

such parent or parents had outlived the intestate and died in possession of such share, and so on through their ascending ancestors.

Sec. 8. If heirs are not thus found, the portion thus uninherited shall go to the natural parents of the intestate, and in case of their death then to the heirs under the ordinary rules of descent.

The substitute was read first and second time by title, and ordered passed on file.

Senator Townsend, from the special committee appointed to prepare resolutions on the life and character of Daniel Anderson, late of Monroe county, submitted the following report and moved its adoption:

**MR. PRESIDENT**—Your special committee, appointed to prepare resolutions concerning the life and character of Daniel Anderson, respectfully report as follows:

**WHEREAS**, Daniel Anderson, a member of the State Senate of Iowa in the Fifth, Sixth and Seventh General Assemblies, departed this life on the 4th of February, 1901, at his home in Albia; therefore, be it

*Resolved*, That in the death of Daniel Anderson the bar of Iowa lost one of its ablest lawyers; the Pioneer Lawmakers' association one of its most brilliant members; the state one of its best citizens, and the nation one of its bravest defenders in its hour of need.

*Resolved*, That the Senate joins with the citizens of the community in which he lived for over fifty years, in sorrow at his loss and tenders to his widow and children its sincere sympathy in their bereavement.

*Resolved*, That a copy of these resolutions suitably engrossed be transmitted to the family of the deceased by the Secretary of the Senate.

FRED TOWNSEND,  
CLAUDE R. PORTER,  
S. H. HARPER,

*Committee.*

The resolution was unanimously adopted by a rising vote.

Senator Townsend spoke as follows in support of the resolution.

**MR. PRESIDENT**—During the year 1901, two of Monroe county's most respected citizens, both sometime members of the state senate—departed this life. Of one of these men—Daniel Anderson, it is my privilege at this time to speak, and in so doing, I am fully conscious of the inadequacy of mere words to voice the sentiment of the heart and speak the language of sorrow.

The life of Mr. Anderson was such that a simple narration of its principal events will portray his character and show the esteem in which he was held, far better than any eulogy that I can deliver.

Daniel Anderson was born in Monroe county, Indiana, April 5, 1821. His ancestors were early settlers of America from Ireland and Scotland and from them he inherited these strong and vigorous characteristics which made him so successful in life's battles. His boyhood was spent on his father's farm and in the primitive schools of the times he received a limited education. In 1846 he entered Bloomington college and there formed a friendship with two men of whom Iowa is well proud, James Harlan and George G. Wright. This friendship lasted throughout life.

In 1847 Mr. Anderson was admitted to the bar of Indiana, having studied for some time under Richard Thompson, who in later years occupied a prominent place in our national history. In 1848 he removed to Iowa, stopping first at Keokuk, but a few months later located at Albia, where he continued to reside until his death in 1901.

Upon the formation of the republican party he became an enthusiastic member and remained closely identified with it for the rest of his life. In 1854 he was elected to the state senate from the district composed of the counties of Wapello, Monroe, Lucas and Clarke, and was re-elected to the Sixth and Seventh General Assemblies. He was, I believe, the first republican to represent these counties in the senate.

In 1856 he was a delegate from Iowa to the national republican convention and in 1864, after his return from the army, a presidential elector on the republican ticket. In 1867 he was appointed registrar in bankruptcy, which position he held until the law was repealed.

When, in 1861, the tocsin of war was sounded, Senator Anderson was one of the first to respond to the call for volunteers. He was active in the work of enlistment of Company H. First Iowa Volunteer cavalry of which he was made captain. For three long years he served his country bravely and faithfully upon the field, and was promoted through the various grades from captain to colonel of his regiment. Towards the close of the war continued ill health forced him to resign. He returned to Albia, resumed the practice of law, in which he actively engaged until 1892.

Senator Anderson was a ready and a forcible debater and soon earned a prominent position as a member of the legislature. In the Seventh General Assembly he was chairman of the judiciary committee, then as now, one of the leading committees of the senate.

As a lawyer, Colonel Anderson ranked high at the bar in southern Iowa and took an active part in many of the notable forensic combats of the time. He enjoyed a large clientage, but believing in living well and having no desire for money, save as it contributed to present needs, accumulated but little property.

Colonel Anderson's personal character was of high standard. His father was a Methodist minister—one of those rugged, self-sacrificing servants of God who did so much to spread the gospel among the early settlers of the middle-west, and at his knee Daniel learned those precepts of Christianity which guided and influenced him throughout life. He early allied himself with the Methodist church and remained a member until his death. After

his retirement from the active practice of the law, Colonel Anderson lived quietly at his home in Albia until his death February 4, 1901.

His later years were spent among his life long friends and comrades until, "He entered that undiscovered country from whose bourne no traveler returns."

On motion of Senator Classen, the remarks of Senator Townsend were ordered printed in the Journal.

Senator Dowell moved that Senate file No. 213 be referred to committee on Appropriations, and retain its place on the Calendar.

Carried and so ordered.

#### THIRD READING OF BILLS.

On motion of Senator Hubbard, House file No. 117, a bill to amend section four thousand, eight hundred and seven (4807) of the code, relating to malicious mischief and trespass, with report of committee recommending its passage was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Hubbard moved that the rule be suspended, and that the reading just had be considered its third reading, which motion prevailed.

On the question, Shall the bill pass?

The yeas were:

Senators Bachman, Bishop, Classen, Courtright, Craig, Crawford, Dowell, Emmert, Fitchpatrick, Garst, Griswold, Harper Healy, Hopkins, Hubbard, Junkin, Lambert, Lewis, Lister, Lyons, Mardis, Maytag, Molsberry, Porter, Smith of Mitchell, Townsend, Wilson, Winne, Young of Lee, Young of Washington—30.

The nays were:

None.

Absent or not voting:

Senators Alexander, Allyn, Arthaud, Ball, Blanchard, Brighton, Brooks, Crossley, Harriman, Hartshorn, Hayward, Hazelton, Hobart, Hogue, Moffit, Smith of Des Moines, Spaulding, Tallman, Trewin, Whipple—20.