act creating a Co. Board of Supervisors, 752.
297, a bill for an act to legalize the county bonds of Lee county, 570, 628, 634.

No. 298, a bill requiring trustees and others, to take an oath, 512, 523, 545, 721.
300, a bill for an act in relation to insane persons, and for relinquishment of dower, 554, 557, 649, 749.
304, a bill for an act to cure defective confessions of judgments, 635, 644, 659, 686.
306, a bill to render valid certain sales made and rights acquired under execution, 691, 703, 722.
307, a bill for an act in relation to the records of original title of lots in Iowa City, 572, 631, 669.
308, a bill for an act to provide for repairs upon Capitol building, 714.
311, memorial for additional mail facilities, 554, 557, 723.
312, a bill for an act to legalize the official acts of W. R. Brown, a Notary Public, 554, 557, 682.
314, an act in relation to dogs, 727.
315, a bill for an act relative to rewards offered by the State, 715.
317, an act to legalize the acts of the town of McGregor, 569, 682.
318, joint resolution for mail facilities, 635.
320, a bill for an act for the publication of the laws and journals of the Legislature, 711.
322, Joint Resolution for additional mail facilities, 568, 628.
324, a bill for an act relative to taking up water craft, &c., 681, 749.
325, a bill for an act making appropriations for the pay of State Officers, 692, 699, 700, 748.
327, a bill for an act to cede jurisdiction over certain lots in the City of Dubbque, 572, 630, 669.
331, an act relative to the overflow of lands, 572, 630, 658, 702.
333, a bill for an act relative to school lands, 572, 630, 682.
334, a bill for an act relative to swamp lands, 635, 644, 656, 732.
335, a bill for an act relating to revenue, 666, 667.
336, a bill for an act for the management of the school fund, 692, 704, 706.
337, a joint resolution relative to railroads, 60, 572, 630, 682.
338, a bill to amend chap. 29, section 307, of Code, 635, 646.
340, a bill for an act relative to the government of the Penitentiary, 653, 711.
341, a bill for an act relative to the Penitentiary, 664, 702.
344, a bill for an act making further appropriation for the Blind Asylum, 686, 724, 748.
345, joint resolution for additional mail facilities, 635, 645, 682.

No. 347, a bill for an act relative to the case of the State *vs.* Tighlman, *et al.*, 669, 676, 691.
348, a bill for an act requiring State offices, and others, to record their reports, 698,
No. 350, a bill for an act relative to common schools, 750.
371, a bill for an act to provide for a levy of tax for State purposes in the year 1860, 691.
372, a bill for an act to provide for publication of certain laws in certain German papers, 691, 716, 748.
373, a bill for an act to legalize the acts of Jas. T. Lane, 652.
376, a joint resolution in relation to certain exported products, 691.
377, a bill for an act relative to the Des Moines River, 748.
380, a bill for an act to change the fiscal year, and define the duties of State officers, 703, 756.
383, a joint resolution for additional mail facilities, 723.
387, a bill for an act relative to injunctions, 710, 752.
388, a bill for an act relative to common schools, 635, 666, 676, 685.
389, a bill for an act to amend an act passed by the Board of Education, 690, 739.
391, a bill for an act to amend the 11th section of the 1st article of the Constitution, 739.
392, a bill for an act to provide for the election of recorder and other officers, 712.
393, a bill for an act to abolish the salary of Clerks of the District Court, 712, 738, 740, 755, 761.
394, a bill for an act defining the duties of County Treasurers, 712.
395, a joint resolution for the distribution of the Code, 703.
396, a bill for an act to provide for the publication of certain laws in the Iowa State Register and Journal, 741, 758.
397, a bill for an act to repeal secs. 50, 51, 52, of chap. 152 of the acts of the 7th General Assembly, 747.
398, a bill for an act making appropriations for the per diem of the members of the 8th General Assembly, 719, 728, 732, 751.
399, a bill for an act requiring the Clerk of the Board of Supervisors to give an official bond, 723, 757, 760.
400, a bill for an act relative to the city of Dubuque, 726, 731, 758.

I.

Indebtedness, 17.
Insane Hospital, 577, 180, 34.
Internal Improvements, 78.
Incorporations, 78.

J.

Joint Convention, 55.
James D. Eads, 42, 200,
Judiciary, 78, 152.
Joint Rules, 111.

L.

Law Registry, 37.
Lieutenant Governor, commmunication of, 745.

M.

Message of Governor, 14.
Motion to print Governor's message, 52.
Military affairs, 78.
Message of Governor refered, 106.
Memorial relative to the Washington National Monument, 117.
Memorial from the Mayor and Aldermen of Keokuk, for the establishment of an Auditor's office, 176.

N.

Notice of introduction of appraisement law, 53.
New counties, 78.
Newspapers, reporters of, 177.

O.

Organization of, 12.
Office of Secretary of State, 44.
Office of Superintendent, 45.
Oath of office to Governor and Lieutenant Governor, 58.
Oath of office to Judges of Supreme Court, 71.

P.

Pardoning power, 32.
Public lands, 78.
Public buildings, 78.
Penitentiary, 573, 577, 585.
Petition for the abolition of the death penalty, 280, 85.
Petition of William McHargue, 89.
Petition for the abolition of the office of County Judge, 90.
Petition of C. Thompson, and others, 90, 116.
Petition of William M. Abraham, and others, 100, 109.
Petition of F. D. Bosworth, and others, praying for the abolition of the office of County Judge, and also that the offices of Treasurer and Recorder be separated, 105, 280.

Petition of Benjamin D. Pervue, and others, praying for the abolishment of capital punishment, 109, 243.
Petition of E. Zitschke, relating to the publication of chapter 65, of laws of 1858, 110.
Petition of L. J. Evans, and others, praying for the repeal of the Prohibitory Law, 129, 200, 237, 254, 260, 278, 279, 111, 280, 281.
Petition of John P. Grantham, and others, praying for the relief of Palmer C. Tiffany, 111.
Petition of Jesse R. Allen, for permission to erect a dam on the Nishnabotany River, 111.
Petition of A. Harris, and others, relative to swamp lands in Appanoose county, 115, 128, 149.
Petition of Jesse Mason, and others, relative to hogs and sheep, 115, 145, 255.
Petition of G. W. Field, and others, praying for the abolition of the County Judge system, 115.
Petition of B. R. Bronson, and others, praying for the abolition of the County Judge system, 116, 121, 135, 150, 161, 255, 317.
Petition of G. D. Woodin, and others, for paying N. L. Whitcher, 212.
Petition of James W. Brown, and others, for a change of the boundaries of Pottawatamie county, 138, 176, 184.
Penitentiary, 148, 149.
Petition of John Woodman, and others, relative to Des Moines College, 150.
Petition of S. J. Comfort, and others, relative to county officers, 150, 161.
Petition of Burnes and Rentgen, and others, praying for the amendment of chapter 92, of the laws of 1858, 150.
Petition of E. W. Eastman, and others, in reference to University Lands sold for delinquent taxes, 168.
Petition to legalize certain railroad bonds of Mitchell county, 176.
Petition for relief from fraudulent taxation, 176.
Petition relative to transfer of certain lands, 176.
Petition to vacate the town plat of Burris, 176, 213.
Petition relative to the town of Sidney, 201.
Petition from citizens of Jackson county for the change of the present road laws, 203.
Petition relative to swamp lands, 237, 296.
Petition relative to railroads, 270, 271, 278, 280, 295, 532.
Petition relative to legalizing county bonds of Story county, 271.
Petition relative to mail service, 281, 303.
Petition relative to chapter 143, of the acts of the Seventh General Assembly, 296.
Petition for change in revenue law, 296.
Petition relating to mechanics' lien, 303.

Petition relative to the boundaries of Jackson county, 316, 409.
Petition of John Wright, and others, praying for the restoration of the liquor law of 1857, 335.
Petition praying for the passage of a law in relation to the execution of property, 390.
Petition of citizens of Johnson county, praying for the passage of a law attaching the townships of Jefferson and Monroe, in Johnson county, to the county of Linn, 390.
Petition from Clinton county, relative to laying out certain lands in cemetery lots, 390.
Petition praying for the passage of a law exempting all improvements upon the soil of the State from taxation, 408, 411, 427.
Petition of Ralph Dewey, and others, remonstrating against the repeal of the laws for the suppression of intemperance, 409.
Petition relative to cities and towns regulating the sale of intoxicating liquors, 409.
Petition of F. C. Ramming, and others, against the passage of appraisement or valuation laws, 409.
Petition of J. Olehausen, and others, relative to officers of Railroad Companies, 409.
Petition for the restoration of prohibitory liquor law, or sale, as originally enacted, 411.
Petition relating to the city of Lyons, 411, 507.
Petition to change the name of the town of Rochester, Mahaska county, to that of Republic. 422, 500.
Petition of citizens of Riggold county, relative to school lands, 427.
Petition of Thomas Williams, and others, of Cedar county, relative to organizing a new county out of the counties of Cedar, Scott, Clinton, Jones and Jackson, 427.
Protest of Jesse Bowen, Senator from Johnson county, 742.

R.

Report of committee on credentials, 4.
Rules of last session of Senate adopted, 5, 318.
Resolution to elect enrolling and engrossing Clerks, 8.
Resolutions relative to Post Master, 11.
Resolutions relative to time of holding session, 13.
Revenue, 17.
Registry law, 37.
Railroads, 40.
Resolution to canvass votes, 52.
Resolution to print Governor's message, 53.
Resolutions as to daily papers, 75.
Railroads, 78.
Resolution to print Governor's message, 80.

Report of Librarian, 82.
Resolution to print report of Secretary of the Board of Education, and the report of the Board of Trustees of the Iowa University, 91.
Resolution calling for report of Commissioners appointed to examine accounts of State officers, under an act of March 23, 1858, 190, 182.
Resolution relative to township and county organization, 96.
Resolution relative to State Binding, 101, 122.
Report of Commissioners on Deaf and Dumb Asylum, 109.
Resolution as to meeting of Senate, 107.
Resolution of instruction and inquiry, 107.
Resolution relative to Saline Lands, 114.
Resolution relative to Geological Survey, 114.
Reports of Supreme Court and Constitutional Convention, 115.
Resolution relative to property taken by execution and attachment, 116.
Resolution relative to the duties of the Reporter of the Supreme Court of Iowa, 116, 142, 252.
Report of the Commissioners of the Insane Asylum, 117.
Report of the Iowa Institution for the Education of the Blind, 117.
Resolution relative to State Printing, 124, 125, 130, 147, 148.
Resolution relative to Schools and University, as to text books, 136.
Report from the Secretary of State, 137.
Resolution for distribution of reports, 139.
Resolution relative to the Branches of the State Bank, 140.
Resolution relative to the Des Moines River Company, 142.
Resolution relative to re-districting the State, 107, 142, 152, 160.
Resolution relative to Penitentiary, 147, 148.
Resolution relative to County Judge, 150, 151, 152.
Resolution relative to documents, 156.
Resolution relative to exempting printing press and material, 156.
Resolution relative to abolishing all laws for the collection of debts, 156.
Resolution relative to Railroad Companies, 157, 158, 213, 260, 264.
Resolution relative to the invasion of the States and Territories, 168.
Resolution relative to the report on Civil Practice, 172.
Resolution relative to Stationery, 177.
Resolution relative to taxation of railroads, 177.
Resolution relative to the Clerk of the District Courts, 178.
Resolution relative to 7th volume Iowa Reports, 178.
Resolution relative to navigable streams, 181.
Resolution relative to the State Bank of Iowa, 181, 214.

Resolution relative to the payment of fees, 184.
Resolution relative to the report of State officers, 185.
Resolution relative to revenue, 185, 204.
Resolution relative to knives and pens, 199.
Resolution relative to the school fund, 200.
Report of committee on schools, 227.
Resolution relative to Coppic, 330, 343, 344.
Resolution relative to School of the Blind at Iowa City, 331.
Resolution relative to the Code of Iowa, 331, 333.
Report of committee on mileage, 377, 378.
Report of committee on railroads, 386, 387.
Resolution relative to amending section five, of act number 11, passed by the Board of Education, 408.
Report of committee on printing, 593 to 611.
Resolution relative to mail matter, 761.

S.

Senate file number 2, a bill for an act to repeal section 3, of an act entitled an act to amend section 1848 of the Code of Iowa, approved February 27, 1858, 75, 242, 258, 348.
Senate file number 3, a bill for an act creating the office of County Auditor, and defining his duties, 82, 111.
Senate file number 4, a bill for an act in regard to the interest on delinquent taxes, 159, 83, 160.
Senate file number 5, a bill for an act to amend section 48, of laws of 1858, 83, 161.
Senate file number 6, a bill for an act for the appraisement of property sold on execution, 532, 516, 505, 501, 348, 550, 201, 626, 92, 655, 664, 674, 700.
Senate file number 7, a bill for an act to amend section 1, chapter 61, of the Code, in relation to estates of decedents, 92, 101.
Senate file number 8, a bill to amend chapter 147, of session laws of 1858, in relation to game, 107, 524, 178, 93, 263, 264, 293.
Senate file number 9, a bill to amend the city charter of Glenwood, 299, 111, 93, 426.
Senate file number 10, a bill for an act to amend chapter 80, of the Code of Iowa, 164, 143, 93, 399.
Senate file number 11, a bill for an act to amend chapter 92, of the acts of 1858, 93, 255, 275.
Senate file number 12, a bill for an act to amend an act entitled an act to define the times of holding courts in the several Judicial Districts of the State, 93, 101.
Senate file number 13, a bill for an act fixing the salaries of the Governor and other State officers of the State of Iowa, 93, 651.
Senate file number 14, a bill for an act to authorize the County Judge to sell Saline Lands, 97, 136, 143, 255, 263, 570, 576.

Senate file number 15, a bill for an act fixing the time of holding courts in the tenth judicial district, 374, 393, 97.

Senate file number 16, a bill for an act to repeal chapter 91 of the acts of the Seventh General Assembly, 401, 97.

Senate file number 17, a bill for an act entitled an act to amend sections 51, 58, 59, 60 of chapter 152, of the acts of the Seventh General Assembly, 97.

Senate file number 18, a bill for an act for the relief of persons falsely imprisioned, 97, 108.

Senate file number 19, a bill for an act to amend chapter 152 of the session laws of 1858, 661.

Senate file number 20, a bill for an act relating to Notaries Public, 100.

Senate file number 21, a bill for an act to fix the boundaries of the third judicial district, 102, 97.

Senate file number 22, a bill for an act to abolish the office of State Printer and Binder, and to provide for the letting of the State Printing and Binding to the lowest responsible bidder, 98, 499.

Senate file number 23, a bill for an act entitled an act to amend the revenue law, 329, 101.

Senate file number 24, a bill for an act to enforce the collection of taxes of 1858, 700, 730, 684, 108, 102.

Senate file number 25, a bill for an act to provide for the payment of the late School Fund Commissioners of the State of Iowa, 647, 540, 397, 385, 102.

Senate file number 26, a bill for act to determine the elegibility of county officers, 525, 109, 102.

Senate file number 27, a bill for an act for the relief of W. W. Williamson, 129.

Senate file number 28, a bill for an act entitled an act to attach the counties of Sioux and Buncomb to the County of Plymouth, for election revenue and judicial purposes, 104, 109.

Senate file number 29, a bill for act to amend chapter 148 of the session laws of 1858, entitled an act to authorize the Register of the State Land Office and the Governor of the State to issue patents to the purchasers of Des Moines River Improvement lands approved March 23, 1858, 105, 432.

Senate file number 30, a bill for an act to legalize the acts of certain officers of the Literary Fund of Grinnell, Iowa, 110, 161.

Senate file number 31, a bill for an act for the re-location of county seats, 110, 714.

Senate file number 32, a bill for an act relative to claimants and pre-emptors of school lands, approved April 14, 1858, 110, 145, 212, 227.

Senate file number 33, a bill for an act to amend chapter 107, of the acts of Sixth General Assembly relative to school lands in Decatur county, Iowa, 110, 162, 437, 471.

Senate file number 34, a bill for an act to amend chapter 43, of Code of Iowa, 737, 524, 112, 127, 135, 145, 154, 155' 262, 266, 275, 707, 708, 724.

Senate file number 35, a bill for an act to legalize certain Rail Road Bonds in Mitchell county, 306, 310, 697, 727, 737, 754.

Senate file number 36, a bill for an act to re-locate County Seats, 112, 714, 747.

Senate file number 37, a bill for an act for the disposition of the Saline Fund, 118, 385, 412, 450, 488.

Senate file number 38, a bill for an act concerning the assignment of judgments and decrees, 119.

Senate file number 39, a bill for an act for the relief of schools, colleges and colonies, 119.

Senate file number 40, a bill for an act for the relief of purchasers of school lands, 119, 146.

Senate file number 41, a bill for an act relative to District Attorneys, 119, 308.

Senate file number 42, a bill for an act to amend section 12 of chapter 152 of the acts of the laws of the 7th General Assembly, 119, 164.

Senate file number 43, a bill for an act fixing the times of Court in the Second Judicial District, 119, 153, 214, 221, 222, 227.

Senate file number 44, a bill for an act to fix the times of holding Courts in the Third Judicial District, 126, 210, 244, 250, 255.

Senate file number 45, a bill for an act relating to County Organization, 126.

Senate file number 46, a bill for an act establishing a Board of Supervisors and defining their duties, 126.

Senate file number 47, a bill for an act defining the duties of the successor of the late School Fund Commissioner, 126, 162, 191, 241.

Senate file number 48, a bill for an act to amend chapter 112 of the 4th General Assembly relative to satisfying judgments, 133, 213, 524.

Senate file number 49, a bill for an act for the organization and government of the militia of the State of Iowa, 136, 316.

Senate file number 50, a bill for an act concerning apprentices, 138, 163, 317, 334, 412.

Senate file number 51, a bill for an act entitled an act to amend section 9 of chap. 158 of the acts of the 7th General Assembly, 143, 385.

Senate file number 52, a bill for an act relative to the Keokuk, Fort Des Moines and Minnesota Rail Road Company, 143, 162, 179, 181, 225, 227.

Senate file number 53, a bill for an act to amend section 8, chap. 104, of session laws of 1853, 143, 174.

Senate file number 54, a bill for an act for the election of one additional Justice of the Peace, in Big Creek township, in Black Hawk county, 145, 161.

Senate file number 55, a bill for an act for a general Registry of voters in Iowa, 159, 182, 339.

Senate file number 56, an act authorizing the County Judge of Appanoose county to appropriate the proceeds of the Swamp Lands to build a court house, 161, 262, 450, 492, 456, 494.

Senate file number 57, a bill for an act for the improvement of the State Library, 207.

Senate file number 58, a bill for an act to amend chapter 1, of the acts of the extra session of the General Assembly of 1856, 167.

Senate file number 59, a bill for an act for the regulation of Rail Road Corporations, 167, 388, 430.

Senate file number 60, a bill for an act to amend an act entitled an act authorizing General Banking in the State of Iowa, 167, 633,

Senate file number 61, a bill for an act to provide for the publication and distribution of the annual reports of the State Agricul tural Society, 167, 191, 506.

Senate file number 62, a bill for an act making appropriations for selecting swamp lands, 167, 263, 297, 412, 503, 508, 516, 571, 619.

Senate file number 63, a bill for an act for the protection of fish, 201.

Senate file number 64, a bill for an act relating to the payment of taxes into the State Treasury, 174.

Senate file number 65, an act concerning appeals of cases from the District Court of Jefferson county, 175.

Senate file number 66, a bill for an act to protect freedom in Iowa, 175.

Senate file number 67, a bill to change the time of holding courts in the third judicial district, 175, 207.

Senate file number 68, a bill for an act repealing all existing laws for the suppression of intemperance, 175.

Senate file number 69, a bill for an act creating the office of County Auditor and Register, 175, 297 682, 728, 735.

Senate file number 70, an act concerning Railroad Companies, 175, 388, 424.

Senate file number 71, a bill for an act making further appropriation for the State Insane Asylum, 189, 226, 270, 551, 571, 582, 653.

Senate file number 72, a bill for an act authorizing school districts, or sub-districts, to levy taxes for school purposes, 186, 262.

Senate file number 73, a bill for an act giving rights to redeem property sold under special execution issued on judgments rendered for the foreclosure of mortgages, 190.

Senate file number 74, a bill for an act to pay the claim of William McHargue, 191, 342, 360, 381.

Senate file number 75, a bill for an act for the regulation of State and County roads within towns and cities, 199, 311.

Senate file number 76, a bill for an act making appropriations for the Iowa Penitentiary, 200, 429, 430, 534, 552.

Senate file number 77, a bill for an act making appropriation for the Blind Asylum, 204, 221, 293, 562, 583, 590, 622.

Senate file number 78, a bill for an act relative to the State University, 210, 274. 289, 290, 294, 494, 532, 535.

Senate file number 79, a bill for an act establishing a County Court and defining the duties of the County Judge, 211.

Senate file number 80, a bill relative to Martin McHugo, 211, 304, 399, 426.

Senate file number 81, a bill relative to N. L. Whitcher, 212.

Senate file number 82, a bill for an act to amend an act to authorize the Dubuque and Pacific Railroad Company, and others, to bridge the Mississippi River at Dubuque, 222, 257, 399, 407.

Senate file number 83, a bill for an act to provide for the payment of vacating a certain grave-yard, 223 245.

Senate file number 84, a bill for an act making further appropriation for the University, 227, 655.

Senate file number 85, a bill for an act to enable the Board of Trustees of the State University to purchase the so-called Mechanic's Academy, 230, 655.

Senate file number 86, a bill for an act to amend an act prohibiting county officers from dealing in the indebtedness of their respective counties, 231, 261, 274, 399, 407.

Senate file number 87, a bill for an act to amend section 24, of chapter 158, of the acts of the Seventh General Assembly, 231.

Senate file number 88, a bill for an act to regulate the foreclosure of deeds of trust and mortgages, with power of sale, 298, 337, 480, 521, 638, 639, 659, 664, 667.

Senate file number 89, a bill for an act to repeal chapter 101, of the Seventh General Assembly, 231, 256, 375, 409.

Senate file number 90, a bill for an act relating to transcripts of Justice's Dockets, 231, 245.

Senate file number 91, a bill for an act to provide for fencing Railroads, 231.

Senate file number 92, a bill for an act relating to the returns of Sheriffs and other officers, 231, 245.

Senate file number 93, a bill for an act to legalize the acts of David C. Sperry, of Fayette county, Iowa, 232, 418, 437, 471.

Senate file number 94, a bill for an act to fix the times of holding courts in the Fifth Judicial District, 268, 267, 250.

Senate file number 95, a substitute for Senate files 45 and 46, a bill for an act creating a County Board of Supervisors, 249, 277.

Senate file number 96, a bill for an act relative to swamp lands, 255, 549, 669, 723.

Senate file number 97, a bill for an act to amend section 12, of chapter 157, of the acts of the Seventh General Assembly, 259, 265.

Senate file number 98, a bill for an act to secure fees to jurors in Justice's courts, 259, 299.

Senate file number 99, a bill for an act to prevent counties and other corporations from taking stock in Railroad Companies, 261, 282, 286, 300.

Senate file number 100, a bill for an act to regulate the foreclosure of mortgages, 276, 298, 335, 336, 375, 394, 487.

Senate file number 101, a bill for an act rendering valid the service of original notices in certain actions, 277, 298, 619, 641, 664.

Senate file number 102, a bill for an act to regulate brokers, 282, 461, 661, 751.

Senate file number 103, a bill for an act relative to the trasfer of property for taxation, 282, 746.

Senate file number 104, a bill for an act to repeal section one of the acts of the Seventh General Assembly, 282.

Senate file number 105, a bill for an act to provide for the payment of Jury fees, 282, 305.

Senate file number 106, a bill for an act relative to the school fund, 289, 348, 515, 548.

Senate file number 107, a bill for an act to legalize the organization of Hartland township, 572, 589.

Senate file number 108, a bill for an act to grant to the city of Dubuque, title to certain lands, 296, 347, 703, 708, 724, 737.

Senate file number 109, a bill for an act giving county courts limited, civil, and criminal jurisdiction, 297, 334, 351, 537, 567.

Senate file number 110, a bill for an act to provide for the alteration and vacation of streets and alleys, 299, 306, 311, 554, 589.

Senate file number 111, a bill for an act concerning school lands in Tama county, 302, 422, 655, 661.

Senate file number 112, a bill for an act to amend an act entitled an act providing for the election of Supervisors, and defining their duties, 302, 348.

Senate file number 113, a bill for an act to legalize the city elections in the city of Glenwood, 303, 569, 589.

Senate file number 114, a bill for an act to amend certain secs. of the criminal laws, 306, 348, 375, 413.

Senate file number 115, a bill for act defining the duties of Railroad Companies, 589, 653, 666, 692.

Senate file number 116, a bill for an act to submit to arbitration the claims of the State against James D. Eads, 311, 389.

Senate file number 117, relative to a mail route from Eddyville to Des Moines, 313, 383, 392.

Senate file number 118, a bill for an act to provide for recording deeds and mortgages, 315, 348.

Senate file number 119, a bill for an act to authorize the County Court in certain cases, 504.

Senate file number 120, a bill for an act changing the boundaries of Dickinson county, 328.

Senate file number 121, a bill for an act entitled an act to repeal

chapter 240, of the acts of the Sixth General Assembly, 328, 348,
Senate file number 122, a bill for an act to amend chapter 156. of the acts of the Sixth General Assembly, 328.
Senate file number 123, a bill for an act to exempt sheep from taxation, 328.
Senate file number 124, a bill for an act requiring banking corporations to make quarterly settlements, 333, 712, 723, 737.
Senate file number 125, a joint resolution for additional mail facilities, 335.
Senate file number 126, a bill for an act to establish a Code of Civil and Criminal Practice at Law and in Equity, 341, 346, 349, 360, 361, 362, 363, 364, 365, 366, 367, 369, 378, 379, 380, 381, 465, 651, 664.
Senate file number 127, a bill for an act to require the County Judges of the several counties to levy taxes on certain lands for 1857 and 1858, 338, 709, 711, 735.
Senate file number 128, a bill for an act to repeal section 2, of chapter 72, of the acts of the 7th General Assembly, 352.
Senate file number 129, a bill for an act for the relief of all persons heretofore divorced since the 4th day of July, 1858, 352, 375, 414, 569, 576, 627.
Senate file number 130, a bill for an act for the location and erection of an institute for the Deaf and Dumb, at Indianola, 352.
Senate file number 131, a joint resolution for mail facilities, 353.
Senate file number 132, a joint resolution for mail facilities, 354.
Senate file number 133, a bill for an act entitled an act concerning the purchase of school and University lands, 357, 422.
Senate file number 134, a bill for an act fixing the pay of State Printer and Binder, 373, 499, 560.
Senate file number 135, a bill for an act authorizing the Gov. of State to furnish arms, &c., 374, 379, 386.
Senate file number 136, a bill for an act regulating the execution of express trusts, 381.
Senate file number 137, a bill for an act to protect reversioners against the neglect of tenants, 381.
Senate file number 138, a bill for an act to legalize the acts of Chas. A. Bannon, as Notary Public, 385, 499, 554, 589.
Senate file number 139, a joint resolution for additional mail facilities, 388, 589.
Senate file number 140, a bill for an act providing for the appointment of a Supreme Court Reporter, 393, 509, 671.
Senate file number 141, a bill for an act legalizing the official acts of Notaries Public heretofore appointed, 395.
Senate file number 142, a bill for an act extending the time for completion of 75 miles of the Dubuque & Pacific R. R., 402, 407.
Senate file number 143, a bill for an act entitled an act regulating partition fences, and fences in common, 397, 429.
Senate file number 144, a bill for an act requiring complete re-

ports from officers in charge of State buildings, 398, 539, 619.
Senate file number 145, a bill for an act entitled an act to provide for the election of members of Congress, 408.
Senate file number 146, a bill for an act to exempt from taxation the property of Manual Labor Colleges and Schools, 412, 422, 542.
Senate file number 147, a joint resolution, 412.
Senate file number 148, a bill for an act for the relief of Greenville Hale, 417, 530.
Senate file number 149, a bill for an act to legalize the acts of Bloomfield township school district, in Davis county, Iowa, 417, 457, 487.
Senate file number 150, a bill for an act amendatory of an act to provide for the State Historical Society, 418, 538, 577, 589.
Senate file number 151, a bill for an act repealing a part of section 28, of chapter 159, of the acts of 1858, 418, 502, 695.
Senate file number 152, a bill for an act offering a reward for the arrest of Small and Seamans, 419.
Senate file number 153, a bill for an act to establish a Code of Criminal Practice, 422, 451-2-3-4, 485, 554, 674.
Senate file number 154, a bill for an act to amend chapter 39 of session laws of 1857-8, 423.
Senate file number 155, a bill for an act to regulate freight and passenger tariffs on railroads, 423.
Senate file number 156, a bill for an act amending an act entitled an act to regulate the interest on money, 428, 475, 483.
Senate file number 157, a bill for an act to provide for issuing the bonds of the State to the school fund, 428, 655.
Senate file number 158, a joint resolution for additional mail facilities, 428.
Senate file number 159, a bill for an act to carry into effect the provisions of section 5, of chapter 21, of the acts of the 7th General Assembly, 428, 505, 671, 723, 731.
Senate file number 160, a bill for an act to repeal section 25, chapter 91, of the acts of the 7th General Assembly, 431.
Senate file number 161, a bill for an act to amend section 2548, of the Code, 431, 656.
Senate file number 162, a bill for an act relative to the Railroad on the 42d parallel, 436, 461.
Senate file number 163, a bill for an act appointing Commissionors and relating to the land grants, 437, 482.
Senate file number 164, a bill for an act to regulate the compensation of clerks of the district court, 437, 571, 738, 741.
Senate file number 165, a bill for an act securing liens to mechanics, laborers and others, 437, 483, 496, 735, 759.
Senate file number 166, a bill for an act relating to the Dubuque and Pacific Railroad Company, 450, 554.
Senate file number 167, a bill for an act to repeal an act en-

titled an act requiring witnesses' fees to be paid into the county treasury, 461, 554, 571, 735, 755, 759.

Senate file number 168, a bill for an act authorizing the County Judge of Warren county to pay money to certain school districts, 466, 556.

Senate file number 169, a bill for an act to pay C. B. Van Gent for services as clerk of the Iowa Penitentiary, 660.

Senate file number 170, a bill for an act to legalize certain bonds of the county of Story, 502, 641, 664.

Senate file number 171, a joint resolution for additional mail facilities, 478, 656, 660.

Senate file number 172, a bill for an act defining what shall constitute a tender in certain cases, 480, 486, 488, 523.

Senate file number 173, a bill for an act for the suppression of intemperance, and to regulate the sale of intoxicating liquors, 526.

Senate file number 174, a bill for an act to designate the holidays to be observed in acceptance,and payment of bills of exchange, bank checks, and promissory notes, 484.

Senate file number 175, a bill for an act relative to the Governor's offering rewards for persons charged with capital offenses, 884, 501, 650, 754.

Senate File number 177, a bill for an act to legalize the levy of taxes in Grundy county, 492, 503, 735, 755, 759.

Senate File number 178, a bill for an act separating the offices of Recorder and Treasurer, and establishing the office of Register —defining his duties, 508.

Senate File number 179, a bill for an act to authorize the Trustees of the Agricultural College Farm to sell lands, 515, 566, 641, 664.

Senate File number 180, a bill for an act for the relief of John Bell, a defaulting School Fund Commissioner, &c., 515, 521, 651, 664.

Senate File number 181, a bill for an act to prevent the sale and transfer of certain swamp lands, 515, 560.

Senate File number 182, a bill for an act providing for the printing of the Laws of the present General Assembly, 515.

Senate File number 183, a bill for an act for the relief of certain pre-emptors on school lands, 559.

Senate file number 184, a bill for an act amending section 5, of act No. 11, of the Board of Education, passed December 1858, 519, 548, 549.

Senate file number 185, a bill for an act to exempt military companies from labor on public roads, 519, 248, 549.

Senate file number 186, a bill for an act to prevent diseased animals from running at large, 519.

Senate file number 187, a bill for an act to quit-claim to the holders of certain certificates for purchases of swamp lands sold by County Judges, 519, 541.

Senate file number 188, a bill for an act for the better management of the school fund, 529, 699, 704.

Senate file number 189, a joint resolution for additional mail facilities, 530, 577.

Senate file number 190, a bill for an act to amend chapter 128, of the acts of the 7th General Assembly, 530.

Senate file number 191, a bill for an act to authorize the Register of the State Land Office to issue patents for University Lands, 530, 708, 724, 737.

Senate file number 192, a bill for an act entitled an act relating to municipal incorporations, 531, 657.

Senate file number 193, a bill for an act entitled an act to abolish the office of State Librarian, 531, 538.

Senate file number 194, a bill for an act entitled an act relating to text books, 531, 647, 749, 755, 759.

Senate file number 195, a bill for an act to authorize the County Judge of Tama county to pay the claim of H. Stearns, 532.

Senate file number 196, a bill for an act to pay the Commissioners of Revision, 533, 620, 664, 665.

Senate file number 197, a bill for an act regulating the payment of expenses of requisitions of fugitives from justice, 533.

Senate File number 198, a bill for an act relative to the Des Moines River Improvement, 536, 616, 636, 675, 690.

Senate File number 199, a bill for an act authorizing the construction of mill dams, 539, 558, 652.

Senate File number 200, a bill for an act amendatory of chapter 114 of the laws of the Seventh General Assembly, 541, 623, 652, 679.

Senate File number 201, a bill for an act for the relief of Hugh Loynacham, 541, 653.

Senate File number 202, a bill for an act authorizing the County Judge of Polk county to appropriate a portion of the proceeds of the swamp lands, for the completion of a court house, 542, 618, 652, 697, 723, 731.

Senate File number 203, a bill for an act to amend section 83, of the Code, 542.

Senate File number 204, a bill for an act respecting the taking effect of the law of 1858, relating to aliens, 549.

Senate File number 205, a bill for an act regulating the compensation of County Judges, 551, 568, 656, 660.

Senate File number 206, a bill for an act to amend chapter 188, of the acts of the Sixth General Assembly, 552.

Senate File number 207, a bill for an act to legalize the levy of the road tax in Mitchell county, for 1858, 552, 672, 690.

Senate File number 208, a bill for an act regulating the Board of Supervisors, 553, 632, 633.

Senate File number 209, a bill for an act entitled an act to prescribe the duties of Secretary of State, 553, 625, 656, 660.

Senate File number 210, a bill for an act entitled an act to repeal chapter 160, of the acts of the Seventh General Assembly, 553, 641, 682, 700, 730.

Senate File number 211, a bill for an act providing for transcribing the records in the Recorder's office, 556, 650, 696.

Senate File number 212, a joint resolution for additional mail facilities, 556, 652, 703, 723, 731.

Senate File number 213, a bill for an act to re apportion the State into Senatorial districts, 586, 667.

Senate File number 214, a bill for an act to authorize the Board of Directors of Clear Creek township school district, Keokuk Co., 587, 618, 640, 664.

Senate File number 215, a bill for an act relating to State Printing, 593, 698, 707, 737, 754.

Senate File number 216, a bill for the better management of the school fund, 615, 622, 638.

Senate File number 217, a bill for an act to submit to arbitration, all matters relating to the Iowa Penitentiary, 617, 687, 738, 759.

Senate File number 218, an act apportioning the State of Iowa into Representative Districts, 690.

Senate File number 219, a joint resolution for additional mail facilities, 632, 691, 700, 730.

Senate File number 220, a bill for an act making provision for the continuance of the Geological Survey of the State, 633.

Senate File number 221, a bill for an act to provide for the allotment of terms of Senators, 634, 700, 730.

Senate File number 222, a bill for an act providing for the revision of the laws of this session, 640, 726, 735, 755, 759.

Senate File number 223, a bill for an act in relation to railroad connections, &c., 653.

Senate File number 224, a bill for an act in relation to county government, 654, 684, 700, 730.

Senate File number 225, a bill for an act providing for the submission to the people, of an act to ament the general banking law, 657, 724, 737, 754.

Senate File number 226, a bill providing for the payment of the indebtedness of the Iowa Penitentiary, 663, 688, 698, 723, 731.

Senate File number 227, a bill for an act making appropriation for the Iowa Penitentiary, 688, 698, 723, 731.

Senate File number 228, a bill for an act in relation to delinquent taxes, 696, 718.

Senate File number 230, a bill for an act in relation to roads and highways, 698, 726, 737, 754.

Senate File number 231, a bill for an act making an appointment of a Commissioner for the erection of the State Hospital, 699, 724, 737 754.

Senate File number 232, a bill for an act to amend an act enti-

tled an act authorizing General Banking in the State of Iowa, 710, 737, 754.

Senate File number 234, a bill for an act providing for taking effect of S. F. number 6, relative to appraisement of property, 717, 719, 723, 737.

Senate File number 235, a bill for an act to pay the expenses in case of State *vs.* Tighlman, *et al.*, 746.

Senate File number 236, a bill for an act in relation to State Binding, 752, 753, 756, 758, 759.

Senate File number 237, a bill for an act to amend an act making further appropriation for the erection of State Insane Asylum, 753.

Senate File number 238, a bill for an act in relation to the publication of the school laws of this session, 757.

T.

Treasury Department, 47.
Township and County Organization, 78.

W.

Ways and Means, 78.
Report of, 463.