

We, therefore, respectfully submit the following resolution, and ask that the same be substituted for the majority report:

CONCURRENT RESOLUTION

Authorizing and advising the conditional pardon of John Wesley Elkins.

Be it Resolved, By the House, the Senate concurring: That the governor be and is hereby authorized to grant, and it is advised and recommended that he grant a conditional pardon to John Wesley Elkins, formerly of Clayton county, Iowa, and who now is confined under life sentence from the district court of said county, in the state prison at Anamosa, upon the following terms and conditions:

First. That said John Wesley Elkins shall not return to or become an inhabitant of the county of Clayton, state of Iowa, or any other county adjoining thereto.

Second. That Prof. James E. Harlan of Mt. Vernon shall satisfy the governor that suitable and adequate provisions has been made for the education and support of John Wesley Elkins for a term of 10 years after his liberation from prison.

Third. That he shall put himself under the control and tutelage of Prof. James E. Harlan of Mt. Vernon, and he, John Wesley Elkins, shall be directed and controlled in all matters touching his deportment and life by him, the said Prof. James E. Harlan.

Fourth. That said John Wesley Elkins shall deport himself as a peaceable, orderly and well-disposed member of society.

Fifth. And such other conditions and restrictions as the governor shall see proper to impose.

B. L. EIKER,
M. F. EDWARDS,
BURTON E. SWEET,
FRANK S. PAYNE,
WM. G. KERR,
H. E. TEACHOUT,
C. J. WILSON.

Larrabee of Fayette, from the special committee to prepare resolutions on the death of the Hon. John H. Gear, submitted the following report:

MR. SPEAKER—Your Special committee, appointed to prepare resolutions on the death of Hon. John H. Gear, beg leave to report that they have had the same under consideration and the committee has authorized me to report the following resolutions and recommend that the same be adopted:

CONCURRENT RESOLUTION ON THE DEATH OF HON. JOHN H. GEAR.

WHEREAS, The Hon. John H. Gear, United States senator from the state of Iowa, departed this life at Washington, D. C., on the 14th day of July, 1900; and,

WHEREAS, The general assembly of the state of Iowa desires to place upon record its profound grief at his untimely death and its appreciation of his worth as a citizen and as a public officer; therefore,

Resolved, By the House the Senate concurring: That in the death of Senator Gear our state has lost one of its best beloved and most prominent citizens. He was one of the early pioneers of the state, having been a resident of Burlington since September 25th, 1843. He took an active part as a citizen and in public life in laying the foundation of our present great and prosperous state. In 1863 his political career commenced when he was elected mayor of the city of Burlington. In 1871 he was elected a representative of the Fourteenth General Assembly and was re-elected in 1873 and again in 1875, serving as Speaker in both the Fifteenth and Sixteenth General Assemblies. He was elected governor of the state in 1877, and again in 1879, serving four years. His administration of this high office was so energetic and vigorous that he became a popular leader. He also served as a member of the Fiftieth, Fifty-first and Fifty-third congresses, and in 1892 served a brief term as assistant secretary of the treasury under President Harrison.

In 1894 he was elected to the senate of the United States, an office which he held up to the time of his death. He had also been re-elected senator for the full term, commencing March 4, 1901.

In all these varied public positions he was a faithful, conscientious officer. He was of a genial disposition, loyal to his friends, strongly devoted to every interest of his state, intensely patriotic, a strong, faithful and able public servant, an honest man.

In his death our state has lost one of the most distinguished citizens and his family a fond and loving husband and father.

Resolved, That these resolutions be spread upon the Journals of the two Houses and that an engrossed copy be furnished the family of the deceased.

On the part of the House,

WM. LARRABEE, JR.,
A. J. BARKLEY,
C. W. CARTER.

On the part of the Senate,

L. C. BLANCHARD,
ALEXANDER MARDIS,
GEO. M. BALL.

Adopted unanimously by rising vote.

SENATE MESSAGES CONSIDERED.

Senate file No. 316, a bill for an act to amend section three thousand six hundred fifty-one (3651) of the code, relating to method of trial in ordinary actions after reversal in the supreme court.